

# PP 41/2006

Perizinan Kegiatan Penelitian dan Pengembangan  
(PTA, Lembaga Litbang Asing, BUA, Orang Asing di Indonesia)

Kementerian Riset dan Teknologi

*Disampaikan pada:  
Raker Komisi Etik Penelitian Kesehatan  
Badan Penelitian dan Pengembangan Kesehatan  
Bandung, 13 Maret 2010*

# LATAR BELAKANG (1)

- Perubahan global dalam ilmu pengetahuan, teknologi dan inovasi → memacu kerjasama Internasional dalam bidang Iptek untuk meningkatkan daya saing global serta mendukung pertumbuhan ekonomi nasional
  - Perubahan global dan kesadaran manusia untuk terus melakukan perubahan melalui Iptek dan inovasi → mengundang minat pihak asing untuk bekerjasama dengan peneliti maupun litbang di Indonesia
  - Perubahan paradigma KS Internasional → tujuan akademis (publikasi ilmiah) menjadi produksi produk komersial yang berguna untuk kalangan bisnis dan pengguna
  - Perubahan 'nature' penelitian dari riset dasar menuju riset terapan → transfer teknologi, keterlibatan akademisi, pebisnis dan pemerintah (*Academic-Business-Government* - ABG)



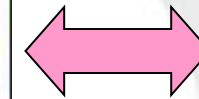
*Courtesy of Ari Marsudi  
(2007)*

## LATAR BELAKANG (2)

- Peningkatan intensitas dialog interaktif antara Indonesia dan mitra asing → untuk bersama-sama menghadapi isue dunia (Food, Energy, Water, Climate Change, Emerging diseases, Marine and Ocean)
- Bidang KS yang diminati dalam 2008-2009 (10 besar) adalah Primatologi, Biodiversity (termasuk Biologi), Antropologi, Geologi, Zoologi, Kesehatan, Seismologi, Geografi, Kehutanan, Botani
- Besarnya jumlah KS Iptek Internasional → **perlu adanya pengaturan** untuk melindungi kekayaan alam Indonesia (keanekaragaman hayati, mineral, dan sumber daya alam lainnya), *genetic resources dan traditional knowledge*, IPR dari peneliti Indonesia



INDONESIA



FOREIGN PARTNERS



Dialog Interaktif

# DASAR PEMIKIRAN (1)

## (1) Pembangunan IPTEK Nasional →

tidak terlepas dari kemungkinan KS Internasional –  
kecenderungan kemajuan IPTEK terjadi di negara-negara maju

## (2) KS Internasional di semua unsur kelembagaan IPTEK →

2.1. memacu Alih Teknologi

2.1. meningkatkan partisipasi Ind dalam masyarakat Ilmiah  
Internasional

## (3) Kegiatan Litbang Asing yang TIDAK DIATUR perizinannya dikhawatirkan →

3.1. DAPAT mengakibatkan kekayaan hayati dan non-hayati,  
artefak, dan harta karun milik NKRI dimanfaatkan secara tidak  
bertanggung jawab oleh pihak Asing.

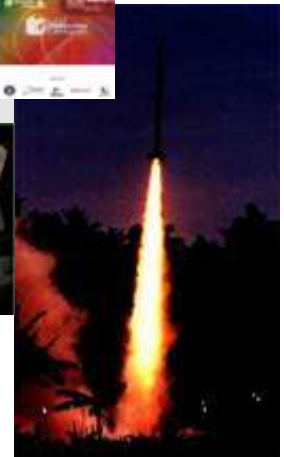
3.2. BERPOTENSI untuk menimbulkan wabah, merusak fungsi  
lingkungan hidup, gangguan sosial kemasyarakatan, fungsi  
lingkungan hidup, maupun gangguan lain yang merugikan.



# DASAR PEMIKIRAN (2)

## (4) Dengan tetap memperhatikan semangat KS IPTEK Internasional → Penetapan PP 41/2006 dilakukan untuk:

- 4.1. Mengatur penelitian dan pengembangan Asing di Indonesia → untuk menghindari adanya kegiatan litbang PTA, LLPA, BUA dan OA yang dapat merugikan masyarakat Indonesia dan NKRI
- 4.1. Diberlakukan sebagai ketentuan persyaratan sederhana dan layak, kewajiban dan larangan yang harus ditaati oleh lembaga dan/atau peneliti Asing, mitra kerjanya, serta lembaga penjamin kegiatan penelitian dan pengembangan



# DASAR HUKUM



## **UU NO 18/2002**

### **SISTEM NASIONAL PENELITIAN, PENGEMBANGAN DAN PENERAPAN IPTEK**

Pasal 17 (4) dan Pasal 17 (5)

## **PP 41/2006**

**PERIZINAN MELAKUKAN KEGIATAN LITBANG  
BAGI PERGURUAN TINGGI ASING (PTA),  
LEMBAGA PENELITIAN DAN PENGEMBANGAN ASING (LPPA),  
BADAN USAHA ASING (BUA) DAN  
ORANG ASING (OA)**

**Peraturan Menristek  
No.08/M/PER/IX/2007**

Pelaporan Hasil Pelaksanaan kegiatan  
Litbang Asing

**Peraturan Menristek  
No.09/M/PER/XII/2007**

Tim Koordinasi, Pengawasan dan Sanksi  
Pelaksanaan kegiatan Litbang Asing

# RINGKASAN PP 41/2006 (1)



- **BAB I – Ketentuan Umum**

*Pasal 1 - Definisi IP, Teknologi, Penelitian, Pengembangan, PTA, LPPA, BUA, OA, Lembaga Penjamin, Mitra Kerja, Menteri)*

- **BAB II – Perizinan Kegiatan Litbang**

Bagian 1: Kewenangan Pemberian Ijin: Pasal 2 (1-3)

Bagian 2: Obyek Penelitian: Pasal 3 (1) (2), Pasal 4 (1-3)

Bagian 3: Tata Cara Perizinan: Pasal 5, 6, 7

Bagian 4: Persetujuan dan Penolakan Permohonan Izin: Pasal 8, 9, 10

Bagian 5: Jangka Waktu dan Perpanjangan Izin: Pasal 11,12 (1-5)

Bagian 6: Biaya Perizinan: Pasal 13 (1-3)

# RINGKASAN PP 41/2006 (2)



- **BAB III - Lembaga Penjamin dan Mitra Kerja**  
Pasal 14 (1-2), Pasal 15, 16, 17
- **BAB IV – Pelaporan dan Pelaksanaan Kegiatan LITBANG**  
Pasal 18, Pasal 19 (1-2), Pasal 20 (1-2), Pasal 21
- **BAB V – Pengawasan - Pasal 22 (1-2)**
- **BAB VI - Sanksi - Pasal 23 (1-4), Pasal 24, Pasal 25**
- **BAB VII – Ketentuan Peralihan - Pasal 26**
- **BAB VIII – Ketentuan Penutup - Pasal 27, Pasal 28 (1-2)**



# Documents Requirement(1)



- (1) A formal letter of request addressed to RISTEK qq Secretary Minister for Research and Technology. A copy of this letter including CV and research proposal, which is designated to the Indonesian Representative abroad where the researcher will obtain the visa, must also be enclosed
- (2) 6 (six) copies of research proposal which contains at least: title, objectives, methodology and concept, location, and duration of the research in Indonesia.
- (3) 6 (six) copies of abstract on the research proposal.
- (4) 4 (four) copies of the researcher's passport which must be valid until at least six months after the completion of the proposed research in Indonesia.
- (5) 6 (six) copies of the curriculum vitae (CV) of the researcher(s) including a list of publication.
- (7) 4 (four) recent close-up photographs (4x6 cm) with red background.
- (8) Memorandum of Understanding (MoU) and Material Transfer Agreement (MTA) between the researcher and his/her Indonesian counterpart, especially if the researcher plans to take specimen or samples to analyse either in his/her home country or in Indonesia.

## Documents Requirement (2)



8. 2 (two) letters of recommendation from: [a] professor or senior researcher/supervisor and [b] official letter of recognition issued by the institution or university where the researcher(s) employed.
9. A recommendation letter(s) from a related Indonesian Representative (Indonesian Embassy or Consulate General) abroad.
10. A letter(s) of support from Indonesian counterpart(s) stating that the institution will act as research counterpart
11. Health certificate from legal-practicing medical-doctor stating that the researcher is physically and mentally capable to conduct the research.
12. A letter guaranteeing sufficient fund to cover research and living expenses during conducting research in Indonesia.
13. A list of research equipments that will be brought to Indonesia, along brief technical specification which mention the estimated value for each equipment on use.
14. If researcher plans to bring his/her spouse and children, he/she must also submit a copy of marriage certificate or other citizen partnership certificate, child (children) birth certificate(s), copies of his/her family passports, and 4 (four) recent close-up photographs of each family member.

*Note: In particular, for point 2-7 the documents should be submitted by soft copy and hard copy.*

Government Decree No. 41 2006

Foreign Researcher

Proposal Selection: CV, research proposal, copy of passport, format of approval

Secretariat of Foreign Research Permit

Website RISTEK  
www.ristek.go.id → Foreign Research Permit

Review all required documents

Evaluation of FRP Team  
(once in a month)

Approved

Disapproved

**A Visa Acquisition**

**A1. Single Entry Visa**

Socio-Cultural  
(<6 Months)  
No. 3.11

**A2. Multi Entry Visa**

(6-12 Months)  
No. 5.11

**Procedure**

- Application & Request Letter to the Central Immigration Office
- Approval from Immigration Office will be sent to the Indonesian Embassy (of the originated applicant)

**B. Foreign Researcher Report to RISTEK:**

1. Police Department HQ
2. Immigration Office / KITAS (research area)
3. Internal Affairs: Dir. of Social and Political Organization Facilitator
4. Natural Conservation and Forestry Protection/PHKA (optional → biodiversity /forestry)
5. Regional Police Department
6. Sponsor/Counter partner
7. Research Permit
8. Research ID Card

**C. Permit & Fiscal Exception**

- C1.
1. Exit Permit Only (EPA)
  2. Fiscal Exception
  3. Multi Exit Re-entry Permit (MERP)
- C2. Temporary Absence
- 1 Multi Exit Re-entry Permit
  - 2 Fiscal Exception

Limited Visa Obtained

Permit Fee

# INFORMASI



- **Prosedur Perizinan Penelitian Asing**

**Website: <http://www.ristek.go.id>**

**Icon: Foreign Research Permit**

**E-mail: [frp@ristek.go.id](mailto:frp@ristek.go.id)**

- **Sekretariat Perizinan Penelitian Asing di RISTEK**

**Gedung II BPPT Lantai 8, Jl. MH. Thamrin No. 8, Jakarta 10340**

**Tel (62-21) 316-9293, Fax: (62-21) 398-36190**

THANK YOU