

VISIT VISA ACTIVITIES'BUSINESS SPEAKER SUBJECT AND SUPERVISION

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Abstract : The purpose of the visit and the business as well as the speaker under supervision is an activity process to ensure and ensure that the goals and objectives as well as the tasks have been carried out properly. The methodology used is an empirical normative legal approach that is qualitative in nature, which describes, explains, analyzes and develops legal issues to review immigration documents based on applicable laws and regulations. Migration Regulation No. 6 of 2011, sharing movements related to residents' affairs both within the territory of Indonesia and outside the territory of Indonesia. Every foreigner who enters the territory of Indonesia must be of value and not endanger the interests and strength of the state in an effort to maintain national security. The extension, guidance and termination of a person's residence permit must comply with regulation Number 24 of 2016 concerning procedures for applying and issuing short-term and visit visas. The implementation of training and movement of the presence of foreign nationals in the territory of Indonesia is an action that requires coordination, arrangement and prosecution of foreign nationals in the territory of Indonesia.

Keywords: *Visit visa, Business visa, Supervision, Indonesia*

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1. Introduction

The Unitary State of the Republic of Indonesia is a country in mainland Asia which is located between two seas, namely the Indian Sea and the Pacific Sea. Indonesia lies at the crossroads of global ocean transportation and exchange. Profitable for Indonesia can indirectly attract the decision of foreigners to visit Indonesia.

Globalization, correspondence and innovation continue to grow rapidly without being limited by space and time which causes various impacts, both beneficial and detrimental to the interests and lives of the nation and state of the Republic of Indonesia. People nowadays can move from place to place in a short time. The turn of events is very complex, the pace of people traveling is growing very rapidly to visit new places.

Indonesia as a sovereign republic has regulations governing the division of foreigners into Indonesian territory. The power situation is in the Directorate General of Movement under the auspices of the Agency for Regulation and Basic Freedom. The development of foreigners entering the territory of Indonesia is contained in Regulation No. 6 of 2011 concerning Movement. The statement in the regulation of movement states that foreigners

who enter Indonesia must have a visa and enter through a place designated by the Directorate General of Migration (Law No. 6, 2021).

The main function of a visa is as a document showing entry and exit permits to a country, a visa is a written report given to a foreigner as a permit to enter Indonesia's sovereign territory issued by the Directorate General of Migration. A one-time visit visa is granted to Foreigners to stay in the Indonesian Territory for a maximum of 60 days or 180 days. Foreigners while in Indonesia's sovereign territory are expected to have a home grant, as a permit to remain indefinitely in Indonesia's sovereign territory which has not been fully resolved by the migration expert according to their place of residence.

Foreigners who enter the territory of Indonesia currently need to travel, but not a few also come for business reasons. Foreigners who need to maintain business in Indonesia can apply for a financial support visa or for foreigners who need to work who can apply for a work visa. Foreigners who are just starting out in business and directing business conversations may have the option of applying for a business speaker visa. There are two types of visas in Indonesia, namely visit visas and limited stay visas. Visas are issued by the country of destination to be visited. The use of this document is only used for entering and exiting the country to be addressed.

Temporary visas are granted to foreigners who only make temporary visits and do not stay long in the Indonesian Territory. Foreigners who use a visit visa as a license for the Indonesian domain, are not allowed to work in the Indonesian Territory. Foreigners who want to practice work can get a visa to work in the Indonesian Territory, and who really need to arrange business or cooperation with Indonesian residents can apply for a business speaker visa for the subject of foreign business speakers and are prohibited from working or carrying cash while in Indonesia (Permen HAM No. 24, 2016).

2. Literture Review

1) Stranger

Foreigners are foreign nationals residing in a certain country or all people residing in a particular country but are not citizens of that country. A foreign resident is someone who lives and feels comfortable in a certain country but is not from that country and is not officially registered as a resident, having different purposes related to school, business, economic, social, cultural and educational cooperation. People or individuals actually have freedom and commitment to their country of origin regardless of the fact that the status of the person or individual in Indonesia is a foreign resident. Residents in accordance with Article 26 Paragraph (2) of the 1945 Constitution are residents of Indonesia and foreigners living in Indonesia. Citizens have similarities or important ethnicity has the choice to be a functioning individual from an ideological group. Citizenship without being a resident who legally takes part in the problem the legislature is not difficult to have, has political privileges without being an individual of the country. There are two implications of citizenship, especially citizenship in the humanistic and halal sense. Citizenship from a legal perspective is followed by a legitimate relationship between the association and the state. Citizenship is described mentally, which is followed not by lawful bonds but by emotional bonds, such as alien bonds, hereditary ties, provable bonds, deep bonds, and fate bonds. Citizenship is marked officially and manifestly, from the proper perspective to describe the place of residence of citizenship. Physical citizenship is characterized as the legitimate outcome of citizenship, specifically the privileges and commitments of the state. In general law, the issue of ethnicity is a public regulation, namely foreign residents according to article one paragraph nine of Regulation

Number 6 of 2011 concerning Migration, which means foreigner is an individual who is not a resident of Indonesia. The movement of individuals from one country and then to the next country that does not have a place with him can also be called a foreigner. Huge Indonesian Word, stated that workers are individuals who come from various nationalities and live in one country. Notification of foreigners was initially not limited to people as the main subject. At first, population growth was caused by wars and catastrophic events that made residents move to various areas that were considered protected. Regulation No. 6 of 2011 concerning migration who has the option of living in Indonesian territory, where foreign residents must be granted a very durable housing grant with a substantial travel report.

2) Visa

The legal basis regarding Immigration according to Law No. 6 of 2011 explains that a Visa is a written statement issued by an authorized official who is a representative of the Republic of Indonesia or at another place that has been determined by the Government of the Republic of Indonesia and contains approval for foreigners to visit Indonesia as well as residence permit basis. A visa is a document that becomes a permit to enter a certain country, without a visa document, anyone who enters a foreign country can be considered illegal and can be threatened with being deported.

3) Supervision

Supervision is one of the functions of management which is an activity process to ensure and guarantee that the goals and objectives as well as the tasks have been carried out properly in accordance with the plans and provisions that have been set (Dylan, 2020).

Immigration Supervision based on Article one paragraph two of Government Regulation Number four of 2017 concerning Procedures for Immigration Supervision, namely a series of activities carried out to collect, process, and present immigration data and information for Indonesian citizens and foreigners in order to ensure compliance with the provisions of laws and regulations in Indonesia. the field of Immigration (Dylan, 2020).

Supervision in the immigration function is the entire process of activities to control or supervise whether the process of carrying out tasks is in accordance with predetermined rules. At first the supervision was only carried out on foreigners, but considering the development and dynamics of the increasing society, it was carried out comprehensively, including also for Indonesian citizens, especially in terms of misuse and falsification of travel documents (Yudha, 2003).

a. Visa application.

Submitting a visa application every migration officer or assistant officer who is not known should have the option of surveying the qualifications of foreigners to enter Indonesia by considering:

- 1) Completeness of Requirements;
- 2) Clarity of purpose and purpose of coming to Indonesia;
- 3) Clarity of guarantor in Indonesia;
- 4) All information regarding foreigners before obtaining a visa whether the person concerned has ever committed a crime, especially a transnational crime.

b. Enter or foreign territory of Indonesia.

In addition to directing the issuance of visas for the Unitary State of the Republic of Indonesia, visa issuance must also be possible at the Movement Control Point or other countries that are remembered for the classification of visa refusal. Immigration Officers

in matters that must be considered related to the supervision of the designated places in the Movement Control Point Movement include the assessment and management of prominent foreign nationals entering Indonesia who will be denied entry to Indonesia.

c. Grant of residence permit.

Issuance of home permits is managed as a genuine oversight and foreign supervision. Organizations related to the truth of unknown travel archives and support reports. Field managers who directly confirm the legitimacy of supporters to distance themselves from artificial supporters and letters from associations related to population.

3. Research Method

This research method uses an empirical normative legal approach that is qualitative in nature, which describes, explains, analyzes and develops legal issues related to reviewing document studies based on applicable laws and regulations.

4. Discussion

Types of Activities For Foreigners Visa Users Visit Subject Business Speaker

Indonesia is a sovereign republic, has legal guidelines and regulates all traffic exercises through foreigners into the Indonesian Territory, which is directed in regulating movement. Safeguarding sovereignty in Indonesia, Immigration as an institution that has the authority to enforce immigration law by using selective policy, applying selective policy, the first policy to be used is the open door policy. The open door policy was applied during the Dutch colonial period, which had an open door system for foreigners who wanted to enter Indonesia without having to go through a selection process first. In the interest of state security and sovereignty, the open door policy was changed to a selective policy which is still used today. Selective policy is a policy with a screening system for foreigners who can enter Indonesian territory and is limited to foreigners who provide benefits and do not pose a danger to state security. Foreigners who get a residence permit must in accordance with the intent and purpose of coming to the Indonesian Territory. The possibility of violation of movement in the territory of Indonesia by executing a special strategy to maintain the security and strength of the state from foreign danger, and not refusing when foreigners have entered. Most of the violations found to occur in foreigners are being in the Indonesian Territory for more than the period of their residence permit and remaining in the Indonesian Territory, for reasons that are not in accordance with the expected confirmation and motivation behind entering the Indonesian territory. Migration control of exercises carried out by foreigners while in the Indonesian Territory is regulated in Regulation Number 6 of 2011 concerning Movement. Regulation No. 6 of 2011 on migration control covers the supervision of the traffic of foreigners crossing the Indonesian Territory and the management of the activities of foreigners while in Indonesia and the management of the movement of the Indonesian population when submitting applications for reports, traveling and crossing into the Indonesian Territory. For foreign nationals who carry out activities throughout the territory of the Unitary State of the Republic of Indonesia in accordance with the regulations and guidelines on migration, it is expected that they have requirements, such as travel records, visas, section imprints, and residence permits. Foreigners to the Indonesian Territory must go through an investigation at the place designated for their movement. Foreigners are required to apply for a visa as an entry permit to the Indonesian Territory, migration control has started, then it will be directed by the movement official according to the house where the foreigner lives. Overcoming foreigners by moving when they are in the Indonesian Territory

begins when a foreigner applies for a residence permit at the nearest Immigration office according to his place of residence.

Foreigners who wish to reside and stay in the Indonesian Territory are required to hold a Stay Permit, which in accordance with Law Number 6 of 2011 concerning Immigration, a residence permit is a permit granted to a Foreigner by the Immigration Officer in accordance with the type of visa submitted by the Person. Foreign. For foreigners who want to enter the Indonesian Territory and aim to want to start a business or as a business speaker, they are given a Visit Visa. For example, Denpasar is one of the tourist cities that is the target of foreign tourists and is one of the places of choice for foreigners to start a business. Denpasar, the capital city of Bali province, is one of the destinations for foreigners to open a business and travel and Ubud is a city that is a destination for foreign tourists with natural conditions that still support many foreigners who start investing or collaborating with local residents to open villa rentals. Ubud, which is included in the Gianyar Regency area, is one of the jurisdictions of the Immigration Office Class I TPI Denpasar. In addition to Gianyar Regency, the jurisdiction of the Class I Immigration Office of TPI Denpasar includes Denpasar City, Bangli Regency, Tabanan Regency, Klungkung Regency, Badung Regency.

The Immigration Office Class I TPI Denpasar carries out surveillance and intelligence functions whose activities are law enforcement for foreigners who do not comply with statutory regulations, namely living in Indonesia is not in accordance with the visa applied for when entering Indonesia. Immigration in upholding the function of supervising foreigners in the Indonesian Territory, with the presence of foreigners in the Indonesian Territory, their arrival must be as stated in the visa. Supervision and investigation is carried out in the form of immigration administrative actions. Table 1 shows the violations of immigration administrative actions at the Immigration Office Class I TPI Denpasar as follows.

Tabel 1. Violation of Immigration Administrative Actions at the Class I Immigration Office TPI Denpasar

No.	Name	Country of Origin	Type of Violation
1.	A**** P*****	AUSTRALIA	article 75 Paragraph 1 of Law No. 6 Year 2011
2.	A***** M*****	RUSIA	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011
3.	N***** K*****	RUSIA	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011
4.	A***** R***** H*****	AMERIKA SERIKAT	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011
5.	H**** M***** U*****	NIGERIA	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011
6.	A**** J***** A*****	NIGERIA	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011
7.	U***** G***** E**	NIGERIA	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011
8.	I***** M*****	RUSIA	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011
9.	L**** B***	RUMANIA	Pasal 75 Ayat 1 Undang-Undang No. 6 Tahun 2011

Sumber : TPI Denpasar Class I Immigration Office

Violation of immigration administrative action at the Immigration Office Class I TPI Denpasar, it was found that there were foreign parties who misused the migration guidelines. Violation of the house grant committed by a foreigner, completing an exercise that is not in accordance with his home permit. TPI Class I Migration Office In the working area of Denpasar, it is known that many foreign parties have applied for temporary stay grants with business speakers as material. There are no guidelines that clearly regulate the actions for exercises carried out by foreigners with the subject of business speakers, giving rise to a legal vacuum that controls exercises conducted by foreign parties with business sources as the subject. For foreigners, a visit to stay with the topic of a business speaker is only considered a speaker who is hindered from working or adding to a sustainable business. Foreigners with business sources, this becomes an important point in the management of foreign parties with the subject of business speakers in the function area of the Class I Migration Office of TPI Denpasar.

*Surveillance Measures for Foreigners Visiting Visa Users Subject Business Speaker
Foreigner Supervision*

Supervision of Foreigners in Indonesia as stipulated in Law Number 6 of 2011 is as follows:

- 1) Article 69 paragraph one to complete the movement command for the exercise of foreigners in the territory of Indonesia, foreign observer groups whose individuals are organizations or government offices that are approved both at the middle level and at the provincial level. The formation of a foreigner monitoring group is a development that was not recognized in the previous Regulation, namely Regulation No. 9 of 1992. Based on Article 69 paragraph one, the Regulations and General Freedom are required to establish an administrative group of foreigners.
- 2) The object of supervision of foreigners is the management of foreigners who enter Indonesia and the management of the presence and training of foreigners in the territory of Indonesia (Article 66, 2b). Article 66, 12b of Regulation Number 6 of 2011, Immigration Supervision, covers the regulation of the traffic of foreigners entering the territory of Indonesia's sovereignty, as well as regulation of the presence and activities of foreigners in the territory of Indonesia. Foreign party supervision includes:
 - a. Entry of foreign nationals into Indonesian territory;
 - b. Departure of foreign nationals from the territory of Indonesia;
 - c. The presence of foreigners in the territory of Indonesia;
 - d. Activities of foreigners in the territory of Indonesia.

The foreign supervisory agency is in charge of collecting data on foreigners, in article 68 paragraph one foreigners are supervised when applying for a visa, entering or leaving the country, and a residence permit as follows:

- a. Collection, processing and presentation of data and information;
- b. Preparation of a list of names of foreigners that can be prevented;
- c. Monitoring the presence and activities of foreigners in the territory of Indonesia;
- d. Take photos and fingerprints;
- e. Other legally responsible activities.

Various information on movements are completed quite far by utilizing the Immigration Management Data Framework in accordance with Article 70 paragraph two. The movement of the Management Data Framework as referred to in Article 1 Paragraph 10 of the Regional Regulation Number Long Term 2011 is a data and correspondence innovation framework used to collect, rotate and present data to assist activities, implementation and dynamics in

government administration. The implementation of the Migration of the Data Framework administrator is the obligation of the general chairman of the movement where Article 7 stipulates that the general chairman is responsible for collecting and handling the movement of the data framework administrator to carry out movement capabilities at home and abroad. Movement and executive data frameworks may be accessed by applicable government offices and additional organizations according to their obligations and capabilities.

Special arrangements for foreigners who enter and reside in the Indonesian Territory according to the general explanation of PP No. 6 of 2011 regulate the entry of foreign parties into the Indonesian sovereign territory, as well as foreign parties who receive housing grants and are in the Indonesian sovereign territory in accordance with the expectations and reasons to live in Indonesia. The regulations contained therein are about safeguarding the public interest, so only foreigners who provide benefits and do not jeopardize security and public demand may enter and remain in the territory of Indonesia.

The actions of Immigration organizations, foreign confinement houses and workers' detention rooms in their activities are regulated in Article VII which is named the Action Council Movement which includes Articles 75 to 80. The activities of the movement organization are forced on foreign nationals living in the territory of Indonesia who complete training -practice which is dangerous and reasonably associated with endangering public safety in advance, requesting or ignoring the rules and guidelines (Article 75 part 1).

Countermeasures Overcoming the management of foreign parties is carried out by entering a list of names of foreign parties who depend on avoidance or prevention in accordance with Article 68, 1b (Regulation No. 6 of 2011). Countermeasures and Countermeasures themselves are expressly regulated in Part IX which is named "Anticipation and Countermeasures" in accordance with Articles 91 to 103.

Barriers to foreign supervisors in completing the management of foreigners are due to the large number of businesses and elements of the foreign supervisory group in the Denpasar area, the obstacles faced in directing foreign nationals by preventing migration violations. The findings of Mr. Teguh, who serves as Top of the Knowledge and Policing in the Migration Division, Local Office, Regulatory Services and Basic Freedom, Denpasar and is an individual from the Foreigner Observing Group, in supervising individual foreigners said that the Foreigner Oversight Team encountered obstacles as following:

- 1) Coordination, becomes an obstacle in the supervision of foreigners caused by several factors, including:
 - a. There is a sectoral self-image that becomes an obstacle in controlling foreign parties which causes less ideal and coercive coordination. Legal guidelines and standards of a nation form the basic structural framework, the preparation of legal standards in Indonesia relies on the assumption of Hans Kelsen, which states that lower legal standards must be based on the view of higher legal standards. Basic Freedom Regulations and Guidelines Number 50 of 2016 concerning Foreigner Management Groups state that the general level of Timpora is driven by the top divisions of the movement, while the Immigration regulations state that the leadership of Timpora is driven by a designated migration official. Conflicting administrative actions that occur under ideal coordination.
 - b. Some individuals from Timpora are unaware of their responsibilities and capabilities, and poor use of innovation and data, which greatly affects the success or disappointment of the observation exercises conducted by Timpora.

- 2) Human Resources is the second obstacle in the supervision of foreign parties concerning Human Resources which is very persuasive due to the limitations of Human Resources which will affect the implementation of management, the number and nature of government employees, the implementation of management also has an ordinary foreign impact, so that the supervision of foreign parties can run well.
- 3) The financial plan allocated for foreign supervision is still being used at the DIPA office, so the presentation of an unknown aid group in completing the next exercise is not ideal and will be adjusted to the current financial plan. Programs that are not supported by a satisfactory financial plan will not work well.
- 4) Settlement of cases on the movement side refers to Regulation No. 6 of 2011 concerning Immigration. Foreigners who misuse their residence permits, are settled after the event or evidence of abuse of the foreigner's house grant. This activity is legal and has a regulatory nature as follows:
 - a. Juridical Action
Juridically proven to have abused, then stick to the guidelines of Regulation Number 6 of 2011 concerning Migration, in Article 122 letter a: "Foreigners who deliberately take advantage or commit acts that are not in accordance with the expectations and motivations behind breaking into houses. a migration permit that can be compromised by a criminal act, imprisonment for a maximum of five years and a fine of a maximum of IDR 500,000,000 which is proven in court by an appointed official, so that it can be charged with the applicable regulations and guidelines.
 - b. Immigration Administrative Action
Movement regulation activities are authoritative consents imposed by the Immigration authorities on foreigners in foreign by legal cycles. Movement regulation activities no doubt as a burden on the approval of foreigners in court. In accordance with Article 75 of Government Regulation Number 06 of 2011 concerning Migration which regulates the movement of foreigners in the territory of Indonesia, in particular, are:
 - (1) Migration authorities are approved to carry out authoritative movements against foreigners residing in the territory of Indonesia who carry out dangerous exercises and are reasonably associated with endangering public safety and demand or ignoring regulations and guidelines.
 - (2) Immigration Administrative Actions in accordance with paragraph one can be in the form of:
 - a. Inclusion in the list of Prevention or Deterrence
 - b. Restriction, change or cancellation of Stay Permit
 - c. Prohibition to be in one or several certain places in the Indonesian Territory
 - d. The requirement to reside in a certain place in the Indonesian Territory
 - e. Charges
 - f. Deportation from Indonesian Territory.
 - (3) Regulatory movements as abolition can be carried out against foreigners living in the territory of Indonesia because foreigners are trying to distance themselves from the dangers and burdens of the authorities in their country of origin. Dynamic authority in the activities of immigration organizations is the power of the movement authority aimed at foreign nationals living in the territory of Indonesia who carry out dangerous exercises and have a reasonable motivation to think it is a danger to security, public demand or regulations. The accompanying exercise is deemed

dangerous assuming there is reasonable doubt that the exercise is a safety hazard and public demand:

- a. Conduct propaganda or sympathize with ideologies and values that are contrary to Pancasila and the 1945 Constitution.
- b. Preventing people from worshiping according to a religion recognized by Indonesia.
- c. Damage and harm that is not in accordance with the norms of public decency.
- d. Criticizing that can lead to wrong responses to community customs.
- e. Gives a false picture of Indonesia's social and cultural development.
- f. Fertilizing obscene acts through writing, images and others as well as drunkenness in public places.
- g. Do not have the cost of living, do begging either alone or together.
- h. Damaging or disrupting social and community order and stimulating crime.
- i. Inflame the spirit or incitement that can encourage sentiments of ethnicity, religion, lineage and class.
- j. Providing opportunities for gambling and pitting fellow colleagues or tribes and groups, while immigration administrative actions consist of:
 - a) Inclusion in the list of prevention or deterrence
 - b) Restriction, change or cancellation of residence permit:
 - c) Prohibition of being in one or several certain places in the territory of Indonesia.
 - d) The requirement to reside in a certain place in the territory of Indonesia.
 - e) Imposition of expense charges;
 - f) Deportation from the territory of Indonesia in accordance with the provisions of immigration administrative measures that are not applied to victims of trafficking in persons and people smuggling and cannot be subject to immigration administrative measures. A person who is subject to immigration administrative action can file an objection to the decision to the Minister of Law and Human Rights, and has the right to accept or reject an objection request to the final ministerial decision. Filing an objection cannot delay the implementation of immigration administrative actions.

5. Conclusion

Migration involves the movement of individuals into and out of the territory of Indonesia and its supervision for the maintenance of state power. The movement of individuals into and out of the territory of Indonesia is regulated in Migration Regulation No. 6 of 2011, which regulates: all kinds of movements related to the affairs of people inside and outside the territory of Indonesia, in different movement regulations and guidelines regulated in the Movement Law. Indonesia adheres to a certain strategy in which every foreigner who needs to enter Indonesian territory must be respected and not endanger the interests and normal powers of the state. This arrangement is one of the efforts to maintain the security of the nation's power. The training and presence of foreigners in Indonesia has been regulated in the Migration Regulations, which stipulates that the training and presence of foreigners is in accordance with the reasons for entering the Indonesian sovereign territory.

Regulations regarding foreigner's house grants while in Indonesia's sovereign territory are regulated by Regulation Number 6 of 2011, Law Number 31 of 2013, Guidelines and General Freedoms Number 27 of 2014 concerning special waqf. Extension of stay permit, termination, cancellation, and termination of residence permit held by foreigners, regulatory

guidelines and Basic Freedoms Number 24 of 2016 concerning procedures for applying and issuing short visas and visit visas. Issuance of permits and management of housing grants to foreign parties is clearly in accordance with the previously referenced guidelines. Foreigners who ignore all the arrangements specified in the law or different guidelines, will become dependent on the management activities of foreign parties in accordance with Article 75 of Regulation Number 6 of 2011 concerning Foreigners, as the disappearance of foreigners to Indonesia. The management of the movement and training of foreign nationals in the territory of Indonesia is an act that coordinates, organizes and prosecutes foreign nationals in the territory of Indonesia. Management exercises are carried out with special open supervision and closed management. Open supervision as referred to in Article 69 of Regulation Number 6 of 2011 is that management is carried out directly through the development of administrative groups and coordination with various experts. Regulation No. 6 of 2011, especially regarding sorting, handling and information, data movement and the basis for registering the names of foreign parties can be countered and avoided by regulatory oversight of the presence and activities of foreign parties as well as various biometric information

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