

**PLACEMENT PROCEDURES OF INDONESIAN MIGRANT WORKERS IN
MALAYSIA: CASE STUDY AT PPTKIS BANTUL REGENCY**

UNDERGRADUATE THESIS

**This undergraduate thesis is submitted as one of the requirements to obtain the
degree of Bachelor of Laws at the Faculty of Law**

Universitas Muhammadiyah Yogyakarta



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FACULTY OF LAW

INTERNATIONAL PROGRAM FOR LAW AND SHARIA

UNIVERSITAS MUHAMMADIYAH YOGYAKARTA

2018

DECLARATION PAGE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the undergraduate thesis entitled “**Placement Procedures of Indonesian Migrant Workers in Malaysia: Case Study at PPTKIS Bantul Regency**”, its content is truly my own work and I did not do plagiarism or quotation. On this statement, I am ready to bear the risk/any sanction imposed on me in accordance with applicable regulations. If in the future it is found a breach of scientific ethics, I am willing to accept the sanctions.

Written by:

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Yogyakarta, December 8th, 2018



Baiq Nuzulia Putri

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MOTTO PAGE

For indeed, hardship will be ease.

(Asy-Syarh 5:30)

So when you have finished your duties, then stand up for worship.

(Asy-Syarh 7:30)

And every small and great thing is inscribed

(Al-Qamar 54:53)

And say (O Muhammad SAW) “Do deeds! Allah will see your deeds, and (so will) His Messenger and the believers. And you will be brought back to the All-Knower of the unseen and the seen. Then He will inform you of what you used to do.”

(At-Taubah 9:105)

Barangsiapa yang senantiasa beristighfar maka Allah akan memberikan kegembiraan dari setiap kesedihannya, dan kelapangan dari setiap kesempitannya, dan memberinya rizki dari arah yang tiada disangka-sangka

(HR. Abu Daud, Ibnu Majah dan Ahmad)

DEDICATION PAGE

This undergraduate thesis is dedicated to

My Lord, Allah SWT
Prophet Muhammad SAW

My beloved parents

H. Lalu Nasarudin
Hj. Baiq Nurhalimah

My beloved Grandfather and Grandmother

Alm. H. Lalu Sulaiman
Alm. Hj. Baiq Salmah

My beloved sister

Baiq Fitria

My beloved Brothers

Lalu Najamudin
Lalu Islahudin

My lovely cousins

Amelia Afisa
M. Aiman Arif

My lovely nephews

Bayu Aji Nusantara
Surya Aji Nusantara

FOREWORD

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Law No. 39 of 2004 on the Placement and Protection of Indonesian Migrant Workers Abroad.

The Government Regulation No. 4 of 2013 on the Procedure and Placement of Indonesian Migrant Workers abroad by Government.

The Government Regulation No. 3 of 2013 on the Protection of Indonesian Migrant Workers Abroad.

The President Regulation No. 18 of 2016 on the National Authority for the Placement and Protection of Indonesian Overseas Workers (BNP3TKI).

The Ministerial Regulation No. 22 of 2014 on the Implementing Placement and Protection of Indonesian Migrant Workers abroad.

The Ministerial Decree of Manpower and Transmigration of the Republic of Indonesia No. 104A/2002 on the Ministry of Manpower and Transmigration.

LIST OF ABBREVIATIONS

TKI	<i>Tenaga Kerja Indonesia</i>	(Indonesian Migrant Workers)
PPTKIS	<i>Pelaksana Penempatan Tenaga Kerja Indonesia Swasta</i>	(Private Worker Placement Agency)
SIP	<i>Surat Izin Pengerahan</i>	(Worker Supply Permit)
PAP	<i>Pembekalan Akhir Pemberangkatan</i>	(The final briefing for departure)
KTKLN	<i>Kartu Tenaga Kerja Luar Negeri</i>	(Overseas Worker Card)
SIPPTKI	<i>Surat Izin Pelaksana Penempatan Tenaga Kerja Indonesia</i>	(Worker Placement Agency Permit)
PKSP	<i>Perjanjian Kerjasama Penempatan</i>	(Placement Cooperation Agreement)
PP	<i>Perjanjian Penempatan</i>	(Worker Placement Agreement)
PK	<i>Perjanjian Kerja</i>	(Working Contract)
MCU	<i>Medical Check Up</i>	