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Highlights of Indonesia's New Implementing Regulation on Personal Data Protection

October 2026

On 16 July 2026, the Government issued Government Regulation No. 33 of 2026 on the Implementing Regulation of Law No. 27 of 2022 on Personal Data Protection ("**GR 33/2026**"). GR 33/2026 is the implementing regulation of the Personal Data Protection Law ("**PDP Law**") and will come into effect on 16 January 2027.

GR 33/2026 applies not only to any individuals, corporations, public bodies and international organization operating in Indonesia, but also has an extraterritorial application outside of Indonesia relating to legal consequences inside of Indonesia or which affect Indonesian citizens abroad.

Key Highlights:

Lawful processing and consent. Personal data may only be processed on one of the recognized lawful bases in the form of consent, contractual necessity, legal obligation, public interest and/or other legitimate interest. Where processing is based on consent, it must be freely given, conscious, specific and unambiguous. Additional consent and accessibility requirements apply to children and people with disabilities.

Governance and accountability. Controllers and/or processors must maintain privacy notices, records of processing activities, retention policies and compliance measures.

Data subject rights and breach notifications. Strict response timelines for key data subject requests and breach notifications generally must be completed within 72 hours.

Controllers, Co-controllers and Processors. Joint controllers must enter into an agreement allocating their roles, responsibilities, purposes and means of processing, and are jointly and severally liable. Processor agreements must contain prescribed minimum content. Sub-processors require the controller's prior written consent, while the controller remains responsible for their processing.

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Risk management and security. High-risk processing activities require prior data protection impact assessment. Controllers must determine a security level based on risk and implement measures such as anonymization, encryption, resilience, timely restoration and periodic testing.

Corporate transactions. Mergers, acquisitions and similar transactions now trigger specific data protection obligations.

Cross-border transfers. Permitted where the destination provides an equivalent (or higher) level of protection, appropriate safeguards are implemented, or limited exceptions apply, including in certain circumstances with the data subject's consent.

Enforcement and Sanctions. Personal Data Protection Agency is empowered to investigate compliance, issue corrective orders and impose administrative sanctions. Non-compliance may result in written warnings, suspension of processing, deletion or destruction of personal data, and an administrative fine of up to **2% of annual revenue relating to the violation**. Sanctions may be cumulative and imposed without a prior warning.

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