

MAJOR NEW REGULATION AFFECTING PROCESSED FOOD, TOBACCO AND E-CIGARETTES INDUSTRY AND THE HEALTHCARE SECTOR – HOW GR 28/2024 WILL AFFECT THE ENTIRE INDONESIAN ECONOMY

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Indonesia has introduced a landmark regulation GR 28/2024¹ to implement the recent Health Law, GR 28/2024 came into effect on 26 July 2024.

GR 28/2024 is an extensive regulation comprising 1,172 Articles across 13 Chapters, covering various aspects of the health sector. These include national health initiatives (*upaya kesehatan*) such as the control of addictive substances, food and beverages, the regulation of medical professional, healthcare workers, pharmaceutical preparations, health facilities and medical devices. The regulation also addresses the management of medical and health personnel, health service facilities, and health information systems.

In a significant move to streamline the regulatory landscape, GR 28/2024 has revoked and replaced 31 existing regulations at the Government and Presidential Regulation levels.²

The implementation of GR 28/2024 represents a major step in Indonesia's efforts to enhance its healthcare system and align with global best practices. As the country embarks on this transformative journey, stakeholders across the health sector and certain industries will need to adapt to these new regulations. Key highlights include:

1. In order to control consumption of sugar, salt and fat, the government will determine the maximum amount of each ingredient in processed food including fast serving food. Additionally, such ingredients may be subject to excise;
2. Food and beverage stakeholders must comply with sugar, salt, and fat consumption control provisions within 2 years;
3. The numbers or size of tobacco products and electronic cigarette allowed for retail packaging is now regulated under this regulation;

¹ Government Regulation No. 28 of 2024 on Implementing Regulations of Law No. 17 of 2023 on Health

² Notable among of these are:

- a. Government Regulation No. 40 of 1991 on Communicable Disease Outbreak Management;
- b. Government Regulation No. 72 of 1997 on Pharmaceutical Preparations and Medical Devices Security;
- c. Government Regulation No. 109 of 2012 on Securing Materials Containing Addictive Substances in Tobacco Products for Health;
- d. Government Regulation No. 47 of 2016 on Health Service Facilities;
- e. Government Regulation No. 47 of 2021 on Hospital Management;
- f. President Regulation No 77 of 2015 on Guideline of Hospital Organization;
- g. President Regulation No 31 of 2019 on Utilization of Specialist Doctor.



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4. Selling tobacco products and electronic cigarette through automated self-serve machines is prohibited;
5. Producers, importers, and distributors of tobacco products and electronic cigarette must align their products with new provisions relates to among others advertisement, packaging, health warning under this regulation within 2 years;
6. Private hospitals must be established by a legal entity involved in health service activities, but this requirement is not applied to hospitals established by non-profit legal entities;
7. Hospital operators must comply with hospital related provisions under this regulation within 1 year;
8. Medical professionals and healthcare workers with valid Registration Certificates can apply for lifetime validity as per this regulation;
9. Specialist doctors currently on assignment under previous regulations may continue until their placement period ends; and
10. Existing medical councils and bodies will continue their duties until the formation of new entities as stipulated in this regulation.

This comprehensive overhaul of Indonesia's health sector regulations will involve significant changes to the way foods, beverages and tobacco products are produced, distributed and imported as well as how the private healthcare sector is managed.

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