

Data protection law

You are required by law to collect the passport. You are liable for how you keep it.

- 01 Two laws that pull in opposite directions, and the penalty attached to each
- 02 Where a passport photo actually ends up between WhatsApp and check-out
- 03 What structured capture in the Guest Guide changes — and what it does not

This session explains what the law asks of operators. It is not legal advice — confirm your own position with counsel.

TWO LAWS, ONE PASSPORT

You must collect it. And you must **protect it.**

THE DUTY TO COLLECT

Immigration Law

UU 6/2011, amended by UU 63/2024

Pasal 72 — the owner or manager of an accommodation must provide data on the foreign guests staying there.

Pasal 117

Up to 3 months detention, or a fine up to Rp 25,000,000.

THE DUTY TO PROTECT

Personal Data Protection Law

UU 27/2022 — in force since 17 October 2024

A passport page is personal data. Collecting it puts you in the position of a data controller, with everything that follows.

Articles 65 and 67

Up to 4 years imprisonment, or a fine up to Rp 4,000,000,000.

Neither law releases you from the other. The passport has to be taken, and then it has to be looked after.

The regulator does not exist yet. Plan around that at your peril.

NOT YET ENFORCEABLE

The 2% of annual revenue administrative fine. The regulation that sets the procedure is drafted and still unsigned, and Lembaga PDP — the supervisory authority Article 58 requires — has not been established.

ENFORCEABLE TODAY

The criminal provisions. They sit in the penal code, not with the regulator, and they do not wait for an implementing decree.

ENFORCEABLE TODAY

Breach notification under Article 46: the affected people and the authority, within 72 hours. That clock runs whether or not anyone is standing at the other end of it.

A gap in enforcement is not a gap in the law. It closes with one signature, and it does not close retroactively in your favour.

HOW IT ACTUALLY ARRIVES

One passport photo. **Six copies by Tuesday.**

01

Guest sends it

over WhatsApp, because that is what we asked for

02

Manager's phone

saved to the gallery, backed up to the cloud

03

Villa group chat

forwarded so the desk has it at check-in

04

A laptop

downloaded to fill in the report

05

Shared drive

a folder called Passports 2026

06

Nowhere

nothing was ever deleted, because nobody owns the deletion

Every step above is a copy you now control, on a device you do not.

Nobody in this chain did anything careless. It is the fastest way to get a passport from a guest in Canggu to a report at the immigration office, and it is also how one document becomes six, on phones that get sold, in chats that get exported, in a folder nobody has opened since March.

THE TEST

Three questions. If you cannot answer them, the chain is the problem.

1 Who holds a copy right now?

Not who should. Who does — including the staff member who left in June and never handed the phone back.

2 On what basis are you keeping it?

The immigration duty covers the report. It does not cover a folder of scans kept indefinitely because it might be useful.

3 Until when?

A retention period is a decision somebody made once. If nobody made it, the answer is forever, and forever is not a lawful answer.

And a fourth: a phone goes missing on Saturday. **You have 72 hours to say what was on it.**

WHAT CHANGES IT

The guest uploads it **once, into one place.**

01

The link

The Guest Guide goes out before arrival — the same link that carries the house rules and the check-in steps.



02

The verification step

Name, document, the fields this property is required to ask for. Mandatory where they need to be mandatory.



03

The upload

The passport page is attached to the reservation, compressed on the way in, and never travels through a chat.



04

The record

One copy, in one system, attached to one booking, with a date on it.

The document stops being a message and becomes a record. Everything else on this slide follows from that one change.

Structured capture does not make you compliant on its own. It makes compliance possible, which the chat thread never did.

THE THREE QUESTIONS, ANSWERED

Now the questions have **answers.**

Who holds a copy

One record on one booking. Access follows the role — the housekeeper who cleans the villa has no reason to open a passport, and does not.

On what basis

The field was asked for because a specific duty requires it. What is not required is not collected, which is the cheapest privacy measure there is.

Until when

A retention period set once, applied to every booking, instead of remembered per guest by whoever happens to think of it.

And if something goes wrong

You can list what was held, for whom, and when. That is the difference between a 72-hour notification and an apology.

Collect less, keep it in one place, and put a date on it. Almost everything else is detail.

THIS IS NOT A BALI PROBLEM

Four countries asked the same thing. Same mechanism.

Spain

Tourism registration

The verification step in the Guest Guide, carrying the fields the regional regulation demands.

Germany

Meldeschein

Electronic guest registration, filed into the destination's system rather than typed into it.

Switzerland

feratel · AVS

Guest registration and visitor tax, through both platforms. Two providers, one capture on our side.

Indonesia

APOA

The same capture, feeding the report you saw earlier. The duty is older than the app.

In several European countries we are an official partner and integrator for these reporting systems.

Which means the connection to the authority is ours to build and ours to keep working when the authority changes it — as Hochschwarzwald did when it moved platform. The operator files the report. Nobody on the operator's side maintains an integration.

FIVE THINGS, THIS WEEK

None of these need a lawyer **to start.**

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|----|--|--|
| 01 | Stop asking for passports in chat | One sentence in your arrival message, pointing at the link instead of the camera roll. |
| 02 | Find the copies you already have | Phones, laptops, the shared drive, the group chat. You cannot protect what you have not counted. |
| 03 | Put a date on them | Decide how long you keep a scan after check-out, write it down, and apply it to everything you just found. |
| 04 | Name who may open one | If everyone shares one login, that answer is "everyone" — and that is the answer you would have to give. |
| 05 | Know your 72-hour path | Who is called, who checks what was held, who writes to the guests. One page, before you need it. |

Not legal advice. The articles and penalties quoted here are the published ones — your own position is worth an hour with counsel.