

Enactment of the Minister of Transportation Regulation No. PM 2 of 2025: Government Efforts to Address Flight Delays

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To enhance and optimize services in air transportation activities, the Minister of Transportation has issued Regulation No. PM 2 of 2025 that amends several provisions of Minister of Transportation Regulation No. 35 of 2021 concerning the Organization of Air Transportation (“**PM 35/2021**”). The amendments specifically address the operation of flight routes by commercial scheduled air carriers (“**Air Carriers**”).

One key addition in Article 33 of this regulation emphasizes that Air Carriers are obligated to operate flights and sell tickets in accordance with the pre-approved flight schedule. Previously, this article contained only one provision, which remains applicable in the new regulation: it prohibits air carriers from selling tickets before the flight route is approved.

It is worth noting that in PM 35/2021, Air Carriers that had obtained a pre-approved flight schedule were allowed to cancel flights with certain consequences if more than 20% of consecutive flights in a period were cancelled. The recent amendment has changed this approach by removing the previous provision and implementing a government monitoring mechanism. This new system imposes direct consequences on air carriers that fail to meet their obligations.

The monitoring activities involve the Head of the Airport Authority Office, responsible for overseeing Air Carrier's operations every fourteen days at all airports within their jurisdiction. Reports detailing this oversight must be submitted to the Directorate General of Civil Aviation (“**DGCA**”) within seven working days after each monitoring period ends. If the DGCA's evaluation shows that the number of flights an Air Carrier has cancelled or has operated not in accordance with the pre-approved flight route is equal to or more than 20%, the DGCA will either reduce the flight frequency or revoke the affected routes. In such cases, the corresponding slot time will also be adjusted or cancelled as necessary. Air Carriers that wish to reapply for the flight route or frequency can only do so six months after a reduction or revocation decision has been issued.

The monitoring mechanism outlined in this regulation will be implemented from April 2025, providing Air Carriers with three months to adjust and ensure compliance with the new requirements.

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The article above was prepared by Dentons HPRP's lawyers

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