

Republic Of Indonesia

LAW NUMBER 24 OF YEAR 2003

ON

THE CONSTITUTIONAL COURT

August 2003

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**LAW OF THE REPUBLIC OF INDONESIA
NUMBER 24 YEAR 2003
ON
THE CONSTITUTIONAL COURT**

**UPON THE GRACE OF GOD THE ALMIGHTY
THE PRESIDENT OF THE REPUBLIC OF INDONESIA**

- Considering :**
- a. whereas, the Unitary State of the Republic of Indonesia is a constitutional state founded on *Pancasila* and on the 1945 Constitution of the Republic of Indonesia, and aims to establish an orderly, clean, prosperous and fair national existence;
 - b. whereas, the Constitutional Court as one of the implementers of judicial powers plays an important role in upholding the constitution and the principles of a state which espouses the supremacy of law in accordance with its duties and powers as stipulated in the 1945 Constitution of the Republic of Indonesia;
 - c. whereas, in accordance with the provision of Article 24C paragraph (6) of the 1945 Constitution of the Republic of Indonesia, a set of rules is deemed necessary to regulate the appointments and dismissals of constitutional judges, the code of procedures and other provisions regarding the Constitutional Court;
 - d. whereas, based on the considerations as referred to in letter a, letter b and letter c, and in view of implementing the provision of Article III of the Transitional Provisions of the 1945 Constitution of the Republic of Indonesia, it is necessary to formulate a Law on the Constitutional Court;

- Bearing in Mind :**
- 1. Article 7A, Article 7B, Article 20, Article 21, Article 24, Article 24C and Article 25 of the 1945 Constitution of the Republic of Indonesia;
 - 2. Law Number 14 of 1970 on the Basic Principles of Judicial Powers (State Gazette 1970 Number 74, Supplementary State Gazette Number 2951) as amended by Law Number 35 of the Year 1999

(State Gazette 1999 Number 147, Supplementary
State Gazette Number 3879);

with the collective approval of:

**PEOPLE'S REPRESENTATIVE COUNCIL OF
THE REPUBLIC OF INDONESIA**

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAVE DECIDED:

To enact : THE LAW ON THE CONSTITUTIONAL COURT

**CHAPTER I
GENERAL PROVISIONS**

Article 1

In this Law, that which is meant by:

1. The Constitutional Court is one of the implementers of judicial powers as stipulated in the 1945 Constitution of the Republic of Indonesia.
2. The People's Representative Council, hereinafter referred to as *DPR*, is the People's Representative Council as stipulated in the 1945 Constitution of the Republic of Indonesia.
3. An appeal is a request filed in writing to the Constitutional Court with regard to:
 - a. The judicial review of a law against the 1945 Constitution of the Republic of Indonesia;
 - b. A dispute about jurisdictions of state institutions whose competencies are defined by the 1945 Constitution of the Republic of Indonesia;

- c. The dissolution of a political party;
- d. A dispute concerning the results of the general election; or
- e. The opinion of the *DPR* alleging that the President and/or the Vice-President has committed a violation of the law in the form of treason against the state, engaged in corruption, bribery and other serious criminal offences or has committed misconduct and/or no longer fulfils the requirements to be a President and/or Vice-President as prescribed by the 1945 Constitution of the Republic of Indonesia.

CHAPTER II SEAT AND STRUCTURE

Part One Seat

Article 2

The Constitutional Court is one of the state institutions, which independently carries out judicial powers in order to administer justice and thereby upholding the law and serving justice.

Article 3

The Constitutional Court has its seat in the capital city of the Republic of Indonesia.

Part Two Structure

Article 4

- (1) The Constitutional Court shall be composed of 9 (nine) constitutional judges who are determined by a Presidential Decree.
- (2) The structure of the Constitutional Court judges shall consist of 1 (one) Chairperson concurrently acting as member, 1 (one) Vice-chairperson

concurrently acting as member and 7 (seven) constitutional judges as members.

- (3) The Chairperson and the Vice-chairperson shall be elected from and by the constitutional judges for a term of office of 3 (three) years.
- (4) Prior to the election of the Chairperson and Vice-chairperson of the Constitutional Court as referred to in paragraph (3) above, the meeting to elect the Chairperson and the Vice-chairperson shall be presided over by the constitutional judge who is most senior in age.
- (5) The Constitutional Court will further regulate the procedure for the election referred to in paragraph (3) .

Article 5

Constitutional judges are state officials.

Article 6

- (1) The protocol and financial privileges of the Chairperson, Vice-chairperson and constitutional judges shall be regulated in accordance with the laws and regulations applicable to state officials.
- (2) Constitutional judges may be subjected to police action only by order of the Attorney-General, after a written consent is secured from the President, excepting in the event that the constitutional judge concerned:
 - a) is caught red-handed while committing a criminal act, or
 - b) based on sufficient preliminary evidence is suspected of a crime liable to capital punishment or has committed a crime against state security.

Part Three
The General Secretariat and the Clerks Office

Article 7

For the smooth implementation of its duties and authorities, the Constitutional Court is assisted by a General Secretariat and a Clerks' Office.

Article 8

Provisions regarding the organizational structure, the functions, the duties, the authorities of the General Secretariat and the Clerks' Office will be further regulated by Presidential Decree, based on the recommendation of the Constitutional Court.

Article 9

The budget for the Constitutional Court shall be taken from a separate budgetary posting in the State Budget.

CHAPTER III
THE POWERS OF THE CONSTITUTIONAL COURT

Part One
Jurisdiction

Article 10

- (1) The Constitutional Court holds jurisdiction of first and final instance, whose decisions shall be final:
- a. To review a law against the 1945 Constitution of the Republic of Indonesia;
 - b. To resolve disputes of jurisdiction between state institutions whose competencies are defined by the 1945 Constitution of the Republic of Indonesia;
 - c. To pass decisions on the dissolution of political parties; and

- d. To resolve disputes involving the results of the general elections.
- (2) The Constitutional Court is obliged to pass a decision on the opinion of the *DPR* which alleges that the President and/or the Vice-President has committed a violation of the law in the form of treason against the state, engaged in corruption, bribery, committed other serious criminal offences or misconduct, and/or no longer fulfils the requirements to be a President and/or Vice-President as prescribed by the 1945 Constitution of the Republic of Indonesia.
- (3) The provisions referred to in paragraph (2) consist of:
- a. Treason against the state, which constitutes a criminal offence against the security of the state as prescribed by law;
 - b. Corruption and bribery, which constitute criminal offences of corruption and bribery as prescribed by law.
 - c. Other serious criminal offences, which constitute criminal acts punishable by a prison sentence of 5 (five) years or more.
 - d. Misconduct is an act which undermines the dignity of the President and/or the Vice-President.
 - e. Non-fulfillment of the requirements to be President and/or Vice-president which constitutes a condition as defined in Article 6 of the 1945 Constitution of the Republic of Indonesia.

Article 11

For the purpose of exercising its competencies referred to in Article 10, the Constitutional Court is authorized to summon state officials, government officials or members of the public to give statements.

Part Two
Responsibilities and Accountability

Article 12

The Constitutional Court is responsible for managing its organization, personnel, administration, and finances pursuant to the principles of good and clean governance.

Article 13

- (1) The Constitutional Court has the obligation to publish a periodical report available to the public with regard to:
 - a. Appeals which are registered, examined and adjudicated.
 - b. The management of its finances and other administrative tasks.
- (2) The reports referred to in paragraph (1) are set out in periodical publications of the Constitutional Court.

Article 14

The public shall have access to the decisions passed by the Constitutional Court.

CHAPTER IV
APPOINTMENTS AND DISMISSALS OF CONSTITUTIONAL JUDGES

Part One
Appointments

Article 15

Constitutional judges are required to:

- a. Have impeccable integrity and personality;

- b. Be fair-minded; and
- c. To be statesmanlike persons who have mastered constitutions and public administration.

Article 16

- (1) To be appointed a constitutional judge, a candidate must meet the following requirements:
 - a. Is a citizen of the Republic of Indonesia;
 - b. Holds a degree in law;
 - c. Is at least 40 (forty) years of age at the time of appointment;
 - d. Has never been convicted by a final and binding court decision of a crime punishable by a prison sentence of 5 (five) years or more;
 - e. Has never been declared bankrupt by a court decision; and
 - f. Has at least 10 (ten) years work experience in the field of law.
- (2) The candidate concerned must declare in writing of his/her willingness to serve as a constitutional judge.

Article 17

A constitutional judge is prohibited from concurrently serving as:

- a. An official occupying a public office in another state institution;
- b. A member of a political party;
- c. An entrepreneur;
- d. A lawyer; or

- e. A civil servant

Article 18

- (1) Constitutional judges shall be nominated respectively 3 (three) by the Supreme Court, 3 (three) by the *DPR* and 3 (three) by the President, .to be issued in a Presidential Decree.
- (2) The Presidential Decree referred to in paragraph (1) shall be issued not later than 7 (seven) working days from when the nomination of judges is received by the President.

Article 19

Nomination of constitutional judge candidates shall be conducted in a transparent and participatory manner.

Article 20

- (1) The procedures for selection, election and nomination of candidates for constitutional judge shall be regulated by the relevant competent authorities as meant in Article 18 paragraph (1).
- (2) The election of constitutional judges referred to in paragraph (1) shall be conducted in an objective and accountable manner.

Article 21

- (1) Prior to assuming office, a constitutional judge must take an oath or make a pledge according to his/her religion, as follows:

Oath of the constitutional judge:

“By God I solemnly swear that I shall fulfill my obligations as a constitutional judge to the best of my abilities and in the fairest of manners, and to strongly uphold the 1945 Constitution of the Republic of Indonesia, to strictly observe the law as prescribed by the 1945 Constitution of the Republic of Indonesia, and to devote myself to the country and to the people.”

Pledge of the constitutional judge:

“I hereby pledge that I shall truly fulfill my obligations as a constitutional judge to the best of my abilities and in the fairest of manners, to uphold the 1945 Constitution of the Republic of Indonesia and to strictly observe the law as prescribed by the 1945 Constitution of the Republic of Indonesia, and to devote myself to the country and to the people.”

- (2) The pronouncements of the oath and the pledge as meant in paragraph (1) are conducted before the President.
- (3) Prior to assuming office, the Chairperson and the Vice-Chairperson of the Constitutional Court must take an oath or make a pledge according to his/her religion, as follows:

Oath of the Chairperson/Vice-chairperson of the Constitutional Court:

“By God I solemnly swear that I shall fulfill my obligations as Chairperson/Vice-chairperson of the Constitutional Court to the best of my abilities and in the fairest of manners, and to strongly uphold the 1945 Constitution of the Republic of Indonesia, to strictly observe the law as prescribed by the 1945 Constitution of the Republic of Indonesia, and to devote myself to the country and to the people.”

Pledge of the Chairperson/Vice-chairperson of the Constitutional Court:

“I hereby pledge that I shall truly fulfill my obligations as Chairperson/Vice-chairperson of the Constitutional Court to the best of my abilities and in the fairest of manners, to uphold the 1945 Constitution of the Republic of Indonesia and to strictly observe the law as prescribed by the 1945 Constitution of the Republic of Indonesia, and to devote myself to the country and to the people.”

Part Two
Term of Office

Article 22

The term of office of a constitutional judge is 5 (five) years, following which he/she may be re-elected for only one subsequent term.

Part Three
Dismissals

Article 23

- (1) A constitutional judge will be honorably dismissed in the following cases:
 - a. His/her death;
 - b. By voluntary resignation submitted to the Chairman of the Constitutional Court;
 - c. He/she has reached 67 (sixty seven) years of age;
 - d. He/she has reached the end of his/her term of office; or
 - e. He/she suffers from a permanent physical or mental illness as substantiated by a statement from a physician.

- (2) A constitutional judge will be dishonorably dismissed in the event of:
 - a. Conviction by a final and binding court decision for a criminal act punishable by a prison sentence of 5 (five) years or more;
 - b. Commission of an act of misconduct;
 - c. Non-attendance at trials, which are part of his/her duty and obligation, 5 (five) times in succession without valid reasons;

- d. Violation of the official oath or pledge;
 - e. Intentionally delaying the Constitutional Court from passing a decision within the time prescribed by Article 7B paragraph (4) of the 1945 Constitution of the Republic of Indonesia;
 - f. Violating the prohibitions as stipulated in Article 17; or
 - g. No longer meeting the requirements for being a constitutional judge.
- (3) Recommendation for a dishonorable dismissal as referred to in paragraph (2) letter b, letter c, letter d, letter e, letter f and letter g shall be made after the judge concerned has been given adequate opportunity to defend him/herself before the Honorary Council of the Constitutional Court.
- (4) Dismissal of a constitutional judge shall be determined by Presidential Decree upon the recommendation of the Chairperson of the Constitutional Court.
- (5) Provisions with respect to the formation, structure and work procedure of the Honorary Council of the Constitutional Court shall be further regulated by the Constitutional Court.

Article 24

- (1) A constitutional judge, prior to his/her dishonorable dismissal, shall be temporarily suspended from his/her position by Presidential Decree upon the recommendation of the Chairperson of the Constitutional Court, excepting for the reason as stipulated in Article 23 paragraph (2) letter a.
- (2) The temporary suspension as referred to in paragraph (1) shall last not longer than 60 (sixty) working days and may be extended for a further period of not longer than 30 (thirty) working days.
- (3) In the event an extension period as referred to in paragraph (2) terminates without a dismissal being effected, the judge concerned shall be rehabilitated by Presidential decree.

- (4) The Presidential decree as referred to in paragraph (1) and paragraph (3) shall be issued not later than 7 (seven) working days from when the request of the Chairperson of the Constitutional Court is received.
- (5) As of the time the temporary suspension is requested as referred to in paragraph (1), the constitutional judge concerned is prohibited from handling any cases.

Article 25

- (1) In the event that an order for the arrest of a constitutional judge is issued, the judge concerned shall be temporarily suspended from his/her position.
- (2) A constitutional judge shall be temporarily suspended from his/her position if he/she is brought before a court of law for criminal proceedings stipulated in Article 21 paragraph (4) of Law Number 8 of the Year 1981 concerning the Penal Code of Procedure, although he/she is not detained.
- (3) The temporary suspension as referred to in paragraph (1) and paragraph (2) shall last no longer than 60 (sixty) working days and may be extended for a further period of not longer than 30 (thirty) working days.
- (4) Upon the lapse of the suspension period as referred to in paragraph (3) and no court verdict having yet been rendered, the constitutional judge concerned shall be dismissed from his/her position as constitutional judge.
- (5) If, at a later stage, a court decision declares that the person concerned is not guilty, then he/she shall be rehabilitated.

Article 26

- (1) In the event of a vacancy occurring in the position of constitutional judge due to a dismissal or resignation, the competent institution as referred to in Article 18 paragraph (1) shall recommend to the President a replacement within 30 (thirty) working days from the time the vacancy occurs.

- (2) The Presidential Decree regarding the appointment of the replacement as referred to in paragraph (1) shall be made not later than 7 (seven) working days from when the recommendation referred to is received by the President.

Article 27

Provisions with respect to the procedure for dismissals as stipulated in Article 23, Article 24 and Article 25 shall be further regulated by the Constitutional Court.

CHAPTER V CODE OF PROCEDURE

Part One General Provisions

Article 28

- (1) The Constitutional Court shall review, adjudicate and render a decision in a plenary hearing of the Constitutional Court attended by 9 (nine) constitutional judges, except under special circumstances where 7 (seven) constitutional judges, presided over by the Chairperson of the Constitutional Court, may be in attendance.
- (2) If the Chairperson of the Constitutional Court is unable to preside over a plenary hearing as referred to in paragraph (1), then the hearing shall be presided over by the Vice-chairperson.
- (3) If at the same time neither the Chairperson nor the Vice-chairperson is able to preside, then the plenary hearing shall be presided over by a chairperson *ad interim* designated by and from the members of the Constitutional Court.
- (4) Prior to the conduct of the plenary hearing as stipulated in paragraph (1), the Constitutional Court may form a panel of judges, consisting of 3 (three) constitutional judges to carry out examinations, the results of which will be deliberated on in the plenary hearing to render a decision.

- (5) The decision of the Constitutional Court shall be pronounced in hearings open to the public.
- (6) Non-observance of the provision as stipulated in paragraph (5) shall lead to an invalid decision of the Constitutional Court which shall have no legal force and effect.

Part Two
Filing of Appeals

Article 29

- (1) An appeal must be filed to the Constitutional Court in writing in the Indonesian language by the appellant or his/her proxy.
- (2) The appeal as referred to in paragraph (1) is signed by the appellant or his/her proxy in 12 (twelve) copies.

Article 30

- (1) A appeal must clearly describe:
 - a. The review of a law against the 1945 Constitution of the Republic of Indonesia;
 - b. The dispute of jurisdiction between state institutions whose competencies are defined by the 1945 Constitution of the Republic of Indonesia;
 - c. The dissolution of a political party;
 - d. The dispute involving the results of the general elections; or
 - e. The opinion of the *DPR* alleging that the President and/or the Vice-President has committed a violation of the law in the form of treason against the state, engaged in corruption, bribery, committed other serious criminal offences or misconduct, and/or no longer fulfils the requirements to be a President and/or Vice-President as prescribed by the 1945 Constitution of the Republic of Indonesia.

Article 31

- (1) A appeal must at the least set forth:
 - a. The name and the address of the appellant;
 - b. A description of the contention underlying the appeal as stipulated in Article 30; and
 - c. The relief sought.
- (2) The appeal as referred to in paragraph (1) must be filed together with the supporting evidence.

Part Three

Registration of Petition and Scheduling of Hearings

Article 32

- (1) The Clerk of the Constitutional Court examines each appeal filed to check its completeness.
- (2) A appeal which is not fully completed as stipulated in Article 29 and Article 31 paragraph (1) letter a and paragraph (2) must be duly completed by the appellant within 7 (seven) working days from when the appellant receives the notification of incompleteness.
- (3) An appeal which has been duly completed is recorded in the Register of Constitutional Cases.

Article 33

The Register of Constitutional Cases contains, amongst others things, records of administrative completion together with the case docket number, date of receipt of the dossier of appeal, the name of the appellant and the issue of contention.

Article 34

- (1) The Constitutional Court determines the first day of hearing following the registration of the appeal in the Register of Constitutional Cases, within a period of no longer than 14 (fourteen) working days.
- (2) Determination of the first day of the hearing as referred to in paragraph (1) is notified to the litigants and announced to the public.
- (3) The public announcement as referred to in paragraph (2) is made by posting a copy of the notification on the announcement board, especially provided for this purpose, of the Constitutional Court.

Article 35

- (1) The appellant may withdraw his/her appeal before or during the examination thereof by the Constitutional Court.
- (2) Withdrawal of an appeal as referred to in paragraph (1) means that the appeal may not be filed again.

Part Four

Evidence

Article 36

- (1) Pieces of evidence are defined as:
 - a. Documentary evidence;
 - b. Witness statements;
 - c. Expert statements;
 - d. Statements of the litigants;
 - e. Indications; and

- f. Other pieces of evidence in the form of information uttered, transmitted, received or stored electronically by way of optical instruments or similar device.
- (2) Acquisition of evidence as stipulated in paragraph (1) letter a must be accountable under the law.
- (3) If evidence as referred to in paragraph (2) is acquired in a manner inconsistent with the law, then it shall not be admissible as legal evidence.
- (4) The Constitutional Court determines the admissibility of evidence in a hearing of the Constitutional Court.

Article 37

The Constitutional Court shall assess the pieces of evidence presented in a hearing by setting the relevance of one piece of evidence against another.

Article 38

- (1) The litigants, witnesses and experts have the obligation to appear before the Constitutional Court in compliance with a summons.
- (2) A summons must reach the parties concerned at the latest 3 (three) days before the date of the hearing.
- (3) Parties which are state institutions may be represented by an appointed official or his/her proxy as provided by the law and regulations.
- (4) If a witness fails to appear without a valid reason despite several duly-served processes, the Constitutional Court reserves the right to request police assistance to force such witness to make an appearance.

Part Five
Preliminary Examination

Article 39

- (1) Prior to studying the main issue of the dispute, the Constitutional Court shall conduct a preliminary examination on the completeness of, and for clarifying, the appeal.
- (2) In the examination as referred to in paragraph (1), the Constitutional Court must advise the appellant to complete and/or to rectify the appeal within a period of no longer than 14 (fourteen) days.

Part Six
Hearing Examination

Article 40

- (1) Constitutional Court hearings are open to the public, except for the deliberation sessions of the judges.
- (2) All persons attending a hearing must obey the court rules of conduct.
- (3) Court rules of conduct as referred to in paragraph (2) shall be regulated by the Constitutional Court.
- (4) Violation of the provision as referred to in paragraph (2) shall be considered as contempt of court.

Article 41

- (1) In the hearing, the constitutional judges examine the appeal together with the evidence presented.
- (2) For the purpose of the examination as referred to in paragraph (1), the constitutional judges must summon the litigants for the required information and/or to request written statements from state institutions which are involved in the appeal.

- (3) A state institution as referred to in paragraph (2) is obliged to convey its clarification within 7 (seven) working days from the receipt of the constitutional judges' request.

Article 42

The witnesses and experts summoned must make an appearance to give their testimonies.

Article 43

In an examination hearing, the appellant and/or the respondent may be accompanied or represented by his/her/its proxy in accordance with a letter of attorney specifically issued for such purpose.

Article 44

- (1) If in the hearing the appellant and/or the respondent is accompanied by a party other than his/her/its proxy, then the appellant and/or the respondent must draw up a statement specifically issued for such purpose.
- (2) The statement as referred to in paragraph (1) is produced and handed over to the constitutional judges in the hearing.

Part Seven Decisions

Article 45

- (1) The Constitutional Court passes decisions on cases based on the 1945 Constitution of the Republic of Indonesia and according to the evidence, and the opinions of the judges.
- (2) A decision of the Constitutional Court which falls in favor of the appeal must be based upon at least 2 (two) pieces of evidence.
- (3) A decision of the Constitutional Court must include the facts discovered during a hearing and the legal considerations underlying the decision.

- (4) The decision as referred to in paragraph (3) is taken by way of deliberation to reach consensus in a plenary session of the constitutional judges, presided over by the session chairperson.
- (5) In a deliberation session, each constitutional judge is obliged to convey in writing his/her considerations or opinion on the appeal.
- (6) In the event that the deliberation in the plenary session of the constitutional judges as referred to in paragraph (4) fails to reach a decision, the deliberation will be postponed to the following plenary session of deliberation of the constitutional judges.
- (7) In the event that following serious efforts the plenary session of deliberation fails to reach a unanimous consensus, the decision will be resolved by voting.
- (8) In the event the plenary session of the constitutional judges' deliberation as referred to in paragraph (7) fails to reach a majority vote, the chairperson of the plenary session of the constitutional judges shall have the decisive vote.
- (9) The decision reached by of the Constitutional Court may be rendered on the same day or postponed to a later date, which should be notified to the parties concerned.
- (10) In the case where no decision is reached by unanimous consensus as referred to in paragraph (7) and paragraph (8), the dissenting opinion(s) of members of the Constitutional Court must be included in the decision made.

Article 46

Decisions of the Constitutional Court shall be signed by the examining, trying and adjudicating judges and by the Clerk of the Court.

Article 47

A decision of the Constitutional Court shall take full legal force and effect upon its pronouncement in a plenary hearing open to the public.

Article 48

- (1) The Constitutional Court passes its decisions in the name of Justice based on God the Almighty.
- (2) Each of the decisions of the Constitutional Court shall set forth:
 - a. A heading which reads: 'IN THE NAME OF JUSTICE BASED ON GOD THE ALMIGHTY';
 - b. The identities of the litigants;
 - c. A summary of the appeal;
 - d. The considerations of the facts discovered in the hearings;
 - e. The legal considerations underlying the decision;
 - f. The statements of the decision; and
 - g. The day, the date the decision is made, the names of the constitutional judges and the Clerk of the Court.

Article 49

The Constitutional Court is obliged to send a copy of the decision to the parties concerned within 7 (seven) working days from the pronouncement thereof.

Part Eight

Judicial Review of a Law against the Constitution

Article 50

The laws that may be appealed for review are those which have been enacted after the introduction of the amendment to the 1945 Constitution of the Republic of Indonesia.

Article 51

- (1) An appellant is a party who claims that his/her/its constitutional rights and/or competency are injured by the enactment of a law. Such party constitutes:
 - a. A person of Indonesian nationality;
 - b. A community group espousing customary law in existence and in conformity with development in society within the principles of the Unitary State of the Republic of Indonesia as prescribed by law;
 - c. A public or a private legal entity; or
 - d. A state institution.
- (2) The appellant is obliged to clearly describe in the appeal his/her/its constitutional rights and/or competency as referred to in paragraph (1).
- (3) In the appeal as referred to in paragraph (2), the appellant shall clearly put forward that:
 - a. The formulation of a law is inconsistent with the provisions as laid down by the 1945 Constitution of the Republic of Indonesia; and/or
 - b. The material substance of the law as set out in the paragraphs, articles, and/or a section of the law contravenes the 1945 Constitution of the Republic of Indonesia.

Article 52

The Constitutional Court shall convey for information, to the *DPR* and to the President, petitions which have been recorded in the Register of Constitutional Cases within a period of 7 (seven) working days from when the petitions are recorded in the Register of Constitutional Cases.

Article 53

The Constitutional Court shall notify the Supreme Court of appeals which involve the review of laws within a period of 7 (seven) working days from when such petitions are recorded in the Register of Constitutional Cases.

Article 54

The Constitutional Court may request the People's Consultative Assembly (*MPR*), the *DPR*, the Regional Representative Council (*DPD*) and/or the President for information and/or minutes of meetings pertaining to the petitions being examined.

Article 55

Review of legislation under the law, which is being undertaken by the Supreme Court, must be discontinued, if the law which constitutes the basis for review of such legislation is being reviewed by the Constitutional Court, until such time as may be determined by the Constitutional Court.

Article 56

- (1) In the event the Constitutional Court believes that the appellant and/or the appeal does not meet the requirements as stipulated in Article 50 and Article 51, the decision shall declare the appeal rejected.
- (2) In the event the Constitutional Court believes that the appeal is justified, the appeal shall be granted favor.
- (3) In the event the appeal is granted favor as referred to in paragraph (2), the Constitutional Court expressly states the material substance of the paragraphs, articles and/or sections of the law which are contrary to the 1945 Constitution of the Republic of Indonesia.
- (4) If the formulation of the relevant law does not fulfill the requirements as prescribed by the provisions on the formulation of laws based on the 1945 Constitution of the Republic of Indonesia, the decision shall state in its ruling that it grants favor to the appeal.
- (5) If the relevant law does not contravene the 1945 Constitution of the Republic of Indonesia, either in its formulation or in its substance, in part or in its entirety, the decision declares the appeal rejected.

Article 57

- (1) The ruling of the decision of the Constitutional Court declaring that the material substance of the paragraphs, articles and/or sections of the law contravene the 1945 Constitution of the Republic of Indonesia renders such material substance of the paragraphs, articles and/or section devoid of legal binding force and effect.
- (2) The ruling of the decision of the Constitutional Court declaring that the formulation of the said law is inconsistent with the provisions on the formulation of laws prescribed by the 1945 Constitution of the Republic of Indonesia renders such law devoid of legal binding force and effect.
- (3) The decision of the Constitutional Court which grants favor to the petitions filed must be published in the State Gazette within a period of 30 (thirty) working days from when the decision is pronounced.

Article 58

Any law, which is under review of the Constitutional Court, shall remain in full force and effect until a decision is issued declaring that this law contravenes the 1945 Constitution of the Republic of Indonesia.

Article 59

Decisions of the Constitutional Court concerning review of laws against the 1945 Constitution of the Republic of Indonesia shall be conveyed to the *DPR*, the Regional Representative Council (*DPD*), the President and the Supreme Court.

Article 60

No review may be conducted again on material substance of paragraphs, articles and/or a section of a law which has already been subjected to a review.

Part Nine

**Dispute about Jurisdiction of State Institutions Whose Competencies
are Conferred by the Constitution.**

Article 61

- (1) The appellant is a state institution whose jurisdiction is conferred by the 1945 Constitution of the Republic of Indonesia and which holds direct interest in the disputed competency.
- (2) The appellant shall clearly describe in its appeal the direct interest it holds and set out the competency in contention and name exactly the state institution which constitutes the respondent.

Article 62

The Constitutional Court shall forward the appeal which has been recorded in the Register of Constitutional Cases to the respondent within a period of 7 (seven) working days from when the petition is recorded in the Register of Constitutional Cases.

Article 63

The Constitutional Court may issue an injunction which orders the appellant and/or the respondent to temporarily suspend the exercise of the competency which is the subject of dispute until a decision of the Constitutional Court is available.

Article 64

- (1) In the event the Constitutional Court believes that the appellant and/or the appeal does not meet the requirements as stipulated in Article 61, the decision shall declare the appeal rejected.
- (2) In the event the Constitutional Court believes that the appeal is justified, the appeal shall be granted favor.
- (3) In the event the appeal is granted favor as referred to in paragraph (2), the Constitutional Court shall expressly declare that the respondent holds no authority to exercise the competency which is the subject of the dispute.

- (4) In the event the appeal is found to be unjustified, the decision declares the appeal rejected.

Article 65

The Supreme Court shall not be a party in a dispute over the competencies of state institutions, the competency for which is conferred by the 1945 Constitution of the Republic of Indonesia to the Constitutional Court.

Article 66

- (1) With regard to the decision of the Constitutional Court where the ruling declares that the respondent holds no authority to exercise the competency which is the subject of the dispute, the respondent is under the obligation to comply with this decision within 7 (seven) working days from when the decision is received.
- (2) If the decision is not duly executed within the timeframe as referred to in paragraph (1), the respondent's exercise of the competency shall become null and void.

Article 67

Decisions of the Constitutional Court concerning disputes over competencies shall be conveyed to the *DPR*, the Regional Representative Council (*DPD*) and the President.

Part Ten

Dissolution of Political Parties

Article 68

- (1) The Government is the appellant.
- (2) The appellant shall describe clearly in its appeal, the ideology, the principles, the objects, the program and the activities of the political party concerned, which are alleged to be contrary to the 1945 Constitution of the Republic of Indonesia.

Article 69

The Constitutional Court shall forward the appeal which has been recorded in the Register of Constitutional Cases to the political party concerned within a

period of 7 (seven) working days from when the appeal is recorded in the Register of Constitutional Cases.

Article 70

- (1) In the event the Constitutional Court believes that the appeal does not meet the requirements as stipulated in Article 68, the decision shall declare the appeal rejected.
- (2) In the event the Constitutional Court believes that the appeal is justified, the appeal shall be granted favor.
- (3) In the event the Constitutional Court believes the appeal to be unjustified, the decision declares the appeal rejected.

Article 71

The decision of the Constitutional Court concerning an appeal for the dissolution of a political party shall be rendered within a period of 60 (sixty) working days from when the appeal is recorded in the Register of Constitutional Cases.

Article 72

The decision of the Constitutional Court on the dissolution of a political party shall be forwarded to the political party concerned.

Article 73

- (1) Implementation of the decision on the dissolution of a political party as referred to in Article 71 shall be effected by way of annulment of its registration by the Government.
- (2) The decision of the Constitutional Court as referred to in paragraph (1) shall be announced by the Government in the State Gazette of the Republic of Indonesia within a period of 14 (fourteen) days from when the decision is received.

Part Eleven
Dispute About the Results of a General Election

Article 74

- (1) The appellant is:
 - a. An Indonesian citizen competing in the general elections as candidate member to the Regional Representative Council (*DPD*);
 - b. A President and Vice president candidate pair competing in the general elections for the presidency and vice-presidency; and
 - c. A political party competing in the general elections.

- (2) An appeal may be filed only to contest the determination of the results of the general elections conducted on a national scale by the National Elections Commission (*KPU*) which affects:
 - a. A candidate elected to the Regional Representative Council (*DPD*);
 - b. The determination of the pair of candidates competing in the second round of the election for presidency and vice-presidency and the pair of candidates elected to the presidency and vice-presidency;
 - c. The seats won in an electoral district by a competing political party.

- (3) An appeal may be filed within a period of 3 times 24 hours from the announcement by the *KPU* of the determination of the results of the general election nationally.

Article 75

In the appeal filed, the appellant shall clearly describe:

- a. The error(s) in the ballot count as announced by the *KPU* and the result(s) thereof which the appellant believes to be the correct result(s); and

- b. A request for the annulment of the ballot count as announced by the *KPU* and for the latter to determine the result(s) of the ballot count which the appellant believes to be the correct result(s).

Article 76

The Constitutional Court conveys an appeal which has been recorded in the Register of Constitutional Cases to the *KPU* within 3 (three) working days from when the appeal is recorded in the Register of Constitutional Cases.

Article 77

- (1) In the event the Constitutional Court believes that the appellant and/or the appeal does not meet the requirements as stipulated in Article 74, the decision shall declare the appeal rejected.
- (2) In the event the Constitutional Court believes that the appeal is justified, the decision declares that the appeal is granted favor.
- (3) In the event the appeal is granted favor as referred to in paragraph (2), the Constitutional Court declares the annulment of the ballot count as announced by the *KPU* and determines the correct ballot count.
- (4) In the event the appeal is unjustified, the decision shall declare the appeal rejected.

Article 78

The decision of the Constitutional Court concerning an appeal on a dispute on the results of the general election shall be rendered within a period of:

- a. 14 (fourteen) working days from when the appeal is recorded in the Register of Constitutional Cases, in the case of elections for the presidency and vice-presidency;
- b. 30 (thirty) working days from when the appeal is recorded in the Register of Constitutional Cases, in the case of the election of members to the *DPR*, the Regional Representative Council (*DPD*) and the Regional People's Representative Councils (*DPRD*).

Article 79

The decision of the Constitutional Court concerning a dispute on the results of the general election is conveyed to the President.

Part Twelve

**Opinion of the DPR Alleging Violations Committed by the President
and/or by the Vice-President**

Article 80

- (1) The appellant is the *DPR*.
- (2) The appellant must clearly describe in its appeal any suspicion of:
 - a. Violation of the law perpetrated by the President and/or the Vice-president in the form of treason against the state, corruption, bribery, other serious criminal offence, or misconduct; and/or
 - b. The President and/or the Vice-president no longer fulfilling the requirements for President and/or Vice-president as prescribed by the 1945 Constitution of the Republic of Indonesia.
- (3) In its appeal as referred to in paragraph (2), the appellant shall include the resolution of the *DPR* and the process of decision-making regarding the opinion of the *DPR* as stipulated in Article 7B paragraph (3) of the 1945 Constitution of the Republic of Indonesia, the minutes of and/or the official report of the *DPR* session, together with evidence supporting the allegation as referred to in paragraph (2).

Article 81

The Constitutional Court shall forward to the President the appeal which has been recorded in the Register of Constitutional Cases within a period of 7 (seven) working days from when the appeal is recorded in the Register of Constitutional Cases.

Article 82

In the event that during the process of examination by the Constitutional Court, the President and/or the Vice-president resigns from office, the examination process is discontinued and the appeal declared aborted by the Constitutional Court.

Article 83

- (1) In the event the Constitutional Court believes that the appeal does not meet the requirements as stipulated in Article 80, the decision shall declare the appeal rejected.
- (2) In the event the Constitutional Court decides that the President and/or the Vice-president is found to have violated the law by commission of treason against the state, corruption, bribery, other serious criminal offences or misconduct and/or the President and/or the Vice-president is found to be no longer fulfilling the requirements to assume the office of president and/or vice-president, the decision affirms the opinion of the *DPR*.
- (3) In the event the Constitutional Court decides that the President and/or the Vice-president is not found to have violated the law by commission of treason against the state, corruption, bribery, other serious criminal offences or misconduct and/or the President and/or the Vice-president is not found to no longer fulfil the requirements to assume the office of president and/or vice-president, the decision declares the appeal rejected.

Article 84

The decision of the Constitutional Court on an appeal concerning the opinion of the *DPR* on allegations of violations as referred to in Article 80 shall be rendered within 90 (ninety) days from when the appeal is recorded in the Register of Constitutional Cases.

Article 85

The decision of the Constitutional Court on the opinion of the *DPR* must be conveyed to the *DPR* and the President and/or the Vice-president.

**CHAPTER VI
MISCELLANEOUS PROVISION**

Article 86

The Constitutional Court may regulate further all necessary matters to necessitate the implementation its duties and authorities in accordance with this Law.

**CHAPTER VII
TRANSITIONAL PROVISION**

Article 87

At the time this Law comes into effect, all the appeals and/or complaints received by the Supreme Court which have not been resolved pursuant to Article III of the Transitional Rules of the 1945 Constitution of the Republic of Indonesia, shall be delegated to the Constitutional Court within a period of 60 (sixty) working days from when the Constitutional Court is established.

**CHAPTER VIII
CLOSING PROVISION**

Article 88

This Law comes into effect on the date of its enactment.

In order to be known by the public, this law should be promulgated in the State Gazette of the Republic of Indonesia.

Ratified in Jakarta
On 13 August 2003

By THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta

On 13 August 2003

By THE STATE MINISTER/STATE SECRETARY
THE REPUBLIC OF INDONESIA,

BAMBANG KESOWO

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2003
NUMBER 98

**ELUCIDATION OF
THE LAW OF THE REPUBLIC OF INDONESIA
NUMBER 24 OF THE YEAR 2003
ON
THE CONSTITUTIONAL COURT**

I. GENERAL OVERVIEW

The 1945 Constitution of the Republic of Indonesia expressly sets forth that sovereignty lies in the hands of the people and shall be implemented in accordance with the Constitution. It is equally emphasized that Indonesia observes the supremacy of law.

In line with the above principle of governance, one most important substance in the amendment of the 1945 Constitution of the Republic of Indonesia is the existence of the Constitutional Court as a state institution which handles particular cases in the area of state administration, in order to ensure that the constitution is executed in an accountable manner, in accordance with the wishes of the people and democratic aspirations. At the same time, the existence of the Constitutional Court is to safeguard stability in the management of the state's administration and to serve as a corrective instrument against a backdrop of past experience in state administration, which arose due to an ambiguous interpretation of the constitution.

The Constitutional Court is one of the implementers of judicial powers, aside from the Supreme Court, as stipulated in Article 24 paragraph (1) and paragraph (2) of the 1945 Constitution of the Republic of Indonesia.

It follows that the Constitutional Court is bound by the general principles of independent operation of judicial powers, free from the influence of other institutions in the enforcement of law and the administration of justice.

The Constitutional Court, by virtue of Article 24C paragraph (1) and paragraph (2) of the 1945 Constitution of the Republic of Indonesia is empowered:

- a. To conduct judicial review against the 1945 Constitution of the Republic of Indonesia;

- b. To resolve disputes on jurisdictions of state institutions whose competencies are conferred by the 1945 Constitution of the Republic of Indonesia;
- c. To dissolve political parties;
- d. To resolve disputes over the results of the general election; and
- e. To pass a decision on the opinion of the *DPR* alleging that the President and/or the Vice-president has violated the law by committing treason against the state, corruption, bribery, other serious criminal acts or misconduct and/or no longer fulfils the requirements to assume the office of president and/or vice-president as prescribed by the 1945 Constitution of the Republic of Indonesia.

The competency of the Constitutional Court in the implementation of the principle of checks and balances places all state institutions at par with each other, thereby creating an equilibrium in the administration of the state. The existence of the Constitutional Court constitutes a real step towards an attempt at auto-correction by and between state institutions.

This Law is an implementation of Article 24C paragraph (6) of the 1945 Constitution of the Republic of Indonesia, which stipulates that the appointments and dismissal of constitutional judges, the code of procedure and other provisions regarding the Constitutional Court are prescribed by law.

In order to secure constitutional judges of high integrity with untainted personality, fair-mindedness and who are statespersons who master the constitution and state administration as mandated by the Constitution, this Law clearly sets forth regulations regarding the conditions to be met by candidates intending to become constitutional judges. In addition, there are provisions regulating appointments and dismissals, the transparent and participatory means by which nominations are conducted and the objectivity and accountability of the determination of constitutional judges.

The code of procedure set out in this Law contains rules of procedure before the Constitutional Court and special rules in accordance with the idiosyncrasies of the respective cases placed within the competency of the Constitutional Court. For the smooth operation of its duties and powers, the Constitutional Court is entrusted with the authority to supplement the code of procedure in accordance with this Law.

The Constitutional Court in its administering justice that examines, adjudicates and passes decisions, shall observe the principle of administration of judicial power, which is based on simplicity and an expeditious manner.

Article III of the Transitional Rules of the 1945 Constitution of the Republic of Indonesia stipulates that the Constitutional Court shall be established at the latest by 17 August 2003 and prior thereto, all its competencies are assumed by the Supreme Court; therefore, this Law also regulates the transition of cases handled by the Supreme Court, after the establishment of the Constitutional Court.

II. ARTICLE BY ARTICLE ELUCIDATION

Article 1

Sufficiently clear

Article 2

Sufficiently clear

Article 3

Sufficiently clear

Article 4

Sufficiently clear

Article 5

Sufficiently clear

Article 6

Paragraph (1)

Sufficiently clear

Paragraph (2)

“Police actions” are defined as:

- a. Summons relating to a criminal act;
- b. Making inquiries relating to a criminal act;

- c. Arrest;
- d. Detention;
- e. Search; and/or
- f. Confiscation.

Article 7

The General Secretariat runs the technical administrative tasks of the Constitutional Court, whereas the Court Clerk carries out technical judicial administration.

Article 8

Sufficiently clear

Article 9

Sufficiently clear

Article 10

Paragraph (1)

The decision of the Constitutional Court is final, meaning that it immediately confers full legal force and effect as of the time it is pronounced and there are no further legal remedies available.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Article 11

“Statements” are defined as any and all verbal and written statements, including documents relating to the case being examined.

Article 12

This provision is made to define the independence and the credibility of the Constitutional Court in regulating its organization, personnel,

administration and finances according to the principles of transparency and accountability.

Article 13

Paragraph (1)

Letter a

Sufficiently clear

Letter b

The obligation to submit a periodic report in accordance with this provision does not relieve it from its obligation to draw up a financial statement according to the applicable laws and regulations.

Paragraph (2)

Sufficiently clear

Article 14

Sufficiently clear

Article 15

Sufficiently clear

Article 16

Paragraph (1)

Sufficiently clear

Paragraph (2)

The statement as meant in this provision also includes the fulfillment of all requirements as stipulated in paragraph (1) and is kept by the Constitutional Court.

Article 17

Letter a

Other state officials, such as members of the *DPR*, *DPD*, *DPRD*, justice or chief justice, cabinet minister or other officials as provided for in the laws and regulations.

Letter b

Sufficiently clear

Letter c

“Entrepreneur” is defined as a member of the board of directors or a member of the board of commissioners of a corporation.

Letter d

While occupying the office of a constitutional judge, a lawyer is prohibited from practicing his/her profession.

Letter e

While occupying the office of a constitutional judge, the status of a civil servant shall be suspended in accordance with the laws and regulations.

Article 18

Paragraph (1)

The issue of a Presidential Decree in this provision constitutes an administrative act.

Paragraph (2)

Sufficiently clear

Article 19

Based on this provision, the names of the candidates for the positions of constitutional judges will be published in the print as well as in the electronic mass media to give people the opportunity to contribute inputs regarding the designated judges.

Article 20

Sufficiently clear

Article 21

Sufficiently clear

Article 22

Sufficiently clear

Article 23

Paragraph (1)

Sufficiently clear

Paragraph (2)

Letter a

Sufficiently clear

Letter b

“Misconduct” is defined as an act which may undermine the dignity of a constitutional judge.

Letter c

“Hearing” is defined as the hearing on the proceedings of a case.

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Article 24

Sufficiently clear

Article 25

Paragraph (1)

Sufficiently clear

Paragraph (2)

“Brought before a court of law” means the lodging of case dossier on the person concerned for judicial process before a court of law.

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

“Rehabilitation” is defined as the restoration of personal rights and reputation of the person concerned without reinstating him/her to his/her position as constitutional judge.

Article 26

Sufficiently clear

Article 27

Sufficiently clear

Article 28

Paragraph (1)

“Exceptional circumstances” are defined as death or the onset of physical/mental disability, which prevents the person from performing as a constitutional judge.

Paragraph (2)

“Unable” refers to the exceptional circumstance as meant in the elucidation of paragraph (1).

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Article 29

Sufficiently clear

Article 30

Sufficiently clear

Article 31

Sufficiently clear

Article 32

Paragraph (1)

“...to check its completeness” refers to administrative completion.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Article 33

Sufficiently clear

Article 34

Sufficiently clear

Article 35

Sufficiently clear

Article 36

Paragraph (1)

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Sufficiently clear

Letter e

Indications are defined as those obtained from testimonies of witnesses, documents and items of evidence.

Letter f

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Article 37

“Piece of evidence” is defined as an indicative piece of evidence.

Article 38

Sufficiently clear

Article 39

Sufficiently clear

Article 40

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Contempt of court is defined as disrespect of the Constitutional Court.

Article 41

Sufficiently clear

Article 42

Sufficiently clear

Article 43

Sufficiently clear

Article 44

Sufficiently clear

Article 45

Paragraph (1)

By “opinion of the judge” is meant the opinion based on the pieces of evidence.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

This provision does not allow for a vote of abstention to be cast in the decision-making process during a deliberation session.

Paragraph (6)

Sufficiently clear

Paragraph (7)

Sufficiently clear

Paragraph (8)

Sufficiently clear

Paragraph (9)

Sufficiently clear

Paragraph (10)

Sufficiently clear

Article 46

Sufficiently clear

Article 47

Sufficiently clear

Article 48

Sufficiently clear

Paragraph (1)

Sufficiently clear

Paragraph (2)

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Sufficiently clear

Letter e

The legal considerations which are set forth as the legal grounds leading to the decision made.

Letter f

Sufficiently clear

Letter g

Sufficiently clear

Article 49

Sufficiently clear

Article 50

“After the introduction of the amendment of the 1945 Constitution of the Republic of Indonesia” refers to the first amendment of the 1945 Constitution of the Republic of Indonesia introduced on 19 October 1999.

Article 51

Paragraph (1)

“Constitutional rights” are defined as the rights prescribed by the 1945 Constitution of the Republic of Indonesia.

Letter a

“A person” includes a group of persons sharing common interests.

Letter b
Sufficiently clear

Letter c
Sufficiently clear

Letter d
Sufficiently clear

Paragraph (2)
Sufficiently clear

Paragraph (3)
Sufficiently clear

Article 52
Sufficiently clear

Article 53
Sufficiently clear

Article 54
Sufficiently clear

Article 55
Sufficiently clear

Article 56
Sufficiently clear

Article 57
Sufficiently clear

Article 58

Sufficiently clear

Article 59

Sufficiently clear

Article 60

Sufficiently clear

Article 61

Sufficiently clear

Article 62

Sufficiently clear

Article 63

“Exercise of competency” means an action, either real or judicial, which constitutes the performance of the competency in dispute.

In issuing its decree, the Constitutional Court considers the impact which may be occasioned by the performance of the disputed competency.

Article 64

Sufficiently clear

Article 65

Sufficiently clear

Article 66

Sufficiently clear

Article 67

Sufficiently clear

Article 68

Paragraph (1)

“The Government” means the Central Government.

Paragraph (2)

Sufficiently clear

Article 69

Sufficiently clear

Article 70

Sufficiently clear

Article 71

Sufficiently clear

Article 72

Sufficiently clear

Article 73

Sufficiently clear

Article 74

Paragraph (1)

Sufficiently clear

Paragraph (2)

“Determination of the results of the general election” means the numbers of votes won by the competitors running in the general elections.

Paragraph (3)

Sufficiently clear

Article 75

Letter a

This provision requires that the appellant clearly indicate the voting station involved and the error(s) in the ballot counting.

Letter b

Sufficiently clear

Article 76

Sufficiently clear

Article 77

Sufficiently clear

Article 78

Sufficiently clear

Article 79

Sufficiently clear

Article 80

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

“Minutes of meeting and/or official report” are the minutes of meetings and/or the official reports of organs of the *DPR* as well as those of the plenary sessions of the *DPR*.

Article 81

Sufficiently clear

Article 82

Sufficiently clear

Article 83

Sufficiently clear

Article 84

Sufficiently clear

Article 85

Sufficiently clear

Article 86

This provision allows for the eventuality of omissions or defects in the code of procedure based on this Law.

Article 87

Sufficiently clear

Article 88

Sufficiently clear