

**LAW OF THE REPUBLIC OF INDONESIA
NUMBER [] OF 2002**

CONCERNING

POLITICAL PARTIES

WITH THE GRACE OF GOD THE ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

- Considering:
- a. that the freedom to unite, to assemble and to express opinions is an element of human rights that is recognised and guaranteed in the 1945 Constitution;
 - b. that the effort to promote and strengthen the freedom to unite, to assemble and to express opinions also constitutes a part of the effort to create a strong nation in the Unitary State of the Republic of Indonesia that is independent, sovereign, democratic and based upon law;
 - c. that the principles of democracy which uphold the sovereignty of the people, transparency, justice, aspiration, responsibility, and non-discriminative treatment within the Unitary State of the Republic of Indonesia require to be based on law;
 - d. that political parties are one of the important forms of participation by society in promoting democratic life which upholds freedom, equality, solidarity and honesty;
 - e. that in the record of the history of the nation of Indonesia, Partai Komunis Indonesia which follows the understanding or teachings of Communism/Marxism-Leninism has already committed treason against the nation and the Unitary State of the Republic of Indonesia, and because of this TAP MPRS No. XXV/1966 on the Dissolution of Partai Komunis Indonesia, Declaration of Partai Komunis Indonesia as a Prohibited Organisation throughout the Territory of the Republic of Indonesia and the Prohibition of Activity to Disseminate and Develop Understanding and Teaching of Communism/Marxism-Leninism shall remain valid and shall consequently be enforced;

- f. that Law No. 2/1999 concerning Political Parties is no longer in accordance with the development of society and the change of state institutions, and that on the basis of TAP MPR X/2001 concerning the Report on the Implementation by High State Institutions to the Annual Session of the MPR 2001 and TAP VI/2002 concerning Recommendations on the Report on the Implementation by the President, DPA, DPR, BPK and MA to the Annual session of the MPR 2002 it needs to be renewed;
- g. that based on consideration of clauses a, b, c, d, e and f it is necessary to establish a law concerning political parties;

Bearing in mind: Article 5 subclause (1), Article 6A, Article 20 subclause (1) and (2), Article 22E subclause (3), Article 24C subclause (1), Article 27 subclause (1) and Article 28 of the 1945 Constitution;

**Upon the joint approval of
THE PEOPLE'S REPRESENTATIVE COUNCIL
OF THE REPUBLIC OF INDONESIA**

AND

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

IT IS DECIDED

To enact: THE LAW CONCERNING POLITICAL PARTIES

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Law, a political party means any political organization voluntarily formed by a group of Indonesian citizens upon the basis of common purpose and aspiration to struggle for the achievement of the interest of its members, the nation, and the state through general elections.

CHAPTER II

ESTABLISHMENT OF A POLITICAL PARTY

Article 2

- (1) A political party may be established and formed by at least 50 (fifty) citizens of the Republic of Indonesia who are at least 21 (twenty-one) years of age through a notarial deed.
- (2) The notarial deed under subarticle (1) shall be accompanied by articles of association and standing orders and by an executive board at the national level.
- (3) A political party under subarticle (1) shall be registered with the Ministry of Justice and shall fulfil the following requirements:
 - a. to have a notarial deed establishing the party which is in accordance with the Constitution and other legislation;
 - b. to have an executive board in at least 50% (fifty percent) of the total number of provinces, 50% (fifty percent) of the number of kabupaten/kota in each such province, and 25% (twenty five percent) of the number of kecamatan in each such kabupaten/kota;
 - c. to have a name, symbol and logo which do not resemble in substance or in entirety the name, symbol and logo of another political party; and
 - d. to have a permanent office.

Article 3

- (1) The Ministry of Justice shall accept the registration of establishment of a political party which has met all the requirements provided in Article 2 above.
- (2) The validation of a political party as a legal entity shall be announced by the Minister of Justice at the latest thirty days after the receipt of the registration under subarticle (1).
- (3) The validation of a political party under subarticle (2) shall be published in the State Gazette.

Article 4

Any change to the articles of association and standing orders, name, symbol and logo of a political party shall be registered with the Ministry of Justice.

CHAPTER III IDEOLOGY AND PRINCIPLES

Article 5

- (1) The ideology of a political party shall not contravene Pancasila and the 1945 Constitution.
- (2) Each political party may state its principles, which shall be in accordance with wishes and sentiments which do not contravene Pancasila, the 1945 Constitution, and laws.

CHAPTER IV OBJECTIVES

Article 6

- (1) The general objectives of a political party are:
 - a. the realisation of national sentiment as defined in the Preamble to the 1945 Constitution;
 - b. the development of democratic life based on Pancasila and respecting highly the sovereignty of the people in the Unitary State of the Republic of Indonesia; and
 - c. the realisation of prosperity for all the people of Indonesia.
- (2) The specific objectives of a political party shall be to struggle for its own principles in the life of society, the nation and state.
- (3) The objectives of a political party under subarticles (1) and (2) shall be realised in a constitutional manner.

CHAPTER V FUNCTIONS, RIGHTS, AND OBLIGATIONS

Article 7

A political party shall function as an instrument of:

- a. political education for its members and wide society in order to become Indonesian citizens who are aware of their rights and obligations in the life of society, the nation and the state;

- b. creation of a conducive climate for the cohesion of national unity and integrity towards the prosperity of society;
- c. absorbing, gathering and channelling the political aspirations of society in a constitutional manner in formulating and determining state policy;
- d. the political participation of citizens; and
- e. political recruitment for the filling of political positions through a democratic process with regard to gender equality and justice.

Article 8

A political party has the right:

- a. to receive equal, consistent and fair treatment from the state;
- b. to manage and administer its own internal affairs in an independent manner;
- c. to receive copyright over its name, symbol and logo from the Ministry of Justice in accordance with legislation and regulations;
- d. to participate in general elections in accordance with the provisions of the General Election Law;
- e. to nominate candidates for membership of the representative institutions of the people;
- f. to propose mid-term replacement of its members of the representative institutions of the people in accordance with legislation and regulations;
- g. to propose the recall of its members of the representative institutions of the people in accordance with legislation and regulations; and
- h. to propose tickets of candidates for President and Vice-President in accordance with legislation and regulations.

Article 9

A political party has the obligation:

- a. to observe the principles of Pancasila and to implement the 1945 Constitution and other legislation and regulations;
- b. to maintain and defend the integrity of the Unitary State of the Republic of Indonesia;

- c. to participate in national development;
- d. to uphold highly the supremacy of the law, democracy and human rights;
- e. to conduct political education and channel political aspirations;
- f. to promote the successful conduct of general elections;
- g. to undertake registration of and maintain in order data on its members;
- h. to conduct bookkeeping and to maintain a list of donors and a total of donations received, which shall be open to be known by society and by the government;
- i. to prepare a periodic financial report annually and submit it to the General Election Commission following an audit by a public accountant; and
- j. to possess a special election campaign fund account and to submit a balanced financial report audited by a public accountant to the General Election Commission by 6 (six) months at the latest following election day.

CHAPTER VI MEMBERSHIP AND SOVEREIGNTY OF THE MEMBERS

Article 10

- (1) A citizen of the Republic of Indonesia may become a member of a political party upon reaching 17 (seventeen) years of age or having been married.
- (2) Membership of a political party shall be voluntary and open and shall not discriminate against any citizen of Indonesia who agrees with the articles of association and standing orders of the party.

Article 11

- (1) The sovereignty of a political party is in the hands of its members and shall be carried out in accordance with the articles of association and standing orders.
- (2) A member of a political party has the right to determine policy and the right to vote and be elected.
- (3) A member of a political party has the obligation to follow the articles of association and standing orders and the duty to participate in the activities of the party.

Article 12

A member of a political party who becomes a member of a representative institution of the people may be recalled from his/her membership of such representative institution of the people in the event that he/she:

- a. declares his/her resignation from membership of the political party or declares his/her membership of another party;
- b. has his/her membership of the political party terminated because of breach of the articles of association or standing orders of the party; or
- c. commits a violation of legislation and regulations which causes such a termination.

CHAPTER VII EXECUTIVE BOARD

Article 13

- (1) A political party shall have an executive board at the national level and may have executive boards down to the village/*kelurahan* level or equivalent.
- (2) The executive board of a political party at the national level shall be located in the capital of the state.
- (3) The executive board of a political party at every level shall be elected in a democratic manner through a consultative forum of the political party in accordance with its articles of association and standing orders having regard to gender equality and justice.
- (4) In the case of a change or replacement of the executive board of a political party at the national level in accordance with its articles of association and standing orders, the new executive structure shall be registered with the Ministry of Justice no earlier than 7 (seven) days and no later than 30 (thirty) days after such change or replacement.
- (5) The Ministry of Justice shall give a registered decision relating to the new executive board under subarticle (4) at the latest 7 (seven days) after the registration is received.

Article 14

- (1) In the event of an objection from at least half of the participants at a consultative forum or in the event that there is a second executive board of

the party which is supported by at least half the participants at a consultative forum as defined in Article 13(3) above, the issue shall be resolved through amicable dialogue and consensus.

- (2) If a resolution through amicable dialogue and consensus under subarticle (1) cannot be reached, either side may submit the case to court.
- (3) During a process of resolution, the management of the party shall be conducted on a temporary basis by an executive board of the party resulting from a consultative forum as defined in Article 13(3) above.

Article 15

An executive or member of a political party who resigns or is dismissed from his/her position or membership in such political party may not establish an executive board for the same party and/or establish a political party which is the same.

CHAPTER VIII JUDGMENTS IN CASES RELATING TO POLITICAL PARTIES

Article 16

- (1) A case relating to a political party under the provisions of this law is submitted through a District Court.
- (2) The decision of the District Court is a first and final decision, and may only be submitted for cassation to the Supreme Court.
- (3) A case under subarticle (1) shall be resolved by the District Court within at the latest 60(sixty) days and by the Supreme Court within at the latest 30 (thirty) days.

CHAPTER IX FINANCES

Article 17

- (1) The finances of a political party shall be obtained from:
 - a. subscriptions from members;
 - b. contributions which are allowed by law; and
 - c. assistance from the state budget.

- (2) Contributions under subarticle (1)b. may be in the form of money, goods, facilities, equipment, and/or services.
- (3) Assistance under subarticle (1)c. shall be given proportionally to political parties which have received seats in the representative institutions of the people.
- (4) The procedures for channelling assistance under subarticle (3) shall be further regulated by Government Regulation.

Article 18

- (1) Contributions from a member or a non-member under Article 17(1)b. above shall not exceed Rp. 200,000,000.00 (two hundred million rupiah) within a one year period.
- (2) Contributions from a corporations and/or a business entity under Article 17(1)b. above shall not exceed Rp. 800,000,000.00 (eight hundred million rupiah) within a one year period.
- (3) Contributions as referred to in paragraph (2) by a corporation and/or a business entity shall be made in accordance with the provisions of legislation and regulations.

CHAPTER X PROHIBITIONS

Article 19

- (1) A political party shall be prohibited from adopting a name, symbol or logo which is the same as:
 - a. the flag or symbol of the Republic of Indonesia;
 - b. the symbols of a state institution or the Government;
 - c. the name, flag, or symbol of another country and the name, flag or symbol of an international institution/body;
 - d. the name or picture of a person; or
 - e. that resembles in its substance or in its entirety that of another political party.
- (2) A political party shall be prohibited from:

- a. carrying out activities which contravene the 1945 Constitution or other legislation and regulations;
 - b. carrying out activities which endanger the unity of the Unitary State of the Republic of Indonesia; or
 - c. carrying out activities which contravene government policy in maintaining amicable relations with other countries in the context of seeking to maintain world order and peace.
- (3) A political party shall be prohibited from:
- a. receiving and making contributions in any form from or to foreign entities in contravention of legislation and regulations;
 - b. receiving contributions, whether in the form of goods or money, from any entity who does not state its clear identity;
 - c. receiving contributions from individual persons and/or corporations/business entities which exceed the specified limit; or
 - d. requesting or receiving funds from state owned enterprises, regionally owned enterprises, enterprises which are owned by villages or equivalent, cooperatives, foundations, NGOs, community organisations, and humanitarian organizations.
- (4) A political party shall be prohibited from establishing a business entity and/or holding shares in a business entity.
- (5) A political party shall be prohibited from embracing, developing, and disseminating the teachings of Communism/Marxism-Leninism.

CHAPTER XI DISSOLUTION AND AMALGAMATION

Article 20

A political party shall be dissolved if:

- a. it dissolves itself upon its own accord;
- b. it amalgamates with another political party; or
- c. it is dissolved by the Constitutional Court.

Article 21

- (1) A political party may amalgamate with another political party by way of:
 - a. amalgamation to form a new political party with a new name, symbol and logo; or
 - b. amalgamation under the name, symbol and logo of one of the existing political parties.
- (2) A new political party arising from an amalgamation under subarticle (1)a. shall meet the conditions in Article 2 and Article 3 above.
- (3) A political party which receives the amalgamation of another political party under subarticle (1)b. shall not be obliged to meet the conditions in Article 2 and Article 3 above.

Article 22

The dissolution of a political party under Article 20a. and 20b. above and the amalgamation of political parties under Article 21 above shall be announced in the State Gazette by the Ministry of Justice.

CHAPTER XII OVERSIGHT

Article 23

Oversight of the implementation of the provisions of this law shall consist of the following duties:

- a. to conduct administrative and substantive examination of the deed of establishment and requirements for establishment of a political party under Article 2 and Article 5 above;
- b. to conduct verification of the executive board of a potential political party as set out in its deed of establishment and of executive boards under Article 2(3)b. above;
- c. to conduct verification of the name, symbol and logo of a political party under Article 19(1) above;
- d. to receive reports of changes to the articles of association and standing orders, name, symbol and logo of a political party under Article 4 above and changes or replacements of the executive board under Article 13(4) above;

- e. to request the result of the annual financial audit report and the result of the financial audit report of general election campaign finances under Article 9h., 9i. and 9j. above; and
- f. to conduct investigation of the possibility of violation against the prohibitions applicable to political parties under Article 19(2), (3), (4) and (5) above.

Article 24

- (1) Oversight under Article 23 above shall be conducted by:
 - a. the Ministry of Justice in undertaking the duty of oversight under Article 23a., 23b., 23c. and 23d. above;
 - b. the General Election Commission in undertaking the duty of oversight under Article 23e. above; and
 - c. the Ministry of Home Affairs in undertaking the duty of oversight under Article 23f. above.
- (2) The carrying out of oversight under subarticle (1) shall be conducted in accordance with legislation and regulations.

Article 25

The Government shall not undertake the functions and rights of Political Parties under Article 6 and Article 7 above.

CHAPTER XIII SANCTIONS

Article 26

- (1) Violation of the provisions under Article 2 and Article 5(1) above shall be subject to administrative sanction in the form of refusal of registration as a political party by the Ministry of Justice.
- (2) Violation of the provisions under Article 9h. above shall be subject to administrative sanction in the form of a public reprimand by the General Election Commission.
- (3) Violation of the provisions under Article 9i. and 9j. above shall be subject to administrative sanction in the form of withdrawal of assistance from the state budget.

Article 27

- (1) Violation of the provisions under Article 19(1) above shall be subject to administrative sanction in the form of refusal of registration as a political party by the Ministry of Justice.
- (2) Violation of the provisions under Article 19(2) above shall be subject to administrative sanction in the form of suspension of the political party for a period of at most 1 (one) year by a court under Article 16(1) above.
- (3) Violation of the provisions under Article 19(3) above shall be subject to administrative sanction in the form of a public reprimand by the General Election Commission.
- (4) Violation of the provisions under Article 19(4) above may be subject to administrative sanction in the form of a prohibition on contesting the following general election by a court under Article 16(1) above.
- (5) Before administrative sanctions under subarticle (1), (2), (3) and (4) are imposed, the explanation of the central executive board of the political party shall first be heard.

Article 28

- (1) Any person who makes a contribution to a political party which exceeds the amount provided in Article 18 above shall be punishable by imprisonment for at most 2 (two) months or a fine of at most Rp. 200,000,000.00 (two hundred million rupiah).
- (2) Any political party administrator who receives a contribution from an individual and/or a corporation/business which exceeds the amount provided in Article 18 above shall be punishable by imprisonment for at most 6 (six) months or a fine of at most Rp. 500,000,000.00 (five hundred million rupiah).
- (3) Any person who influences or forces another person and/or corporation/business to give a contribution to a political party shall be punishable by imprisonment for at most 6 (six) months or a fine of at most Rp. 500,000,000.00 (five hundred million rupiah).
- (4) A contribution received by a political party from an individual and/or corporation/business which exceeds the amount provided in Article 18 above shall be forfeited to the state.
- (5) Any political party administrator who commits an offence under Article 19(3) above shall be punishable by imprisonment for at most 6 (six) months or a fine of at most Rp. 1,000,000,000.00 (one billion rupiah).

- (6) Any political party administrator who uses his/her party to conduct activities under Article 19(5) above shall be prosecuted under Law 27/1999 on Amendments to the Criminal Code linked to Offences against State Security under Article 107c., d., and e., and his/her party may be dissolved.

CHAPTER XIV TRANSITIONAL PROVISIONS

Article 29

- (1) The existence of a political party which has been validated under Law 2/1999 on Political Parties as a legal entity by the Minister of Justice is recognised. Such a party is obliged to comply with the provisions of this Law at the latest 9 (nine) months after it comes into effect.
- (2) The validation as a legal entity of a political party which does not fulfil the provisions of subarticle (1) shall be cancelled and its existence shall not be recognised under this Law.
- (3) With the coming into effect of this Law, the completion of cases relating to political parties which are within the process of adjudication shall be undertaken in accordance with the provisions of this Law.

Article 30

Prior to the establishment of the Constitutional Court, the authority of the Constitutional Court with regard to the dissolution of political parties shall be exercised by the Supreme Court.

CHAPTER XIV CONCLUDING PROVISIONS

Article 31

Upon the coming into effect of this Law, Law 2/1999 concerning Political Parties (State Gazette Year 1999 Number 22, State Gazette Supplemental Number 3809) shall cease to be in effect.

Article 32

This law shall take effect upon its enactment.

For the purpose of this Law being acknowledged by every person, the enactment of this Law is ordered through its announcement in the State Gazette of the Republic of Indonesia .

Ratified in Jakarta

On the date of []

**PRESIDENT
OF THE REPUBLIC OF INDONESIA**

MEGAWATI SOEKARNOPUTRI

Enacted in Jakarta

On the date of

**STATE MINISTER/STATE SECRETARY
OF THE REPUBLIC OF INDONESIA**

BAMBANG KESOWO

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR [] NUMBER [].

ELUCIDATION OF
LAW OF THE REPUBLIC OF INDONESIA

NUMBER [] OF 2002

CONCERNING

POLITICAL PARTIES

I. GENERAL

The formation, maintenance, and development of a political party is basically a reflection of the citizens' right to assemble, to unite and to express opinions. Through a political party, the people can manifest their right to express their opinion as to the direction in which the life of society and the state are to be taken. A political party constitutes a very important component in a democratic political system. As such, the governing of parties must hinge on the principle of sovereignty of the people, which gives freedom, equality and solidarity.

Through the exercise of freedom in a responsible manner, all persons will have the right to assemble and unite in order to achieve their political objectives. Equality is a principle which enables all persons to formulate ideas at the same level, despite them being at different positions and having different functions and roles. Solidarity is an instrument to achieve the aims and goals of the nation and the state in order to cause all obstacles to be more easily overcome. In this regard, political parties can play an important role in promoting freedom, equality and solidarity in the effort to create a harmonious nation and state.

In a democratic political system, freedom and equality can be implemented to reflect a feeling of solidarity which guarantees the realisation of a united society. It is acknowledged that this process leads to political life which gives a role to political parties as a national asset based on the principles of change and continuity which in due course will create maturity and a sense of responsibility in the implementation of democracy. This can be achieved through governance of political parties alongside the system and process for the satisfactory conduct of general elections.

The relationship between the existence of healthy parties and the conduct of general elections can create representative institutions of higher quality. In order to design a systematic relationship between the political party system, general election system and constitutional system, which would be reflected in the system of government, it is necessary for parties to exist which are capable of accommodating diverse elements.

In order to achieve the objectives of the society and state which has the interest of the nation in mind, it is necessary that there is a mature and healthy party system, namely a simple multiparty system.

In a simple multiparty system, it will be easier to work together towards national synergy. This mechanism accompanies a tendency not to promote monolithism, and will also grow a democratic atmosphere which enables political parties to play an optimal role. The realisation of a simple multiparty system is conducted with the fixing of both qualitative and quantitative requirements, both in the formation of parties and in the amalgamation of existing parties.

The role of political parties as participants in General Elections gives the opportunity to struggle for the interests of the people at large, to fill the institutions of the state, and to form a government.

Political parties, through the performance of the function of political education, political socialisation, formulation and channelling of interests, and political communication in real terms, will increase the consciousness and participation of society in politics, will glue together groups in society, will support integration and national unity, realise justice, enforce law, respect human rights, and guarantee stability and security.

In the context of enforcing the rules in this Law, oversight and sanctions are necessary against violations of the provisions of this Law.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Subarticle (1)

Sufficiently clear.

Subarticle (2)

Sufficiently clear.

Subarticle (3)

Point a.

In accordance with the Constitution means that the formation, articles of association and standing orders, aims, objectives, principles, work programmes and struggle of a political party shall not contravene the 1945 Constitution and the prevailing legislation and regulations.

Point b.

The percentages of at least 50% of the number of provinces, at least 50% of the number of kabupaten/kota in each such province, and at least 50% of the number of *kecamatan* in each such kabupaten/kota are calculated by making upward adjustments.

Administrative kabupaten/kotamadya within the territory of DKI Jakarta are at the same level as kabupaten/kota in other provinces.

Point c.

Having a name, symbol and logo which does not resemble in substance refers to similarities which evidently stands out as fostering the impression of a resemblance, whether in form, layout, inscription or the combination of elements contained in the name, symbol and logo of another political party.

Point d.

Having a permanent office means having a clear address of the secretariat which is shown in valid documents, this provision being valid from centre to kabupaten/kota level.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Point a.

Sufficiently clear.

Point b.

Sufficiently clear.

Point c.
Sufficiently clear.

Point d.
Sufficiently clear.

Point e.
Sufficiently clear.

Point f.
Sufficiently clear.

Point g.
Sufficiently clear.

Point h.
The use of assistance funds from the state budget to a political party is reported every year to the Government, defined here as the Ministry of Home Affairs, and audited by the State Audit Board (BPK).

Point i.
Sufficiently clear.

Point j.
A special election campaign fund account is a special account opened for the purpose of holding election campaign funds, which shall be separate from other necessary accounts.

Article 10
Sufficiently clear.

Article 11
Sufficiently clear.

Article 12
Sufficiently clear.

Article 13
Subarticle (1)
Based in the capital of the state means that the central office may be in DKI Jakarta, Kota Bogor, Kota Depok, Kota Tangerang or Kota Bekasi..

Subarticle (2)
Sufficiently clear.

Subarticle (3)

Gender equality and justice is realised through a significant increase in the number of women in the management of a political party at each level.

Subarticle (4)

Sufficiently clear.

Subarticle (5)

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Where not regulated under this law, the procedures for reaching judgment on cases relating to political parties are conducted according to the valid laws of procedure.

Article 17

Subarticle (1)

Point a.

Sufficiently clear.

Point b.

Sufficiently clear.

Point c.

The state budget is the national budget (APBN) and regional budgets (APBD).

Subarticle (2)

Sufficiently clear.

Subarticle (3)

The representative institutions of the people are the DPR, DPRD Propinsi, and DPRD Kabupaten/Kota.

Parties which gain seats in:

- a. the DPR are given financial assistance sourced from the national budget (APBN);

- b. a DPRD Propinsi are given financial assistance sourced from the provincial budget (APBD); and
- c. a DPRD Kabupaten/Kota are given financial assistance from the kabupaten/kota budget (APBD).

This assistance is provided by the government and transferred to political parties to pay for the administration and/or secretariat of the political parties in accordance with the capability of the state finances to do so, and shall be accounted in accordance with legislation and regulations.

Subarticle (4)

Sufficiently clear.

Article 19

Subarticle (1)

Point a.

The symbol of the Republic of Indonesia is the Garuda Pancasila bird with the slogan Bhinneka Tunggal Ika. The use of a part of the picture/symbol in the national symbol is not covered by this provision.

Point b.

The symbol of a state institution is the symbol of a state institution written in the 1945 Constitution and other legislation and regulations.

The symbols of the government are the symbols of organs of the government such as ministries, non-ministerial government institutions, and regional governments.

Point c.

Sufficiently clear.

Point d.

Sufficiently clear.

Point e.

Resembling in substance the name, symbol or logo of another political party is having similarity which evidently stands out as fostering the impression that there is a resemblance, either in the form, layout or inscription or in a combination of these, that exists to the name, symbol or logo of that other political party.

In the case that a party exists which is using a name, symbol or logo which resembles in its substance or in its entirety that of another political party, the party which was registered earlier with the Ministry

of Justice has the right to use the said name, symbol or logo. The political party which was registered later must change its name, symbol or logo.

Subarticle (2)

Point a.
Sufficiently clear.

Point b.
Sufficiently clear.

Point c.
Sufficiently clear.

Subarticle (3)

Point a.
A foreign entity is a foreign citizen, a foreign community organisation or a foreign governmental institution.

Point b.
A clear identity involves information regarding the name and full address of an individual or business.

Point c.
Sufficiently clear.

Point d.
Sufficiently clear.

Subarticle (4)
Sufficiently clear.

Subarticle (5)
The teachings of Communism/Marxism-Leninism are teachings banned under TAP MPRS XXV/1966.

Article 20
Sufficiently clear.

Article 21
Subarticle (1)
Sufficiently clear.

Subarticle (2)

An amalgamation of political parties shall be declared and explained in an agenda of amalgamation and shall be registered with the Ministry of Justice in accordance with the provisions of this law.

Subarticle (3)
Sufficiently clear.

Article 22
Sufficiently clear.

Article 23
Sufficiently clear.

Article 24
Subarticle (1)
Sufficiently clear.

Subarticle (2)
Matters that are not yet regulated will be regulated in future legislation and regulations.

Article 25
Sufficiently clear.

Article 26
Sufficiently clear.

Article 27
Sufficiently clear.

Article 28
A political party administrator in Article 28(2), 28(5) and 28(6) is an element of the administration of a political party who commits actions of violation as defined in those subarticles.

Article 29
Sufficiently clear.

Article 30
Sufficiently clear.

Article 31
Sufficiently clear.

Article 32
Sufficiently clear.

STATE GAZETTE SUPPLEMENTAL OF THE REPUBLIC OF INDONESIA
NUMBER