

**LAW OF THE REPUBLIC OF INDONESIA
NUMBER 14 OF 1985
REGARDING
SUPREME COURT**

WITH THE GRACE OF THE ONE ALMIGHTY GOD
The President of the Republic of Indonesia,

Considering:

- a. whereas the state of the Republic of Indonesia as a constitutional state based on the tenets of Pancasila and the 1945 Constitution has the objective to realize a prosperous, safe, peaceful and orderly national life;
- b. whereas in realizing such life and insuring equal position of citizens before the law, efforts are required to uphold order, justice, truth and legal certainty that are capable of providing protection to the community;
- c. whereas in the context of the aforementioned efforts, regulations concerning the structure and authority of the Supreme Court, which is currently still provided for under Law Number 13 Year 1965, are no longer suitable to the spirit of Law Number 14 Year 1970;
- d. whereas in addition to that matter, Law Number 13 Year 1965 has been declared as null and void under Law Number 6 Year 1969, however, the date of its revocation was stipulated to be the date of its replacement law came into effect;
- e. whereas in order to implement Law Number 14 Year 1970, it is deemed necessary to stipulate a law regulating the position, structure and authority of the Supreme Court as well as the legal procedure applicable for the Supreme Court;

In view of:

1. Article 5 paragraph (1), Article 20 paragraph (1), Article 24, and Article 25 of the 1945 Constitution;
2. Stipulation of the People's Consultative Assembly of the Republic of Indonesia Number III/MPR/1978 concerning the Position and Administrative Relations between the State's Highest Institution and/or among the State's High Institutions;
3. Law Number 14 Year 1970 concerning Principal Provisions on Judicial Authority (State Gazette Year 1970 Number 74, Supplement to State Gazette Number 2951);

With the approval of
THE PEOPLE'S LEGISLATIVE ASSEMBLY
HAS DECIDED:

To stipulate: **LAW CONCERNING THE SUPREME COURT**

**CHAPTER I
GENERAL PROVISIONS**

**Section One
Position of the Supreme Court
Article 1**

The Supreme Court shall be a Higher State Institution as intended in the Stipulation of the People's Consultative Assembly of the Republic of Indonesia Number III/MPR/1978.

CHAPTER I GENERAL PROVISIONS

Section One Position of the Supreme Court

Article 1

The Supreme Court shall be a Higher State Institution as intended in the Stipulation of the People's Consultative Assembly of the Republic of Indonesia Number III/MPR/1978.

Article 2

The Supreme Court shall be The Highest State Court of all Judicial Institutions, which in performing its duties shall be free from any influence of the government and other influences.

Part Two Domicile

Article 3

The Supreme Court shall be domiciled in the capital city of the Republic of Indonesia.

CHAPTER II THE STRUCTURE OF THE SUPREME COURT

Part One General

Article 4

- (1) The structure of the Supreme Court shall comprise of the Head, Member Judges, Clerks, the Secretariat General, the Supervisory Body, the Research and Development, the Educational and Training Body, as well as other organizations.

Article 5

- (1) The Chairs of the Supreme Court shall comprise of a Chairperson and several Deputy Chairpersons supervising certain chambers of law.
- (2) Member Judges of the Supreme Court shall be Supreme Court Judges.

Part Two Chairperson, Deputy Chairperson, and Member Judge of the Supreme Court

Article 6

- (1) Chairperson, Deputy Chairperson and Member Judge of the Supreme Court shall be state officials performing the Judicial Authorities.
- (2) Requirements and procedures for the appointment and dismissal as mentioned in paragraph (1) shall be stipulated under this Law.

Article 7

- (1) In order to be able to be appointed as a Judge, a candidate must meet the following requirements:
 - a. Indonesian citizen;

- b. devoted to the One Almighty God;
 - c. loyal to Pancasila as the national philosophy, state foundation and national ideology, to the August 17, 1945 Proclamation of Independence, the 1945 Constitution in addition to the independence revolution of the Indonesian people to bear the burden of the People's struggle;
 - d. not a former member of the banned organization Indonesian Communist Party, including its mass organizations or not a person who has directly or indirectly been involved in the "Contra Revolutionary G30S/PKI Movement" or other banned organizations;
 - e. graduated from a law school or other fields and having skills in the field of law;
 - f. of the minimum age of 45 (forty-five) years;
 - g. having not less than 5 (five) years experience as a Head of an Appellate Court or 10 (ten) years as a Judge of an Appellate Court;
 - h. wise, honest, fair and of good behavior.
- (2) In certain matters, the possibility may be opened for appointing Judges of the Supreme Court not based on career system, provided that the person concerned has minimum of 15 (fifteen) year's experience in the field of law.

Article 8

- (1) Judges of the Supreme Court shall be appointed and installed by the President in the capacity as Head of State from the list of candidates approved and selected by the People's Legislative Assembly.
- (2) The list of candidates as mentioned in paragraph (1) shall be submitted by the People's Legislative Assembly to the President in the capacity as Head of State following the People's Legislative Assembly considering the opinion of the Supreme Court and the government.
- (3) The Chairperson and Deputy Chairperson of the Supreme Court shall be appointed by the President in the capacity as Head of State from among the Judges of the Supreme Court recommended by a plenary session of the Supreme Court and approved by the People's Legislative Assembly.
- (4) The Junior Chairperson of the Supreme Court shall be appointed by the President in the capacity as Head of State from among the Supreme Court Judges recommended by the Chairperson of the Supreme Court.
- (5) In order to fill in vacant positions of the Chairperson, Deputy Chairperson and Member Judges of the Supreme Court, 2 (two) candidates shall be proposed.

Article 9

- (1) Before assuming their positions, the Chairperson, Deputy Chairperson, and Member Judges of the Supreme Court shall be obligated to take an oath in accordance with their Religion or beliefs, which reads as follows:
 "I truly solemnly swear/promise that I, in order to obtain this position, directly or indirectly, by using other name or manner whatsoever, have never given or promised any thing to any body."
 "I swear/promise that I, in order to do or not to do any thing in this position, will never receive any promise or gift directly or indirectly from any body".
 "I vow/promise that I will remain loyal and will protect as well as practice the tenets of Pancasila as the national foundation and ideology and the 1945

Constitution, and all laws and regulations applicable in the state of the Republic of Indonesia.”

“I swear/promise that I will always perform my duties in this position honestly, carefully and fairly and will perform my duties to the best and fairest extent as it should be for a Chairperson, Deputy Chairperson, Member Judge of the Supreme Court having good morals and honesty in upholding law and justice.”

- (2) The Chairperson and Deputy Chairperson of the Supreme Court shall take the vow or oath before the President in the capacity as Head of State.
- (3) The vow or oath of Member Judge of the Supreme Court shall be taken by the Chairperson of the Supreme Court.

Article 10

- (1) A Judge of the Supreme Court shall be prohibited from concurrently holding the following positions:
 - a. Executor of a court decision;
 - b. Trustee, guardian and official related to a case that will or is being examined by him;
 - c. Legal representative;
 - d. Entrepreneur.
- (2) Unless the prohibition for concurrently holding other positions is already provided for in a Law, the positions that cannot be held concurrently by a Judge of the Supreme Court other than those mentioned in paragraph (1) shall be further provided for in Regulation of the Supreme Court.

Article 11

- (1) The Chairperson, Deputy Chairperson and Member Judge of the Supreme Court shall be honorably discharged from their respective position by the President in the capacity as Head of State upon the recommendation of the Supreme Court due to the following reasons:
 - a. resignation;
 - b. continuous physical or mental sickness;
 - c. has reached the age of 65 (sixty-five) years;
 - d. proven to be incapable of performing duties.
- (2) The Chairperson, Deputy Chairperson and Member Judges of the Supreme Court who passes away shall be honorably discharged automatically from his/her position by the President in the capacity as Head of State.

Article 12

- (1) The Chairperson, Deputy Chairperson and Member Judges of the Supreme Court shall be dishonorably discharged from his/her position by the President in the capacity as Head of State upon the recommendation of the Supreme Court upon the following reasons:
 - a. subjected to criminal penalty as found guilty for committing a felony;
 - b. conducting illicit conduct;
 - c. continuously neglecting his/her obligations in performing his/her duties;
 - d. breaching his/her official oath or promise;
 - e. violating the prohibitions set forth in Article 10.
- (2) Recommendation for dishonorable discharge with the reasons as mentioned in paragraph (1) letter b up to letter e shall be conducted after the person concerned

has been granted the opportunity to defend him/herself before the Honorary Council of Supreme Court Judges.

- (3) The formation, structure and work procedures of the Honorary Council of Supreme Court Judges shall be set forth by the Supreme Court.

Article 13

- (1) Prior to being dishonorably discharged as intended in Article 12 paragraph (1), the Chairperson, Deputy Chairperson and Member Judges may be temporarily discharged from his/her position by the President in the capacity as Head of State upon the recommendation of the Supreme Court.
- (2) Recommendation for temporary suspension as intended in paragraph (1) shall also subject to the provisions as set forth in Article 12 paragraph 2.

Article 14

- (1) If a warrant for the arrest of a Judge of the Supreme Court is issued, followed by his/her arrest, the relevant Judge of the Supreme Court shall automatically be temporarily suspended from his/her position.
- (2) If a Judge of the Supreme Court is brought before the Court of Justice in a criminal case as set forth in Article 21 paragraph (4) of Law Number 8 Year 1981 without being detained, he/she may be temporarily discharged from his/her position.

Article 15

Further provisions on the procedures for honorable discharge, dishonorable discharge and temporary discharge as well as the rights of the officer being discharged shall be set forth in a Government Regulation.

Article 16

- (1) The protocol positions of the Chairperson, Deputy Chairperson and Member Judges of the Supreme Court shall be set forth in a Government Regulation.
- (2) Financial/administrative rights of the Chairperson, Deputy Chairperson and Member Judges of the Supreme Court shall be set forth in a Government Regulation.

Article 17

- (1) The Chairperson, Deputy Chairperson and Member Judges of the Supreme Court may only be arrested or detained based on the order of the Attorney General upon having obtained the approval of the President, except in the following events:
 - a. caught committing a criminal felony; or
 - b. based on sufficient preliminary evidence, suspected to have committed a felony which carries the death penalty, or of endangering national security.
- (2) The implementation of the arrest or detainment as mentioned in paragraph (1) letter a and letter b shall be reported to the Attorney General by no later than 2 (two) times 24 (twenty-four) hours.

Part Three
Clerk of the Supreme Court

Article 18

The Supreme Court shall have a Clerk Office lead by a Clerk and several Junior Clerks, and a number of Substitute Clerks.

Article 19

Duties and responsibilities, organizational structure as well as working procedures of the Clerk Office of the Supreme Court shall be set forth in a Presidential Decree.

Article 20

- (1) In order to be able to be appointed as a Clerk of the Supreme Court, a candidate must meet the following requirements:
 - a. Indonesian citizen;
 - b. believe in the One Almighty God;
 - c. loyal to Pancasila and the 1945 Constitution;
 - d. having diploma in law;
 - e. having experience of not less than 5 (five) years as an Appellate Judge or 10 (ten) years as a Clerk of an Appellate Court or 15 (fifteen) years as Junior Clerk of the Supreme Court.
- (2) In order to be able to be appointed as a Deputy Clerk of the Supreme Court, a candidate must meet the following requirements:
 - a. the requirements as intended in paragraph (1) letter a, letter b, letter c and letter d;
 - b. having experience of not less than 3 (three) years as an Appellate Court Judge or 7 (seven) years as a Clerk of a First Level Court or 10 (ten) years as a Substitute Clerk of the Supreme Court.
- (3) In order to be able to be appointed as a Junior Clerk of the Supreme Court, a candidate must meet the following requirements:
 - a. the requirements as intended in paragraph (1) letter a, letter b, letter c and letter d;
 - b. having experience of not less than 5 (five) years as an Appellate Court Judge or 5 (five) years as a Clerk of a First Level Court or 5 (five) years as a Substitute Clerk of the Supreme Court.
- (4) In order to be able to be appointed as a Substitute Clerk of the Supreme Court, a candidate must meet the following requirements:
 - a. the requirements as intended in paragraph (1) letter a, letter b, letter c and letter d;
 - b. having experience of not less than 10 (ten) years as a civil servant in technical affairs of cases in the Supreme Court.

Article 21

A clerk and Deputy Clerk of the Supreme Court shall be appointed and discharged by the Chairperson of the Supreme Court.

Article 22

Before assuming his position, a Clerk and Deputy Clerk of the Supreme Court shall be sworn by the Chairperson of the Supreme Court.

Article 23

Junior Clerks and Substitute Clerks of the Supreme Court shall be appointed and discharged by the Chairperson of the Supreme Court.

Article 24

Before assuming their positions, Junior Clerks and Substitute Clerks of the Supreme Court shall be sworn by the Chairperson of the Supreme Court.

Part Four

Secretariat General of the Supreme Court

Article 25

The Supreme Court shall have a Secretariat General lead by a Secretary General.

Article 26

Duties and responsibilities, organizational structure and working procedures of the Secretariat General of the Supreme Court shall be stipulated in a Presidential Decree.

Article 27

Clerk of the Supreme Court shall also be the Secretary General of the Supreme Court.

CHAPTER III

AUTHORITIES OF THE SUPREME COURT

Article 28

- (1) The Supreme Court shall have the duties and authorities to examine and decide upon the following matters:
 - a. appeals;
 - b. disputes regarding jurisdiction;
 - c. applications for judicial reviews on decisions of lower Courts having obtained permanent legal force;
- (2) For the smooth running of the implementation of the duties as intended in paragraph (1), the Chairperson of the Supreme Court shall stipulate the division of duties within the Supreme Court.

Article 29

The Supreme Court shall decide upon appeals against decisions of the Appellate or the Last Level Courts of all Judicatures.

Article 30

The Supreme Court shall reverse Courts decisions or stipulations of all Judicatures because of the following matters:

- a. not having or exceeding their authorities;
- b. misapplication or violations of the prevailing laws;
- c. failing to meet the requirements obligated under laws and regulations providing for such default with the reversal of the relevant decisions.

Article 31

- (1) The Supreme Court shall have the authority to conduct the Right to Examine the Materiality of the Law (*Hak Uji Materiil*) on Laws and other regulations below Laws.
- (2) The Supreme Court shall be authorized to declare a Law and other regulation under Law as null and void based on the reason that the Law or regulation is contradictory to Laws and regulations of higher level.
- (3) Decisions concerning the inapplicability of the aforementioned laws and regulations can be undertaken in connection with the examination of the level of appeals.
Revocations of the aforementioned laws and regulations declared as null and void shall be conducted forthwith by the agencies concerned.

Article 32

- (1) The Supreme Court shall perform the highest supervision over judicial organization in all judiciatures in performing the judicial authorities.
- (2) The Supreme Court shall supervise the behavior and attitude of Judges in all judiciatures in performing their duties.
- (3) The Supreme Court shall have the authority to ask for information concerning the matters related to technical judicature matters of all Judiciatures.
- (4) The Supreme Court shall have the authority to provide necessary direction, reprimand, or warning to Courts in all Judiciatures.
- (5) Supervision and authorities as intended in paragraph (1) up to paragraph (4) shall not impede the freedom of Judges in examining and deciding upon cases.

Article 33

- (1) The Supreme Court shall decide at the first and the last levels upon all disputes concerning jurisdiction:
 - a. between a Court within a Judicature with other Court within another Judicature;
 - b. between two Courts within the jurisdiction of two different Appellate Court of the same Judicature;
 - c. between two Appellate Courts within the same Judicature or between different Judiciatures.
- (2) The Supreme Court shall have the authority to decide at the first and the last levels upon all disputes occurring due to seizure of foreign ships and their cargo by warships of the Republic of Indonesia based on the applicable regulations.

Article 34

The Supreme Court shall examine and decide upon applications for judicial reviews at the first and the last levels in respect of the decisions of judicature bodies at all levels that have obtained permanent legal force based on the reasons set forth in Chapter IV part four hereof.

Article 35

The Supreme Court shall provide legal opinions to the President in the capacity as Head of State in the context of the approval and refusal of clemency.

Article 36

The Supreme Court and the government shall supervise Legal Counselors and Notaries.

Article 37

The Supreme Court may provide legal considerations, either requested or otherwise, for other State High Institutions.

Article 38

The Supreme Court shall have the authority to inquire for information from and to provide instructions to Courts in all Judicatures in the context of the implementation of the Provisions of Article 25 of Law Number 14 Year 1970 regarding Principal Provisions of Judicial Authorities.

Article 39

In addition to the duties and authorities set out in this Chapter, the Supreme Court may be assigned with other duties and authorities based on Law.

CHAPTER IV LEGAL PROCEDURES FOR THE SUPREME COURT

Part One General

Article 40

- (1) The Supreme Court shall examine and decide upon cases with not less than 3 (three) Judges of the Supreme Court.
- (2) Decisions of the Supreme Court shall be pronounced in public hearing.

Article 41

- (1) A Judge shall be obligated to resign from a hearing, having family relationship up to the third level or marital relationship, even though it has been terminated, with one of the Member Judges or Clerks in the same Council as intended in Article 40 paragraph (1).
- (2) A Judge or Clerk shall be obligated to resign from a hearing if he/she has family relationship up to the third level or by marriage, even though it has been terminated, with the General Prosecutor, Military Prosecutor, Accused, Legal Counsellor, Defendant or Plaintiff.
- (3) Family relationship as intended in paragraph (1) and paragraph (2) shall also be applicable for Judges and/or Clerk of the First Level Court as well as Judges and/or Clerk of the Appellate Court, examining the same case.
- (4) If a Judge passing a decision upon a case at the first level or appellate level then becomes a Judge of the Supreme Court, he/she shall be prohibited from examining the same case.
- (5) The Judge or Clerk as intended in paragraph (1), paragraph (2), paragraph (3) and paragraph (4) must be replaced and if he/she is not replaced or does not resign while the case has been decided upon, such decision shall be void and the case must be re-examined by a different Council of Judges.

Article 42

- (1) A judge shall not be permitted to hear a case in which he has either directly or indirectly conflicting interests.
- (2) In the event as referred to in paragraph (1) the Judge concerned shall be obligated to withdraw both upon his own free will as well as upon the request of the public prosecutor, military prosecutor, the accused, legal counsel, plaintiff or defendant.
- (3) In the event of any doubts or differences of opinion concerning matters as referred to in paragraph (1), therefore:
 - a. The head of the Supreme Court because of his position shall be act as the official authorized to decide matters;
 - b. In the event that it concerns the Head of the Supreme Court himself a committee, comprising of 3 (three) persons selected by and from among the most senior Supreme Court Judges shall be, the party authorized to decide.

Part Two Examination of Appeals to the Supreme Court

Article 43

- (1) Appeals to the Supreme Court shall only be submitted in the event that the Applicant had appealed through other legal channels, unless determined otherwise in the following Articles.
- (2) Appeals to the Supreme Court shall only be submitted 1 (one) time.

Article 44

- (1) Appeals as referred to in Article 43 shall be submitted by:
 - a. the parties to the dispute or their representative specifically authorized for such purpose in civil or state administrative cases examined and decided by a court of appeals or the final appeals court in the Scope of General Justice, Religious Justice, and State Administrative Court.
 - b. Defendant or his representative specially authorized for such purpose or a Public Prosecutor, or military legal officer in a criminal case being examined or decided upon by the Court of Appeals or the Final Court of Appeals in the Scope of General Justice or Military Justice.
- (2) The hearing of criminal appeals, prior to the Pronouncement of the Supreme Court's decision, the Attorney General, due to his position can submit a technical legal opinion in the aforementioned case.

Article 45

- (1) The Attorney General, due to his position, may file appeals in the interest of Justice in civil cases or state administrative cases examined and decided by the First Court or Appeals Court in the Scope of the Court as referred to in Article 44 (1) letter a.
- (2) Appeals to the Supreme Court shall only be submitted 1 (one) time.
- (3) Appeals decisions in the interest of the Law must not harm the parties to the dispute.

Paragraph 2
General Justice

Article 46

- (1) Appeals in civil cases shall be submitted in writing or verbally through the Clerk of the First Court that had decided its case, by no later than 14 (fourteen) days following the decision or stipulation of the Court referred is pronounced to the applicant.
- (2) In the event that following the lapse of the aforementioned 14 (fourteen) days without any appeal from the disputing party, the disputing party is deemed to have accepted the decision.
- (3) After the applicant has paid for the expenses of the proceedings, the aforementioned Clerk, as intended in paragraph (1) shall record the appeal in the registry, and on that very same day shall draw up the deed of appeals to be attached to the case documents.
- (4) By no later than 7 (seven) days following the appeal registration, the Clerk of the First Court deciding the aforementioned case shall notify in writing concerning such appeal to the opposing party.

Article 47

- (1) In the submission of the appeal, the applicant shall be obligated to submit the documents to the appeals containing its reasons, by 14 (fourteen) days following the aforementioned appeals is registered in the registry.
- (2) The Clerk of the Court deciding the case in the first level shall provide evidence of the receipt of the memory of appeal and provide a copy of the aforementioned memory of appeal to the aforementioned opposing party in the dispute by no later than 30 (thirty) days.
- (3) The opposing party shall be entitled to submit a reply for the memory of appeal to the Clerk as referred to in paragraph (1), in the period of 14 (fourteen) days as from the date of receipt of the memory of appeals.

Article 48

- (1) After having received the memory of appeal and the reply to the memory of appeal as referred to in Article 47, the Clerk of the First Court Deciding the Case shall deliver the request for appeal, the memory of appeal, reply to the memory of appeal in addition to the case documents to the Supreme court by no later than 30 (thirty) days.
- (2) The Clerk of the Supreme Court shall register the aforementioned request for appeal in the registry by indicating the number and the date of receipt, draw up brief summary of its contents, and report all of it to the Supreme Court.

Article 49

- (1) Prior to the decision of the case by the Supreme Court, the applicant can withdraw such aforementioned appeal, and in the event that it is indeed withdrawn, the applicant can no longer submit an appeal in the case, even though the time limit has not lapsed.
- (2) In the event that the revocation as referred to in paragraph (1) is conducted prior to the delivery of the case documents to the Supreme Court, such case documents shall not be delivered to the Supreme Court.

Article 50

- (1) The Supreme Court shall conduct examinations of the appeal, based on the documents and only if the Supreme Court deems necessary, shall personally hear the parties or the witnesses, or shall order the first court or appeals court deciding the case to hear the parties or the witnesses.
- (2) In the event that the Supreme Court cancels the decision of the Court and hears the case itself, the applicable evidence law shall be the law used in the First Court.

Article 51

- (1) In the event that the Supreme Court grants the appeal by virtue of Article 30 letter a, the Supreme Court shall hand over the aforementioned case to another Court authorized to examine and decide it.
- (2) In the event that the Supreme Court grants the appeal by virtue of Article 30 letter b, and letter c, the Supreme Court shall decide for itself such case up for appeal.

Article 52

By making the decision, the Supreme Court shall not be bound to the reasons submitted by the appellee and can use other legal reasons.

Article 53

- (1) A copy of the decision shall be delivered to the Head of the First Court deciding the aforementioned case.
- (2) The First Court shall notify the Supreme Court Decision to both parties by no later than 30 (thirty) days following the aforementioned First Court's receipt of the decision and the case documents.

Article 54

In hearing appeals for criminal cases, the applicable law proceeding shall be as set forth in the Criminal Code.

Paragraph 3

Religious Court, State Administrative Court, Military Court

Article 55

- (1) Hearing appeals for cases decided by Courts in the Scope of Religious Justice or decided by Courts in the Scope of State Administrative Justice, shall be conducted by virtue of the provision of this Law.
- (2) Hearing of appeals for cases decided by Courts in the Scope of Military Justice shall use legal proceedings applicable in Military Justice.

Part Three
Examination of Disputes concerning the Authority to Head Cases
Paragraph 1
General

Article 56

- (1) The Supreme Court shall hear and decide disputes concerning the authority to hear cases as referred to in Article 33 paragraph (1).
- (2) Disputes Concerning authority to hear cases occurs:
 - a. In the event that 2 (two) Courts or more declare that they have the authority to hear the same case.
 - b. In the event that 2 (two) or more Courts state that they do not have the authority to hear the same case.

Paragraph 2
General justice

Article 57

- (1) Applications to hear and decide disputes of authority to hear a civil case shall be submitted in writing to the Supreme Court along with its opinions and reasons thereof by:
 - a. the parties to the dispute through the Head of the Court.
 - b. The Head of the Court that hears the aforementioned case.
- (2) The Clerk of the Supreme Court shall register the aforementioned request in the registry concerning disputes of jurisdiction to hear civil cases and upon the order of the Head of the Supreme Court, shall deliver copies thereof to the opposing party with a notification that they, within 30 (thirty) days following the receipt of the aforementioned request, shall be entitled to submit a written reply to the Supreme court in addition to their opinions and reasons.
- (3) Following the receipt of the aforementioned request, case hearing by the examining Courts shall be adjourned pending the settlement of the aforementioned dispute by the Supreme Court.
- (4) Decisions of the Supreme Court shall be submitted to:
 - a. The parties through the Head of the Court.
 - b. The Head of Courts concerned.

Article 58

Requests to examine and decide on disputes concerning the authority to hear the criminal case shall be submitted in writing by the Public Prosecutor or the defendant in addition to the opinions and reasons thereof.

Article 59

- (1) In the event that the Public prosecutor submits the request as referred to in Article 58 and the Public Prosecutor submits the case documents to the Supreme Court,

whereas copies thereof shall be sent to the Attorney General, the Heads of Courts and Public Prosecutors in other Prosecutors Offices as well as to defendants.

- (2) The Public Prosecutor in other Prosecutors Offices as well as defendants, within no later than 30 (thirty) days as from the receipt of the copy of the request as referred to in paragraph (1) shall submit their respective opinions to the Supreme Court.

Article 60

- (1) In the event that the application is submitted by the accused, the application letter shall be submitted through the relevant Public Prosecutor, which shall subsequently forward the aforementioned application along with his opinion and lawsuit documents to the Supreme Court.
- (2) Public Prosecutor as referred to in paragraph (1) shall deliver copies of the application letter and his opinion to other Public Prosecutors.
- (3) Other Public Prosecutors as referred to in paragraph (2) shall deliver their opinions to the Supreme Court by no later than 30 (thirty) days upon having received the aforementioned copies of the application letter.

Article 61

- (1) Public Prosecutor as referred to in Article 60 paragraph (1) shall forthwith deliver the aforementioned copies of the application letter to the Heads of the Courts passing decisions upon the aforementioned lawsuit.
- (2) Upon having received the aforementioned application, examination on the lawsuit by the relevant Court shall be suspended until the aforementioned dispute is decided by the Supreme Court.

Article 62

- (1) The Supreme Court may order the Court investigating the lawsuit to ask for information from the accused concerning things which are deemed necessary.
- (2) After implementing the order as intended in paragraph (1), the Court receiving such order shall forthwith prepare the minutes of examination and deliver the same to the Supreme Court.

Article 63

- (1) In the event of jurisdiction dispute as referred to in Article 58, the Supreme Court shall pass a decision on the aforementioned dispute upon hearing the opinion of the Attorney General.
- (2) The Attorney General shall notify the accused and Public Prosecutor in the aforementioned lawsuit of the decision as referred to in paragraph (1).

Paragraph 3

Islamic Judicature, State Administration Judicature, Military Judicature

Article 64

- (1) Examination on disputes concerning jurisdiction among Courts which occur:
 - a. within the Islamic Judicature.
 - b. within the State Administration Judicature; shall be conducted in accordance with the provisions of Article 57.

- (2) Examination on dispute concerning jurisdiction among Courts within the Military Judicature shall be conducted in accordance with the provisions of Article 58 up to and including Article 63.

Paragraph 4

Examination on Disputes Concerning Jurisdiction Between Two Different Judicatures

Article 65

- (1) Examination on dispute concerning the jurisdiction between:
- A Court within the General Judicature and a Court within the Islamic Judicature and a Court within the State Administration Judicature.
 - A Court within the Islamic Judicature and a Court within the State Administration Judicature.
- shall be conducted in accordance with the provisions of Article 57.
- (2) Examination on dispute concerning the jurisdiction between a Court within the General Judicature and a Court within the Military Judicature shall be conducted in accordance with the provisions of Article 58 up to and including Article 63.

Part Four

Judicial Review on Decision Having Obtained Permanent Legal Force

Article 1

General

Article 66

- (1) Application for judicial review may only be submitted once.
- (2) Application for judicial review shall not suspend or cease the implementation of a Court decision.
- (3) Application for judicial review may be revoked as long as it has not been decided yet, and in the event that it has been revoked, the aforementioned application for judicial review cannot be re-submitted.

Article 2

General Judicature

Article 67

Application for judicial review on the decision of civil lawsuit having obtained permanent legal force may only be submitted based on the following reasons:

- a. if the decision is based on a lie or deceit of the counter-party which is found out after the decision is passed or based on the evidence which are later declared to be false by a judge of criminal court;
- b. if after the decision being passed, conclusive evidence are found, which could not be found during the hearing of the lawsuit;
- c. if a decision includes a matter that is not claimed for or exceeds the matters being claimed for;
- d. if a part of a lawsuit has not been decided without giving the reasons thereof;
- e. if there are two contradictory decisions in respect of the same parties, concerning the same matter, on the same basis, by the same Court or a Court of the similar level;

- f. if there is a negligence of Judge or an actual mistake in a decision.

Article 68

- (1) Application for judicial review shall be submitted in person by the parties involved in the lawsuit, or their beneficiaries or representatives especially authorized for that purpose.
- (2) In the event that during the process of judicial review the applicant passes away, the aforementioned application may be continued by his beneficiary.

Article 69

The time span for submitting application for judicial review based on the reasons as referred to in Article 67 shall be 180 (one hundred and eighty) days for:

- a. the matters mentioned in point a as from the lie or deceit has been discovered or since the decision of the Judge of the criminal court has obtained permanent legal force, and has been notified to the parties concerned in the lawsuit;
- b. the matters mentioned in point b since the evidence have been found, which day and date when they were found must be declared under oath and validated by the authorized officer;
- c. the matters mentioned in point c, d, and f since the decision has obtained permanent legal force and has been notified to the parties concerned in the lawsuit;
- d. the matters mentioned in point e since the current and contradictory decision has obtained permanent legal force and has been notified to the parties concerned in the lawsuit.

Article 70

- (1) Application for judicial review shall be submitted by the applicant to the Supreme Court through the Head of the District Court passing the decision on the lawsuit at the first level by paying the required lawsuit fee.
- (2) The Supreme Court shall decide on the application for judicial review at the first and final level.

Article 71

- (1) Application for judicial review shall be submitted in writing by the applicant by clearly stating the reasons used as the basis of the application and submitted to the clerk office of the District Court passing the decision on the lawsuit at the first level.
- (2) In the event that the applicant cannot write, he shall explain his application orally to the Head of the District Court passing the decision on the lawsuit at the first level or the judge appointed by the Head of the District Court who shall record the aforementioned application.

Article 72

- (1) Following the receipt of the application for judicial review by the Head of the District Court passing the decision on the lawsuit at the first level, the Clerk shall be obligated to submit or deliver a copy of the aforementioned application to the counter-party by no later than 14 (fourteen) days, with the following purposes:

- a. in order that the counter-party has a chance to submit his reply, in the event that the application for judicial review is based on the reasons as referred to in Article 67 sub-article a or sub-article b;
 - b. in order that it may be acknowledged, in the event that the application for judicial review is based on one of the reasons as referred to in Article 67 sub-article c up to and including sub-article f;
- (2) The time span for the counter-party to submit its reply as referred to in paragraph (1) sub-paragraph a shall be 30 (thirty) days after the date of receipt of the copy of application for judicial review.
 - (3) The reply shall be submitted or delivered to the Court passing the decision on the lawsuit at the first level and the Clerk shall stamp the reply with the day and date of the receipt of the aforementioned reply, which copy shall be submitted or delivered to the applicant to be acknowledged.
 - (4) The aforementioned application, along with the lawsuit documents as well as the fee, shall be delivered by the Clerk to the Supreme Court by no later than 30 (thirty) days.
 - (5) There shall be no correspondence between the applicant and/or other parties and the Supreme Court in respect of the application for judicial review.

Article 73

- (1) The Supreme Court shall have to authority to order the District Court examining the lawsuit at the First Level or the Appellate Court to conduct additional examination, or to ask for all information and considerations from the aforementioned Court.
- (2) The Supreme Court may ask for information from the Attorney General or other officers assigned with the investigation tasks if necessary.
- (3) The Court as referred to in paragraph (1), after implementing the aforementioned order of the Supreme Court, shall forthwith deliver the minutes of the additional examination as well as the considerations as referred to in paragraph (1), to the Supreme Court.

Article 74

- (1) In the event that the Supreme Court approves an application for judicial review, the Supreme Court shall cancel the decision and shall subsequently conduct examination and decide on the lawsuit itself.
- (2) The Supreme Court shall refuse an application for judicial review, in the event that the Supreme Court considers that the aforementioned application does not have any reason.
- (3) Decision of the Supreme Court as referred to in paragraphs (1) and (2) shall be enclosed with considerations.

Article 75

The Supreme Court shall deliver a copy of the decision on the application for judicial review to the District Court passing the decision on the lawsuit at the First Level and the Clerk of the relevant District Court shall then submit the aforementioned copy to the applicant and notify the decision to the counter-party by delivering the copy, by no later than 30 (thirty) days.

Article 76

The procedures for judicial review as set out in the Indonesian Criminal Code shall be applied in the application for judicial review of decision on criminal lawsuit which has obtained permanent legal force.

Paragraph 3

Islamic Judicature, State Administration Judicature, Military Judicature

Article 77

- (1) The legal procedures for judicial review as set out in Article 67 up to and including Article 75 shall be applied in the judicial review of a lawsuit decided by a Court within the Islamic Judicature or by a Court within the State Administration Judicature.
- (2) The procedures for judicial review as set out in the Indonesian Criminal Code shall be applied in the judicial review of a lawsuit decided by a Court within the Military Judicature.

Part Five

Examination on Disputes Incurred by Expropriation of Vessels

Article 78

Investigation on disputes incurred by expropriation of foreign vessels and their cargo by the warships of the Republic of Indonesia shall be conducted in accordance with the Law.

CHAPTER V MISCELLANEOUS

Article 79

The Supreme Court may further arrange things necessary for the uninterrupted administration of judicatures in the event that the same have not been provided for in this Law.

CHAPTER VI TRANSITIONAL PROVISIONS

Article 80

As from the effective date of this Law, all existing implementation regulations concerning the Supreme Court shall be declared to remain applicable as long as the new provisions based on this Law have not been issued and as long as the aforementioned regulations are not contradictory to this Law.

CHAPTER VII CLOSING PROVISIONS

Article 81

As from the effective date of this Law, Law Number 13 Year 1965 concerning Courts within the General Judicature and Supreme Court as long as it concerns the provisions on Supreme Court shall be declared null and void.

Article 82

This Law shall be effective as from the date of its stipulation.

For public cognizance, hereby ordering this Law to be announced in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
on December 30, 1985

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

SOEHARTO

Promulgated in Jakarta
on December 30, 1985

MINISTER/STATE SECRETARY OF
THE REPUBLIC OF INDONESIA

SUDHARMONO, S.H.

**ELUCIDATION ON
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 14 YEAR 1985
REGARDING
SUPREME COURT**

I. GENERAL

1. One of the elements in the objectives of national development mandated by the State Guidelines is a just and prosperous society based on Pancasila (the State Philosophy) within the free, sovereign, one, united and democratic state of the Republic of Indonesia in a prosperous, safe, soundly, and orderly ambience. Such ambience above is part of the vision towards the living structure of the Indonesian nation aiming towards its achievement through a series of efforts and activities of constant and continuous development. However, the experience in the living of state and nation since the independence shows, that the efforts to create such living conditions very much depends on various inter-related factors. Aims regarding justice, truth, legal certainty, and systems order and the implementation of law are matters that effect the growth of the living conditions as referred to in the above. The problem is that such matters at the same time also constitute an objective of the development in the activity in the field of law in the framework of national development implementation. With this understanding, one of the approaches that needs to be performed shall be its relation with the implementation of judicial authority.
2. By virtue of the Stipulation of the People's Consultative Assembly of the Republic of Indonesia Number III/MPR/1978 regarding the Position and Working System Relation with the Highest State Institution with/or Among High State Institutions connected with Law Number 14 Year 1970 regarding Basic Principles of Judicial Authority , the Supreme Court shall be granted the power and authority to:
 - a. examine and decide upon:
 - 1) application for appeal to the Supreme Court;
 - 2) dispute regarding jurisdiction;
 - 3) application for judicial review of the Court decision that has obtained permanent legal force.
 - b. provide legal counseling whether requested or not, to the High State Institution;
 - c. provide legal advice to the President as the Head of State for the granting or rejection of clemency;
 - d. conduct the right to examine the materiality of the prevailing laws only on laws and regulations under the level of Law;
 - e. perform other duties and authorities by virtue of Law.

In order to be able to properly perform such power and authority to the best of its ability, the Supreme Court shall perform the following matters:

- a. supervisory authority which covers the following:
 - 1) judicial administration
 - 2) court activities and attitude of the Judge within the Court judicature;
 - 3) supervision towards Legal representatives and Notaries insofar as relating to the judicature;
 - 4) granting of warning, summon, and required guidance.
 - b. request information and consideration from:
 - 1) Court of Justice within all judicatures;
 - 2) Attorney General;
 - 3) Other officials authorized with the duty of prosecution of criminal case.
 - c. make regulations as a supplement for the smoothness of the judicial process.
 - d. self-organize the administration both regarding judicial administration as well as general administration.
3. In Law Number 14 Year 1970 regarding Basic Principles of Judicial Authority it is confirmed that:
- a. The Judicial Authority shall be a state authority free to perform judicial process in order to uphold the law and justice based on Pancasila (the State Philosophy), for the implementation of a legal state of the Republic of Indonesia;
 - b. the implementation of a Judicial Authority shall be a Court of Law within the:
 - General Judicature;
 - Islamic Judicature;
 - Military Judicature;
 - State Administration Judicature.
 - c. The Supreme Court shall be the Highest Court and shall perform the highest supervision on the action of the Court of Justice.

With due observance of the position and the rule of the Supreme Court as mentioned above, it is deemed necessary to provide a strong, clear and firm regulation of this body. On the principles placed in Law Number 14 year 1970, shall be that the judiciary must fulfill the expectations of the seekers of justice always wish for a simple, fast, precise, fair and inexpensive trial. In line with the aforementioned principle as the efforts to create a more effective and judiciary system in the implementation of a judicial authority within the legal state of the Republic of Indonesia, this Law conforms that the Supreme Court shall be the Highest State Court from all of the Court Environment.

4. In order to obtain a Judge of the Supreme Court that is free, dare to make a decision free from any influences, both outside as well as inside the court, it is necessary to have regulations as mentioned in this Law. Basically, the appointment of a Judge of a Supreme Court is based on a career system and in closed manner.

However, in certain cases, there is an open opportunity to appoint a Judge of the Supreme Court not based on a career system. For Judges of the Supreme Court based on the career system, Article 11 of Law Number 8 Year 1974 shall be applied (State Gazette Year 1974 Number 55, Supplement to the State Gazette Number 3041). Henceforth in order to further ensure the creation of a comfortable ambience for the implementation of a judicial in order to uphold the law and justice based on Pancasila (State Philosophy), it is also deemed necessary to formulate a law stipulating on the action towards the actions, attitude, act and/or speech that that may undermine and disrupt the dignity, pride, and honor of the judiciary body known as the "Contempt of Court".

5. Regarding how the Supreme Court shall perform such duty, this Law shall also provide it with the freedom to decide its own field of duty in the organizational structure so that it shall fully reach the settlement of all problems originating from various judicatures.

However, considering such a wide and heavy duty, in order to provide the best administrative support, this Law shall stipulate a Secretary General concurrently acted by the Clerk of the Supreme Court. This concurrent position is based on the consideration that the providing of the administrative service of the Supreme Court as a whole can be performed more effectively and in an integrated manner. Therefore, in its daily implementation, the Clerk of the Supreme Court is assisted by the Deputy Clerk of the Supreme Court for administrative duties of the court, and the Secretary General of the Supreme Court shall be assisted by the Deputy Secretary General of the Supreme Court for the performance of general administrative duties, such as the management of financial affairs, employment, equipment, maintenance, etc.

With this separation of duties, the clerk may focus more of his/her attention on technical judicial duties, whereas the provision of support for administration shall cover financial administration, equipment, employment, maintenance, et cetera shall be performed by the Secretary General.

ARTICLE BY ARTICLE

Article 1
Self-explanatory

Article 2
Self-explanatory

Article 3
Self-explanatory

Article 4
Self-explanatory

Article 5

Self-explanatory

Article 6

Self-explanatory

Article 7

Basically the appointment of a Judge of the Supreme Court shall be based on the career system and shall be conducted in a closed manner. However, in certain cases it may also be possible to appoint a Judge of the Supreme Court which is not based on the career system.

Referred to as other facilities having the expertise in the legal field as referred to in paragraph (1) sub-paragraph e shall be those having the expertise in the field of criminal law, civil law, Islamic law, military law, and state administration law.

Terms as referred to in paragraph (1) except sub-paragraph g shall also be applicable for the appointment of the Judge of the Supreme Court by virtue of paragraph (2).

Article 8

Paragraph (1)

The list of names of the candidate Judges of the Supreme Court originating both from among career Judges as well as those other than the career Judges shall be prepared based on the consultation between the People's Representative Assembly, the Government, and the Supreme Court which implementation is adjusted with the applicable law for each institution.

Paragraph (2)

Referred to as "the Government" shall be the relevant Ministers.

Paragraph (3)

Self-explanatory

Paragraph (4)

Self-explanatory

Paragraph (5)

Self-explanatory

Article 9

Paragraph (1)

During the taking of the oath, certain words are mentioned in accordance with each respective Religion, such as for Moslems the words used are "In the name of God" prior to taking the oath and for Christians/Catholics the words used are "So help me God" after taking oath.

Paragraph (2)
Self-explanatory

Paragraph (3)
Self-explanatory

Article 10

Paragraph (1)
Sub-paragraph a
Self-explanatory

Sub-paragraph b
Self-explanatory

Sub-paragraph c
Self-explanatory

Sub-paragraph d

Referred to as “entrepreneurs” shall be Judges of the Supreme Court which, among other things, owns a company, become a shareholder of a company or engage in other trade businesses.

Paragraph (2)
Self-explanatory

Article 11

Paragraph (1)

Referred to as the Supreme Court “ shall be Head of the Supreme Court. Honorable discharge of the Judge of the Supreme Court upon his/her own will, covers the definition of a resignation with a reason that the Judge of the Supreme Court is unable to uphold the law in his/her own judicature. In principle, the situation, condition, ambience and orderly life of the judicature of any Judge of the Supreme Court is one of the important factors in its role in assisting the improvement of the image and dignity of a Judge of the Supreme Court himself/herself.

Referred to as “continuous physical or mental sickness” shall be sicknesses causing the sufferer to become unable to perform its obligations properly.

Referred to as “incapable” shall be among other things, the party concerned makes many fatal mistakes in performing his/her duties.

Such discharge according to this Law shall be notified to the People’s Representative Assembly.

Paragraph (2)
Self-explanatory

Article 12

Paragraph (1)

Referred to as "the Supreme Court" shall be the Head of the Supreme Court. Referred to as subject to criminal penalty according to Article 12 paragraph (1) sub-paragraph a shall be imprisonment of no less than 3 (three) months.

Referred to as "conducting illicit conduct" shall be if the Judge concerned due to his/her attitude, action, and manner both inside as well as outside the Court of Law disgraces the Judge.

Referred to as "work duties" shall be all duties charged to the person concerned.

Paragraph (2)

In the event that such honorable discharge is due to committing a criminal act, the person concerned shall not be given the opportunity to defend himself/herself, unless such imprisonment sentenced to him/her is less than 3 (three) months.

Paragraph (3)

Referred to as the "Supreme Court" in paragraph (1) and paragraph (3) in this article shall be the Head of the Supreme Court.

Article 13

Paragraph (1)

Referred to as the "Supreme Court" shall be the Head of the Supreme Court.

Paragraph (2)

Temporary discharge from a position based on the reason mentioned in Article 17 paragraph (1) sub-paragraph b, sub-paragraph c, sub-paragraph d, sub-paragraph e shall be no than 6 (six) months and may be extended for not more than another 6 (six) months.

In the event that the duration of the last temporary discharge has terminated, and the person concerned is not proposed to be honorably discharged, he/she must be rehabilitated.

Article 14

Self-explanatory

Article 15

Self-explanatory

Article 16

Paragraph (1)

Self-explanatory

Paragraph (2)

Referred to as the financial/administrative rights of the Chairperson, Deputy Chairperson, Junior Chairperson, and Member Judges of the Supreme Court shall be all rights stipulated in Law Number 12 Year 1980. (State Gazette Year 1980 Number 71,

Supplement of the State Gazette Number 3182), whereas the rank and benefits relating to his/her position as a civil servant shall be separately stipulated.

Article 17

Self-explanatory

Article 18

Self-explanatory

Article 19

Presidential Decree referred to in this article shall be stipulated upon the proposal of the Supreme Court.

Article 20

Paragraph (1)

Referred to as "sarjana hukum (bachelor of law)" in this article includes other bachelors in the field of law deemed capable for the position.

Paragraph (2)

Self-explanatory

Paragraph (3)

Self-explanatory

Paragraph (4)

Article 21

Self-explanatory

Article 22

The vow/oath of the Clerk of the Supreme Court

Article 23

Self-explanatory

Article 24

The vow or oath of the Junior Secretary and Substitute Clerk of the Supreme Court is basically as referred to in article 29 of Law Number 14 Year 1970 regarding Basic Principles of Judicial Law.

Article 25

Self-explanatory

Article 26

Self-explanatory

Article 27

Self-explanatory

Article 28

Self-explanatory

Article 29

Self-explanatory

Article 30

Self-explanatory

Article 31

Paragraph (1)

This article stipulates the right to examine the materiality of the prevailing laws of the Supreme Court. The Supreme Court shall be entitled to review regulations lower in the rank than laws regarding the validity of a regulation or the contradictory of a regulation with higher laws and regulations.

Paragraph (2)

In the event that the Supreme Court uses the right to examine the materiality of the prevailing laws based on this article, the Supreme Court shall decide upon a law and regulation of a lower rank than the Law contradictory to higher laws and regulations and the Supreme Court shall firmly state that the aforementioned law is not valid and shall not be applicable for public.

Paragraph (3)

Self-explanatory

Article 32

Paragraph (1)

Self-explanatory

Paragraph (2)

Self-explanatory

Paragraph (3)

The authority to perform supervision by the Supreme Court can be delegated to the High Appellate Court at all Court Environment.

Paragraph (4)

Self-explanatory

Paragraph (5)

Self-explanatory

Article 33

Paragraph (1)

Self-explanatory

Paragraph (2)

Referred to as vessels shall be sea vessels and air crafts.

Article 34

Self-explanatory

Article 35

Providing of legal advice referred to in this article shall be implemented in accordance with Law Number 3 Year 1950 regarding Granting of Clemency.

Article 36

In general, the guidance and supervision of the Legal Representative and Notary shall be the responsibility of the Government.

Specifically in the implementation of its duties relating to the judiciary, the Legal Representative or Notary shall be under the supervision of the Supreme Court.

In performing such supervision the Supreme Court and the Government shall respect and maintain the independence of the Legal Representative and Notary in performing each respective duty.

If necessary an action towards a Legal Representative or Notary in the form of temporary dismissal and discharge, including temporary discharge, the opinion of professional organizations of such Legal Representative or Notary shall first be taken into account.

Article 37

Self-explanatory

Article 38

Self-explanatory

Article 39

Referred to as "other duties and obligation" in this article shall be among other things arbitration and so on.

Article 40

Paragraph (1)

In the event that the Council shall convene with more than 3 (three) Judges, such number shall always be in an odd number.

Paragraph (2)

Decisions not complying with the provisions of paragraph (1) and paragraph (2) of this article shall be null and void.

Article 41

Self-explanatory

Article 42

Self-explanatory

Article 43

Paragraph (1)

Exceptions in paragraph (1) of this article shall be made due to a decision of the First Level of the Court of Law which by the Law cannot be requested for an appeal.

Paragraph (2)

Self-explanatory

Article 44

Paragraph (1)

Sub-paragraph a

Self-explanatory

Sub-paragraph b

The term "criminal case" referred to in sub-paragraph b of this article shall also be defined as military criminal case.

Paragraph (2)

Self-explanatory

Article 45

Paragraph (1)

Self-explanatory

Paragraph (2)

Self-explanatory

Paragraph (3)

Referred to as "not permitted to cause a loss to the party in a trial" as mentioned in paragraph (3) shall be not to postpone the implementation and not change the court decision of the court having a permanent legal force.

Article 46

Self-explanatory

Article 47

Paragraph (1)

Applying for a memory appeal to the Supreme Court containing reasons of application for appeal to the Supreme Court shall be the absolute requirements to be accepted of an appeal to the Supreme Court. This memory must be submitted by no later than 14 (fourteen) days following the application for the request for an appeal to the Supreme Court.

Paragraph (2)

Self-explanatory

Paragraph (3)

Self-explanatory

Article 48

Self-explanatory

Article 49

Self-explanatory

Article 50

Paragraph (1)

Referred to as "documents" shall also include lawsuit documents and other documents deemed necessary.

Paragraph (2)

Basically, the examinations of the appeal as stated in paragraph (1) shall be conducted based on the lawsuit examination registration number.

Article 51

Self-explanatory

Article 52

Self-explanatory

Article 53

Paragraph (1)

A copy of the decision shall also be delivered to the Court passing the decision on the aforementioned lawsuit at the appellate level.

Paragraph (2)

Self-explanatory

Article 54

Self-explanatory

Article 55
Self-explanatory

Article 56
Self-explanatory

Article 57
Self-explanatory

Article 58
Self-explanatory

Article 59
Self-explanatory

Article 60
Self-explanatory

Article 61
Self-explanatory

Article 62
Self-explanatory

Article 63
Self-explanatory

Article 64
Paragraph (1)
Self-explanatory

Paragraph (2)

Implementation of the provisions of Article 58 up to and including Article 63 within the Military Judicature shall be appropriately adjusted with the applicable provisions of Military Judicature.

Article 65
Paragraph (1)
Self-explanatory

Paragraph (2)

Implementation of the provisions of Article 58 up to and including Article 63 within the Military Judicature shall be appropriately adjusted with the applicable provisions of Military Judicature.

Article 66
Self-explanatory

Article 67
Self-explanatory

Article 68
Self-explanatory

Article 69
Sub-article a
The day and date when the lie or deceit is discovered shall be proved in writing.

Sub-article b
Self-explanatory

Sub-article c
Self-explanatory

Sub-article d
Self-explanatory

Article 70
Self-explanatory

Article 71
Self-explanatory

Article 72
Self-explanatory

Article 73
Self-explanatory

Article 74
Self-explanatory

Article 75
Self-explanatory

Article 76
Self-explanatory

Article 77
Self-explanatory

Article 78

Self-explanatory

Article 79

If in the judicial administration there is a lack of law concerning a certain matter, the Supreme Court shall have the authority to issue regulations to fill in the aforementioned lack of law. With this Law, the Supreme Court shall have the authority to determine regulations concerning the settlement procedures for a matter which has not been or is not stipulated in this Law.

In this case, regulations issued by the Supreme Court shall be treated differently from the regulations drawn up by the legislative.

Judicial administration referred to in this Law shall only be a part of the whole procedures. Therefore, the Supreme Court shall not interfere and go beyond the regulations concerning rights and obligations of citizens in general and neither shall it determine the nature, power, instruments of evidence as well as the judgement or the distribution of evidential charge.

Article 80

Self-explanatory

Article 81

Self-explanatory

Article 82

Self-explanatory

NOTE

STATE GAZETTE AND SUPPLEMENT TO THE STATE GAZETTE OF THE
REPUBLIC OF INDONESIA YEAR 1985 THAT HAS BEEN REPRINTED