



DECISION

Number 4/PUU-VI/2008

FOR THE SAKE OF JUSTICE UNDER THE ONE ALMIGHTY GOD

THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA

[1.1] Examining, hearing, and deciding upon constitutional cases at the first and final level, has passed a decision in the case of petition for Judicial Review of Law of the Republic of Indonesia Number 36 Year 2003 regarding the Establishment of Samosir Regency and Serdang Bedagai Regency in the North Sumatera Province against the 1945 Constitution of the State of the Republic of Indonesia, filed by:

[1.2] **A group of Indonesian citizens having a common interest**, united in and naming themselves as **the Serdang Hulu Region Batak Timur Customary Community Association**, by virtue of a special power of attorney dated September 10, 2007, granting power of attorney to **O.K. Dirhamsyah Tousa; Munthe Saragih, BA; Agusli, SH, Dharma Syahputra Purba**, having their address at Jalan Perintis Kemerdekaan Number 87 Bangun Purba Deli Serdang Regency, North Sumatera Province, Telephone Number: 061-7989069, 7980063 Fax. 061-7989069, E-mail: Batak_Timur@yahoo.com.

Hereinafter referred to as **Petitioner**;

[1.3] Having read the petition of the Petitioner;

Having heard the statement of the Petitioner;

Having heard and read the written statement of the Governor of North Sumatera;

Having heard and read the written statement of the Regional People's Legislative Assembly of North Sumatera Province;

Having heard and read the written statement of the Regent of Deli Serdang, North Sumatera Province;

Having heard the statement of the Regional People's Legislative Assembly of Deli Serdang Regency, North Sumatera Province;

Having heard and read the written statement of the Regent of Serdang Bedagai, North Sumatera Province;

Having heard and read the written statement of the Regional People's Legislative Assembly of Serdang Bedagai Regency, North Sumatera Province;

Having examined the evidence of the Petitioner;

Having read the written conclusions of the Petitioner and the Regent of Serdang Badagai.

3. LEGAL CONSIDERATIONS

[3.1] Considering whereas the purpose and objective of the *a quo* petition shall be to review the constitutionality of Article 4 Sub-Articles k, l, m, Article 6 Paragraph (2) Sub-Paragraph d, and Elucidation of the fifth paragraph of "I.

GENERAL” of Law Number 36 Year 2003 regarding the Establishment of Samosir Regency and Serdang Bedagai Regency in the North Sumatera Province (hereinafter referred to as Law 36/2003) against the 1945 Constitution of the State of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution).

[3.2] Considering whereas prior to further examining the Principal Issue of the Petition, the Court shall first consider the following matters:

1. Whether the Court has the authority to examine, hear and decide upon the *a quo* Petition;
2. Whether the Petitioner has the legal standing to file the *a quo* petition;

With respect to the foregoing two issues, the Court is of the following opinion:

AUTHORITY OF THE COURT

[3.3] Considering whereas based on the provision of Article 24C Paragraph (1) of the 1945 Constitution *juncto* Article 10 Paragraph (1) of Law Number 24 Year 2003 regarding the Constitutional Court (hereinafter referred as the CC Law), the Court has the authority to hear at the first and final level the decision of which shall be final, among other things, to review a law against the 1945 Constitution.

[3.4] Considering whereas the *a quo* petition is a petition for judicial review of a law, *in casu* Law 36/2003 against the 1945 Constitution. Therefore, the Court has the authority to examine, hear, and decide upon the petition.

LEGAL STANDING OF THE PETITIONER

[3.5] Considering whereas Article 51 Paragraph (1) of the CC Law provides that petitioners in the judicial review of a law against the 1945 Constitution shall be those who deem that their constitutional rights and/or authorities are impaired by the coming into effect of a law, namely:

- a. individual Indonesian citizens (including groups of people having a common interest);
- b. customary law community units insofar as they are still in existence and in accordance with the development of the community and the principle of the Unitary State of the Republic of Indonesia as regulated in law;
- c. public or private legal entities; or
- d. state institutions.

Therefore, in order for a party's legal standing to qualify in the petition for judicial review of law against the 1945 Constitution, the said party must describe the following:

- (a) The party's qualification, whether as an individual Indonesian citizen, a customary law community unit, a legal entity, or a state institution;

(b) the impairment of the party's constitutional rights/authority, in the qualification as stated in item a.

[3.6] Considering also, following Decision Number 006/PUU-III/2005 and Decision Number 011/PUU-III/2007 up to the present day, the Court is of the opinion that the impairment of constitutional rights/authority must fulfill the following requirements:

- a. the Petitioner must have constitutional rights and/or authority granted by the 1945 Constitution;
- b. the Petitioner deems that his constitutional rights and/or authority have been impaired by the coming into effect of the law petitioned for review;
- c. the impairment of such constitutional rights and/or authority must be specific and actual or at least potential in nature which, pursuant to logical reasoning, will take place for sure;
- d. there is a causal relationship (*causal verband*) between the impairment of constitutional rights and/or authority and the coming into effect of the law petitioned for review;
- e. if the petition is granted, it is expected that such impairment of constitutional rights and/or authority will not or does not occur any longer;

[3.7] Considering whereas the Petitioner, who named itself as the community-based organization called the Serdang Hulu Region Batak Timur

Customary Community Association, has stated its qualification as Indonesian citizens having a common interest. Therefore, in considering the legal standing of the Petitioner, the Court shall consider the impairment of the Petitioner's constitutional rights in the qualification of individual Indonesian citizens, which includes groups of people with a common interest.

[3.8] Considering whereas the provision considered by the Petitioner to have impaired its constitutional rights are Article 4 Sub-Articles k, l, m, Article 6 Paragraph (2) Sub-Paragraph d, and Elucidation under "I.GENERAL" in the fifth paragraph of Law 36/2003, which read:

[3.8.1] Article 4 of Law 36/2003:

"The Serdang Bedagai Regency shall be constituted from a part of the Deli Serdang Regency area, consisting of:

- a. Pantai Cermin District;*
- b. Perbaungan District;*
- c. Teluk Mengkudu District;*
- d. Sei Rampah District;*
- e. Tanjung Beringin District;*
- f. Bandar Khalipah District;*
- g. Tebing Tinggi District;*
- h. Dolok Merawan District;*
- i. Sipispis District;*
- j. Dolok Masihul District;*

k. Kotarih District;

l. Bangun Purba District to the east of Buaya River; and

m. Galang District to the east of Ular River.”

[3.8.2] Article 6 Paragraph (2) of Law 36/2003:

“The Serdang Bedagai Regency shall have its boundaries:

a. Bordered to the North by the Malacca Strait;

b. Bordered to the East by the Medang Deras District, Sei Suka District of Asahan Regency and the Bandar District of Simalungun Regency;

c. Bordered to the South by the Dolok Batu Nanggar District, Raya Kahean District, and the Silau Kahean District of Simalungun Regency;

d. Bordered to the West by the Ular River and the Buaya River.”

[3.8.3] Elucidation under “I.GENERAL”, in the fifth paragraph of Law 36/2003:

“The Serdang Bedagai Regency consists of 13 (thirteen) districts, namely: Pantai Cermin District, Perbaungan District, Teluk Mengkudu District, Sei Rampah District, Tanjung Beringin District, Bandar Khalipah District, Tebing Tinggi District, Dolok Merawan District, Sipispis District, Dolok Masihul District, Kotarih District, Bangun Purba District to the east of Buaya River; and the Galang District eastward of Ular River”.

[3.9] Considering whereas, in describing the impairment of its constitutional rights as a result of the coming into effect of the provisions of Law UU 36/2003 as set forth in paragraph **[3.8]** above, the Petitioner has presented the following description:

- a) Whereas the Petitioner was not involved in the proposal, and even not informed, and was not given the opportunity to express its opinion or aspirations, therefore – the Petitioner argues – the establishment of the Serdang Bedagai Regency was not in accordance with the provisions of Article 4 Paragraph (1) of Law Number 22 Year 1999 regarding Regional Government;
- b) Whereas, because the distance to the Capital of Serdang Bedagai Regency is longer than the distance to the Capital of Deli Serdang Regency, it is a problem and a hindrance to the Petitioner, in terms of both time and cost, in handling affairs to the center of governance in the Capital of Serdang Bedagai Regency;
- c) Whereas, the Petitioner argues, in the field of education, due to the fact that the Serdang Bedagai Regency has no national-standard First Level High School (*Sekolah Lanjutan Tingkat Pertama/SLTP*), students continuing their SLTP education in the Deli Serdang Regency must undergo the process of area grouping (*rayonisasi*). The Petitioner argues that in such process, the

Deli Serdang Regency clearly would prioritize students from its own territory and therefore the students from Serdang Bedagai will be impaired;

- d) Whereas, the Petitioner argues, in the field of culture, the history of the Serdang hulu region which as the center of development of local community values since long time ago has been lost. The reason is that the division has split the Serdang Hulu region into two regions, one part inside the Deli Serdang Regency and the other part in the Serdang Bedagai Regency;
- e) Whereas, the Petitioner argues, the Government of Serdang Bedagai has forced its will on nine village chiefs in the Bangun Purba District and arbitrarily appointed village chief *caretakers* in the Bangun Purba District, therefore creating horizontal and vertical conflicts in that area which up to today have not been resolved.
- f) Based on the reasons set forth in sub-paragraphs a) through e) above, the Petitioner considers that its constitutional rights as regulated in Article 28E Paragraph (3) and Article 28I Sub-Paragraph (2) of the 1945 Constitution have been impaired by the coming into effect of Article 4 Sub-Articles k, l, m; Article 6 Paragraph (2) Sub-Paragraph d, and Elucidation under "I.GENERAL" in the fifth paragraph of Law 36/2003.

[3.10] Considering whereas, even though the *a quo* petition has been filed for review of the contents of the articles and parts of Law 36/2003, the *a quo* petition also refers to other reasons related to the formal aspect of the formulation of the

law petitioned for review, and therefore prior to determining the existence of impairment of the constitutional rights of the Petitioner, the Court deems it necessary to hear the statements of the following parties:

- The Governor of North Sumatera Province;
- The Regional People's Legislative Assembly (DPRD) of North Sumatera Province;
- The Regent of Deli Serdang;
- The Regional People's Legislative Assembly (DPRD) of Deli Serdang Regency;
- The Regent of Serdang Bedagai;
- The Regional People's Legislative Assembly (DPRD) of Serdang Bedagai Regency.

[3.11] Considering whereas the parties in paragraph **[3.10]** above have given their statements to the court in the hearing dated March 13, 2008, as completely set forth in the Facts of the Case part of this Decision, which are principally as follows:

[3.11.1] The Governor of North Sumatera Province

- Whereas the division of Deli Serdang Regency has been based on the existence of community aspirations as set forth in the statement of response letter of the Deli Serdang Regency Division Executive Body (*Badan Pelaksana Pemekaran Deli Serdang*

Regency/BPPKDS) Number 42/BPPKDS/V/2002 dated May 23, 2002;

- Whereas the aforementioned statement of response was sent to the Head and Chairpersons of the DPRD of North Sumatera Province. Afterwards, it was forwarded to the DPR RI and the Minister of Home Affairs by the DPRD of North Sumatera Province, with Letter Number 2556/18/Sekr, regarding the receipt of aspiration for the division of Deli Serdang Regency dated May 26 2002;
- Whereas the division process of Deli Serdang Regency was actually in accordance with the applicable mechanism, whether from the legal, sociological, or philosophical aspects. The Governor is of the opinion that the problem lies in the inconsistency of the officials in implementing the provisions of Law 36/2003, even though there have been several meetings conducted with the concerned officials in responding to the said provisions of the law and to follow up on the directives of the Minister of Home Affairs regarding the said division.

[3.11.2] DPRD of North Sumatera Province

Whereas the division of Deli Serdang Regency was not the wish of the DPRD of North Sumatera Province but was started by the existence of a community aspiration, with the following chronology:

- a) The Existence of the Letter of the Governor of North Sumatera Province Number 4773 dated July 16, 2002 sent to the DPRD of North Sumatera Province. The said letter was then followed up by the DPRD of North Sumatera Province by conducting a meeting of the Faction Chairpersons and Commission VI with an agenda of hearing the statement of the Regent of Deli Serdang in relation to the plan of dividing the Deli Serdang Regency. In that meeting, the Regent of Deli Serdang stated that in principle he had no objection to the division.
- b) Based on the said meeting referred to in the preceding subparagraph a), on August 12 through 19, 2002, Commission VI of the DPRD of North Sumatera visited the Deli Serdang Regency, where on August 19, 2002 the BPPKDS gave their statement which in principle agreed to strive for the division of Deli Serdang not based on the proposal for division of 1992, but on a new proposal petition which was in accordance with Government Regulation Number 129 Year 2000 regarding the Requirements for the Establishment and the Criteria for the Division, Removal, and Merger of Regions.

- c) Based on the results of the actions in sub-paragraph b) above, on August 21 2002, the DPRD of North Sumatera Province held a Special Plenary Session with the agenda of discussing the division of Deli Serdang Regency. The results of the said Special Plenary Session were then set forth in the Decision of the DPRD of North Sumatera Number 18/KP/2002, dated August 21 2002 regarding the Division of Deli Serdang Regency;
- d) Based on the description in sub-paragraphs a) through c) above, the Petitioner's statement that the division of Deli Serdang Regency was the initiative of the DPRD of North Sumatera Province was not true.

[3.11.3] Regent of Deli Serdang

- Whereas the Regent of Deli Serdang confirms the statement of the Governor of North Sumatera who stated that the division of Deli Serdang Regency was the aspiration of the community which was then followed-up by the establishment of the Division Execution Team and the implementation of a preliminary research;
- Whereas based on the results of the preliminary research, the division was proposed to create 3 (three) regencies; one of them was the Serdang Bedagai Regency consisting of 10 (ten) Districts,

not including the Kotarih District, Bangun Purba District, and the Galang District;

- Whereas as a follow up to the aforementioned research results, the Regent of Deli Serdang sent letter Number 136/5341 dated November 11, 2002 regarding the Plan for the Division of Deli Serdang Regency, to the DPRD of Deli Serdang which in principle approved the division of Deli Serdang Regency into 3 (three) regencies, namely the Deli Serdang Regency (parent regency) consisting of 13 (thirteen) districts, the Deli Regency consisting of 10 (ten) districts, and the Serdang Bedagai Regency consisting of 10 (ten) districts;
- Whereas in further discussions, the DPRD of Deli Serdang Regency decided that the regency would be divided into only 2 (two) regencies, namely the Deli Serdang Regency (parent regency) and the Serdang Bedagai Regency (splintered regency);
- Whereas, according to the Regent of Deli Serdang, the division was not establishment of new regions, and therefore if the division was to be performed by splitting districts or villages, it would be very detrimental because it would potentially create conflicts;
- Whereas, according to the Regent of Deli Serdang, the use of natural boundaries in the division of Deli Serdang Regency (parent

regency) and the Serdang Bedagai Regency (splintered regency) had never been defined. This problem was a result of the unclear provisions of the Regulation of the Minister of Home Affairs Number 29 Year 2007 and the mistake in defining the proper boundaries, therefore creating uncertainty with regard to the boundaries;

- Whereas the Regent of Deli Serdang confirmed the existence of a dualism in the governance of 9 (nine) villages in the territory of Bangun Purba District, Serdang Bedagai Regency. The problem arose from the objections of the community in the said area to being integrated into the Serdang Bedagai Regency and the dismissal of 9 (nine) village chiefs and the appointment of village chiefs by the Serdang Bedagai Regency Government, therefore the Deli Serdang Regency Government today is still paying the salaries of those 9 (nine) village chiefs and also providing administrative services. According to the Regent of Deli Serdang, it was performed for the implementation of governance principles, namely the principles of accuracy, efficiency, and effectiveness.

[3.11.4] DPRD of Deli Serdang Regency

- Whereas the DPRD of Deli Serdang Regency confirmed the statement of the Regent of Deli Serdang that the proposal for division filed to the DPRD of Deli Serdang Regency was a division

into 3 (three) regencies, namely Deli Serdang Regency, Deli Regency, and Serdang Bedagai Regency;

- Whereas as the follow-up to the proposal the DPRD of Deli Serdang Regency then conducted discussions and took the steps of the division process in accordance with the provisions of applicable laws and regulations. In the end, in a plenary meeting of the DPRD of Deli Serdang Regency, through a majority vote, it was decided that the Deli Serdang Regency would be divided into two regencies, namely the Deli Serdang Regency (parent regency) and the Serdang Bedagai Regency based on certain considerations not explained in the hearing before the Court.

[3.11.5] Regent of Serdang Bedagai

- Whereas the Regent of Serdang Bedagai explained that following the division or establishment of Serdang Bedagai Regency (i.e., with the enactment of Law 36/2003) and officially announced by the Minister of Home Affairs on January 7, 2004, the Government of Serdang Bedagai Regency had put in various efforts, whether in the field of governance, development, and in society;
- Whereas the Regent of Serdang Bedagai also confirmed the dualism of governance in 9 (nine) villages which the Petitioner had questioned, in the territory of the Bangun Purba District. The

dismissal of those 9 (nine) village chiefs by the Government of Serdang Bedagai Regency was because those nine village chiefs did not comply with the order of the acting regent in the organization of the election for a definitive regent of Serdang Bedagai Regency year 2005. Therefore, the Government of Serdang Bedagai Regency appointed village chief caretakers who organized the election of Regent of Serdang Bedagai year 2005 in order to prevent the said election from being legally flawed;

- Whereas, according to the Regent of Serdang Bedagai, those nine village chiefs, whose territories (according to Law 36/2003) were within the territory of the Serdang Bedagai Regency, is still recognized by the Deli Serdang Regency Government and is still receiving salaries budgeted in the Deli Serdang Regency APBD (Annual Regional Budget);
- Whereas, according to the Regent of Serdang Bedagai, to end the conflict which arose in connection with those nine villages, the Deli Serdang Regency should be consistent in adhering to the provisions of Law 36/2003, i.e., by not accommodating the administrative services for those nine village chiefs. The reason is that, legally, those nine villages have been included in the territory of the Serdang Bedagai Regency, and therefore all matters in

relation to the administrative services shall be the responsibility of the Serdang Bedagai Regency.

[3.11.6] DPRD of Serdang Bedagai Regency

- Whereas the division of the Deli Serdang Regency questioned by the Petitioner was the aspiration of the community brought forth to the DPRD of Deli Serdang Regency and the DPRD of North Sumatera Province;
- Whereas based on an in-depth review of the said aspiration of the community, the DPRD of Deli Serdang Regency issued a kind of “principal approval” regarding the division as regulated in Government Regulation Number 129 Year 2000. Afterwards, the Government of Deli Serdang Regency established a team to research the matter and based on the results of the said research, proposed the division into 33 (three) regencies, namely the Serdang Bedagai Regency, the Deli Regency, and the Deli Serdang Regency (parent regency);
- Whereas, afterwards, the plenary session of the DPRD of Deli Serdang Regency decided to establish only two regencies based on the consideration of the capability of the parent regency to provide assistance to the splintered regencies and the capability to provide services to the community;

- Whereas, according to the DPRD of Serdang Bedagai Regency, there were three basic considerations for the existence of Law 36/2003, namely that by performing the division: (i) there would be an increase in the provision of services in the field of governance; (ii) there would be an increase in the field of development services; and (iii) there would be an increase in the field of community services;
- Whereas, according to the DPRD of Serdang Bedagai Regency, the division of Serdang Bedagai Regency was in had been in compliance with Law Number 22 Year 1999 and Government Regulation Number 129 Year 2000, and the process had been performed in accordance with the provisions of the two laws and regulations.

[3.12] Considering whereas after carefully examining the Petitioner's description in the petition and the Petitioner's statements in the hearing, the written evidence presented, and the statements of the parties as set forth in paragraph **[3.11]** above, the Court is of the following opinion:

[3.12.1] that during the process of receiving the aspiration and its implementation in the context of establishing the Serdang Bedagai Regency autonomous region which was a splinter of the Deli Serdang Regency in the North Sumatera Province, it was discovered that communication was not

performed as it should. Therefore, the Petitioner considers that its right to present its opinion was not heard or did not receive the expected response. However, such matter cannot be regarded as a violation of the procedures for formulating Law 36/2003 which may cause a contradiction between the *a quo* law with the 1945 Constitution. Moreover, such matter – the declaration that the entirety of Law UU 36/2003 is contradictory to the 1945 Constitution – was not something the Petitioner wished for;

[3.12.2] Whereas it was discovered that in the process of establishing Serdang Bedagai Regency as a splinter of the Deli Serdang Regency in North Sumatera Province, there had been several changes in the field. The division which was originally proposed was for three regencies (namely the Deli Serdang Regency, the Deli Regency, and the Serdang Bedagai Regency) had changed into only two regencies (namely the Deli Serdang Regency and the Serdang Bedagai Regency). Those changes had caused the region where the Petitioner resides, which in the original petition was not included in the territory of Serdang Bedagai Regency, was included in the territory of the Serdang Bedagai Regency, and therefore the Petitioner claims to have been injured;

[3.12.3] There was a nuance of boundary dispute following the coming into effect of Law 36/2003 between the Deli Serdang Regency and the Serdang Bedagai Regency which resulted in a dualism of governance in 9 (nine) villages bordering the two regencies. However, the said problem was not an issue of unconstitutionality of a law but an issue of implementation of a law in the field, *in*

casu Law 36/2003, and therefore the solution shall be more of an internal matter of the executive government in accordance with the regional government law and not a matter of a case of judicial review.

[3.12.4] The matters argued by the Petitioner as an impairment which it had suffered or experienced, even though they had truly happened, as set forth in paragraph **[3.9]** above, did not constitute an impairment of constitutional rights as intended in Article 51 Paragraph (1) of the CC Law. The provisions in Law 36/2003 petitioned for judicial review – namely Article 4 Sub-Articles k, l, m; Article 6 Paragraph (2) Sub-Paragraph d and Elucidation under “I.GENERAL” in the fifth paragraph– regulate or define the boundaries of the regency territory, *in casu* the Serdang Bedagai Regency. Therefore, it was not relevant to the violations of the right to the freedom of association, and expression of opinion [Article 28E Paragraph (3) of the 1945 Constitution]. The said matter also had no relevance to the right to be free from discriminatory treatment [Article 28I Paragraph (2) of the 1945 Constitution], which was used by the Petitioner as a basis for reviewing the constitutionality of Law 36/2003 above;

[3.13] Considering, based on the description in paragraph **[3.12]** above, it is evident that there has been no impairment of constitutional rights due to the coming into effect of Article 4 Sub-Articles k, l, m; Article 6 Paragraph (2) Sub-Paragraph d and Elucidation under “I.GENERAL” in the fifth paragraph of Law 36/2003, and therefore the requirement of legal standing of the Petitioner, as intended in Article 51 Paragraph (1) of the CC Law, is not fulfilled.

4. CONCLUSION

Based on all the foregoing descriptions, the Court has reached the following conclusion:

[4.1] Whereas in the process of establishing the Serdang Bedagai Regency as a splinter of the Deli Serdang Regency in the North Sumatera Province there had been changes in the field which caused the Petitioner, as a group of Indonesian citizens with a common interest, to consider itself harmed. However, it is evident that the said impairment was not an impairment of constitutional rights as intended in Article 28E Paragraph (3) and Article 28I Paragraph (2) of the 1945 Constitution, as argued;

[4.2] Whereas the substance of the issue in the *a quo* petition was actually within the scope of authority of the executive (Government) to resolve, namely the unfinished problem of boundaries between the Deli Serdang Regency and the Serdang Bedagai Regency resulting in a dualism of government in 9 (nine) villages at the border of the two regencies, and not a problem of unconstitutionality of laws;

[4.3] Whereas because there has been no impairment of constitutional rights then the requirements of legal standing of the Petitioner, as intended in Article 51 Paragraph (1) of The CC Law, is not fulfilled and therefore the petition must be declared unacceptable (*niet ontvankelijk verklaard*).

5. RULINGS

In view of Article 56 Paragraph (1) of Law Number 24 Year 2003 regarding the Constitutional Court (State Gazette of the Republic of Indonesia Year 2003 Number 98, Supplement to the State Gazette of the Republic of Indonesia Number 4316);

Passing the Decision:

To declare the Petitioner's petition **unacceptable** (*niet ontvankelijk verklaard*);

Hence the decision was passed in the Consultative Meeting of Constitutional Court Justices on Friday, May 16, 2008 and was pronounced in the Plenary Session open for the public on this day, Tuesday, May 27, 2008 by us, eight (8) Constitutional Court Justices, Jimly Asshiddiqie as Chairperson and concurrent Member, I Dewa Gede Palguna, H.A.S. Natabaya, H.M. Laica Marzuki, H.A. Mukthie Fadjar, Maruarar Siahaan, Soedarsono, and Moh. Mahfud M.D., respectively as Members, assisted by Wiryanto as the Substitute Registrar and attended by the Petitioner/its Attorneys, the People's Legislative Assembly or its representative, the Regional People's Legislative Assembly or its representative, the Government or its representative.

CHIEF JUSTICEAIRPERSON,

sgd.

Jimly Asshiddiqie

JUSTICES

sgd.

I Dewa Gede Palguna

sgd.

H.A.S. Natabaya

sgd.

HM. Laica Marzuki

sgd.

H. Abdul Mukthie Fadjar

sgd.

Maruarar Siahaan

sgd.

Soedarsono

sgd.

H. Moh. Mahfud, MD.

SUBSTITUTE REGISTRAR,

sgd.

Wiryanto