



**CONSTITUTIONAL COURT
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION
FOR CASE NUMBER 44/PUU-XXI/2023**

Concerning

Public Consultation in Formation of Laws and Regulations

- Petitioners** : **Albert Ola Masan Setiawan Muda and Andrew Chua**
- Type of Case** : Judicial Review of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning Formation of Laws and Regulations (PPP Law) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution).
- Subject Matter** : Material Review of Article 96 paragraph (6) of the PPP Law against the 1945 Constitution.
- Verdict** : 1. To grant the withdrawal of the petition of the Petitioners;
2. To declare that the Petition in Case Number 44/PUU-XXI/2023 regarding Judicial Review of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning the Formation of Laws and Regulations (State Gazette of 2022 Number 143, Supplement to State Gazette Number 6801) against the 1945 Constitution of the Republic of Indonesia is withdrawn;
3. To declare that the Petitioners cannot resubmit the *a quo* Petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of Petition Number 44/PUU-XXI/2023 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or *e-BRPK*) and to return a copy of the petition file to the Petitioners.
- Date of Stipulation** : Thursday, 15 June 2023

Overview of Stipulation :

Whereas the Petitioners are individual Indonesian citizens whose constitutional rights based on reasonable (potential) reasoning would be harmed due to the existence of the article in the *a quo* case.

Whereas the Petitioners submitted a petition for material review of Article 96 paragraph (6) of the PPP Law against the 1945 Constitution to the Constitutional Court and it was recorded in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or *e-BRPK*) on 17 April 2023 under the Number 44/PUU-XXI/2023.

Whereas the Court has conducted a Preliminary Examination of the *a quo* petition through a Panel Session on 11 May 2023.

Whereas the Constitutional Court on Tuesday, 23 May 2023, received an e-mail dated

21 May 2023 from the Petitioners, in principal, such e-mail conveyed that the Petitioners withdrew/revoked the petition for judicial review of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning Formation of Laws and Regulations against the 1945 Constitution of the Republic of Indonesia in case Number 44/PUU-XXI/2023. Furthermore, regarding the withdrawal of the petition, the Court has confirmed it to the Petitioners/their attorney verbally in court under the agenda of Preliminary Examination to examine the revision of the petition which was carried out on Monday, 29 May 2023 and the Petitioners confirmed such withdrawal.

Whereas the Deliberative Meeting of Judges on 5 June 2023 has decided that the revocation or withdrawal of the petition for Case Number 44/PUU-XXI/2023 is legally justifiable and the Petitioners cannot resubmit the *a quo* petition.

Subsequently, the Court decides:

1. To grant the withdrawal of the petition of the Petitioners;
2. To declare that the Petition in Case Number 44/PUU-XXI/2023 regarding Judicial Review of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning the Formation of Laws and Regulations (State Gazette of 2022 Number 143, Supplement to State Gazette Number 6801) against the 1945 Constitution of the Republic of Indonesia is withdrawn;
3. To declare that the Petitioners cannot resubmit the *a quo* Petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of Petition Number 44/PUU-XXI/2023 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and to return a copy of the petition file to the Petitioners.