



**CONSTITUTIONAL COURT  
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION  
FOR CASE NUMBER 105/PUU-XXI/2023**

**Concerning**

**Minimum Age Requirements for Presidential  
and Vice-Presidential Candidates**

- Petitioners** : **Sofianto Soetono and Imam Hermanda**
- Type of Case** : Judicial Review of Law Number 7 of 2017 concerning General Elections (Law 7/2017) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution)
- Subject Matter** : Judicial Review of Article 169 letter q of Law 7/2017 against the 1945 Constitution
- Verdict** : 1. To grant the withdrawal of the Petitioners' petition;
2. To declare that Petition Number 105/PUU-XXI/2023 concerning the judicial review of Article 169 letter q of Law Number 7 of 2017 concerning General Elections (State Gazette of the Republic of Indonesia of 2017 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 6109) against the 1945 Constitution of the Republic of Indonesia is withdrawn;
3. To declare that the Petitioners may not resubmit the *a quo* petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of petition Number 105/PUU-XXI/2023 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and give a copy of the petition file to the Petitioners.
- Date of Decision** : Monday, 16 October 2023
- Overview of Decision** :

The Petitioners are individual Indonesian citizens who are of legal age (48 years old), have good behavior and have never violated the law, have never betrayed the State, have never changed citizenship, and the Petitioners have the desire to serve the State and Nation, therefore they wish to run for President or Vice President in the future.

The Petitioners' petition was received by the Registrar of the Constitutional Court on 18 August 2023 under the Deed of Submission of the Petitioner's Petition Number 102/PUU/PAN.MK/AP3/08/2023, and has been recorded in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) on 28 August 2023.

The Constitutional Court has held a hearing on 20 September 2023 with an agenda of Preliminary Examination and the Court has given the appropriate advice and given an opportunity for the Petitioners to revise their petition;

Whereas prior to the implementation of the Panel hearing with an agenda of revision of the petition of the Petitioners, the Constitutional Court received an e-mail from the Petitioners, dated 3 October 2023 which conveyed the withdrawal of the Petition for Case Number 105/PUU-XXI/2023 due to the reasons as stated in the *a quo* letter of withdrawal, and on 3 October 2023, the Court held a Panel Hearing to examine the revision of the Petitioners' petition and to confirm the withdrawal with the Petitioners, however the Petitioners did not attend the hearing even though they had been properly summoned;

Pursuant to Article 35 of the Constitutional Court Law, the Justices Deliberative Meeting on 10 October 2023 has determined that the withdrawal or revocation of the petition for Case Number 105/PUU-XXI/2023 is legally justified and the Petitioners may not resubmit the *a quo* petition, and the Court orders the Registrar of the Constitutional Court to record the withdrawal of the Petitioner's petition in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and to give a copy of the petition file to the Petitioners;

Whereas in accordance with the aforementioned legal considerations, the Court handed down the Decision whose verdict states as follows:

1. To grant the withdrawal of the Petitioners' petition;
2. To declare that Petition Number 105/PUU-XXI/2023 concerning the judicial review of Article 169 letter q of Law Number 7 of 2017 concerning General Elections (State Gazette of the Republic of Indonesia of 2017 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 6109) against the 1945 Constitution of the Republic of Indonesia is withdrawn;
3. To declare that the Petitioners may not resubmit the *a quo* petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of petition Number 105/PUU-XXI/2023 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and to give a copy of the petition file to the Petitioners.