



**CONSTITUTIONAL COURT  
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION  
FOR CASE NUMBER 147/PUU-XXI/2023**

**Concerning Uncertainty of Minimum Age Requirements for Presidential  
Candidates and Vice-Presidential Candidates**

<b>Petitioner</b>	: <b>H. Marion</b>
<b>Type of Case</b>	: 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).
<b>Subject Matter</b>	: According to the Petitioner, article 169 letter q of Law 7/2017 which has been interpreted by the Decision of the Constitutional Court Number 90/PUU-XXI/2023 is contrary to Article 1 paragraph (3) and Article 28D paragraph (3) of the 1945 Constitution if the minimum age of 40 years remains applicable.
<b>Verdict</b>	: To declare that the Petitioner's petition is inadmissible.
<b>Date of Decision</b>	: Tuesday, January 16, 2024
<b>Overview of Decision</b>	:

The Petitioner is an individual Indonesian citizen. The Petitioner petitions for a judicial review of the constitutionality of Article 169 letter q of Law 7/2017 which has been interpreted by the Decision of the Constitutional Court Number 90/PUU-XXI/2023, dated 16 October 2023.

Regarding the Court's Authority, because the Petitioner petitions for a review of the constitutionality of statutory norms, *in casu* Article 169 letter q of Law 7/2017 as interpreted by the Decision of the Constitutional Court Number 90/PUU-XXI/2023, dated 16 October 2023, against Article 1 paragraph (3) and Article 28D paragraph (3) of the 1945 Constitution, the Court has the authority to hear the *a quo* petition.

Regarding the Petitioner's legal standing, the Petitioner believes that his constitutional rights have been injured by the enactment of Article 169 letter q of Law 7/2017 as interpreted by the Decision of the Constitutional Court Number 90/PUU-XXI/2023, because according to the Petitioner, the new norm creates legal uncertainty, namely the existence of minimum age requirements of 40 (forty) years and 30 (thirty) years. For this reason, the Petitioner petitions the Court to uphold the interpretation given by the Constitutional Court through the Decision of the Constitutional Court Number 90/PUU-XXI/2023, and petitions for the minimum age requirement of 40 (forty) years, as regulated in Article 169 letter q of Law 7/2017 prior to the issuance of the Decision of the Constitutional Court Number 90/PUU-XXI/2023, to be declared to have no binding legal force and is contrary to the 1945 Constitution.

Regarding the Petitioner's legal standing, the Court considered that the Petitioner had proven himself to be an Indonesian citizen who works as an advocate. However, the Petitioner did not elaborate or describe the relationship between the Petitioner's profession as an advocate, his status as a taxpayer and the norms being petitioned for review and the potential constitutional injuries resulting from the enactment of the norm being petitioned for review.

The Court did not find a description that the Petitioner was a voter or Indonesian citizen who had the right to vote in the 2024 general election. The Petitioner also did not describe his desire to nominate or be nominated in the Presidential and Vice Presidential Elections.

In relation to this matter, the Court did not find any evidence that the Petitioner has experienced any injury or potential injury of the constitutional rights due to the enactment of the norms being petitioned for review, therefore, the Court is of the opinion that there is no causal relationship (*causal verband*) between the norms being petitioned for review and the injury of the Petitioner's constitutional rights. In fact, the norm being petitioned for review is the norm regarding the minimum age requirements for presidential or vice presidential candidates, which is one of the core norms for the election of President and Vice President.

Pursuant to these legal considerations, the Court considers that the Petitioner does not have the legal standing to act as a Petitioner. Therefore, the Court subsequently passed down a decision which verdict states that the Petitioner's petition is inadmissible.