



**THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF INDONESIA**

**THE SUMMARY OF DECISION
CASE NUMBER 30/PUU-XIX/2021**

Concerning

Job Creation Act

- Petitioner** : **Moch. Ojat Sudrajat S.**
- Type of Case** : Judicial Review over Law Number 11 of 2020 regarding Job Creation (Law 11/2020) against the Constitution of the Republic of Indonesia of 1945 (1945 Constitution)
- Subject Matter** : Examination of the Constitutionality of Article 175 item 6 Article 53 paragraph (5) which stipulates that "Further provisions related to the type of determination on any Decision and/or Action which is deemed legally granted as provided in paragraph (3) shall be regulated in a Presidential Regulation" Law 11/2020 against the 1945 Constitution
- Verdicts** : 1. To grant the withdrawal of the Petitioner's Petition;
2. To declare that the Petition Number 30/PUU-XIX/2021 concerning Application for Judicial Review over Law Number 11 of 2020 regarding Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573) against the Constitution of the Republic of Indonesia of 1945 be withdrawn;
3. To declare that the Petitioner shall not resubmit the aforementioned petition;
4. To order the Registrar of the Constitutional Court to register the withdrawal of the Petitioner's petition with the Electronic Constitutional Case Registry (e-BRPK) and to return a copy of the petition to the Petitioner.
- Date of Decree** : Tuesday, August 31st, 2021
- Overview of Decree** :

The Petitioner is Moch. Ojat Sudrajat S, who submitted a request for the examination of the constitutionality of Article 175 item 6 Article 53 paragraph (5) which stipulate that "Further provisions related to the type of determination on any Decision and/or Action which is deemed legally granted as provided in paragraph (3) shall be regulated in a Presidential Regulation" Law Number 11 of 2020 regarding Job Creation

against the 1945 Constitution.

Whereas in relation to the Jurisdiction of the Court, considering that the Petitioner's petition is a request for examining the constitutionality of the norms of the Law, in this case Law Number 11 of 2020 regarding Job Creation, the Court has the jurisdiction to hear such petition.

Whereas the Court has conducted a Preliminary Examination hearing on July 22nd, 2021, and during the Panel Session the Petitioner explained the subject matter of his petition and the Panel of Judges gave some advice in respect of the Petitioner's petition.

Whereas the Court has received a letter dated July 26th, 2021, from the Petitioner in respect of the withdrawal of this case, which was received on July 27th, 2021.

Whereas the Court deems it necessary to seek clarifications from the Petitioner in the hearing with regard to the validity of the request for the revocation or withdrawal as conveyed during the Preliminary Examination Hearing on August 3rd, 2021.

Whereas in relation to the withdrawal of the Petitioner's petition, Article 35 paragraph (1) of the Constitutional Court Law stipulates that "*A petitioner may withdraw any petition before or during an examination by the Constitutional Court is conducted*".

Whereas in the Consultative Meeting of Judges on August 4th, 2021, it was concluded that the revocation or withdrawal of the petition Number 30/PUU-XIX/2021 was legally justifiable and the Petitioner could not resubmit the aforementioned petition and it was ordered that the Registrar of the Constitutional Court shall register the withdrawal of the Petitioner's petition with the Electronic Constitutional Case Registry (e-BRPK) and return a copy of the petition to the Petitioner.

Therefore, the Court declares as follows:

1. To grant the withdrawal of the Petitioner's Petition;
2. To declare that the Petition Number 30/PUU-XIX/2021 concerning Application for Judicial Review over Law Number 11 of 2020 regarding Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573) against the Constitution of the Republic of Indonesia of 1945 be withdrawn;
3. To declare that the Petitioner shall not resubmit the aforementioned petition;
4. To order the Registrar of the Constitutional Court to register the withdrawal of the Petitioner's petition with the Electronic Constitutional Case Registry (e-BRPK) and to return a copy of the petition to the Petitioner.