

REGULATION OF THE SUPREME COURT OF THE REPUBLIC OF INDONESIA
NUMBER 1 OF 2018

ON
SETTLEMENT PROCEDURES OF ELECTORAL
AND GENERAL-ELECTORAL CRIMES

BY THE BLESSINGS OF ALMIGHTY GOD

CHIEF JUSTICE OF THE SUPREME COURT
OF THE REPUBLIC OF INDONESIA,

- Considering : a. that based on Article 147 section (1) and Article 148 section (4) of Law Number 1 of 2015 on Enactment of Government Regulation in Lieu of Law Number 1 of 2014 on Election of Governor, Regent and Mayor into Law as amended several times, last by Law Number 10 of 2016 on the Second Amendment to Law Number 1 of 2015 on Enactment of Government Regulation in Lieu of Law Number 1 of 2014 on Election of Governor, Regent and Mayor into Law, district courts and high courts are authorized to examine, adjudicate and decide electoral crimes;
- b. that based on the provision of Article 481 section (1) and Article 482 section (4) of Law Number 7 of 2017 on General Election, the District Courts and High Courts are authorized to examine, adjudicate and decide general-electoral crimes;
- c. that by the time the provision of law comes into effect, the Supreme Court needs to regulate settlement procedures of the electoral and general-electoral crimes;
- d. that based on the considerations as referred to in point a, point b and point c, it is necessary to establish Regulation of the Supreme Court on Settlement Procedures of Electoral and General-Electoral Crimes;
- Observing : 1. Law Number 14 of 1985 on Supreme Court (State Gazette of the Republic of Indonesia of 1985 Number 73, Supplement to the State Gazette of the Republic of Indonesia Number 3316) as amended several times, last by Law Number 3 of 2009 on the Second Amendment to Law Number 14 of 1985 on Supreme Court (State Gazette of the Republic of Indonesia of 2009 Number 3, Supplement to the State Gazette of the Republic of Indonesia Number 4958);

2. Law Number 2 of 1986 on General Court (State Gazette of the Republic of Indonesia of 1986 Number 20, Supplement to the State Gazette of the Republic of Indonesia Number 3327) as amended several times, last by Law Number 49 of 2009 on the Second Amendment to Law Number 2 of 1986 on General Court (State Gazette of the Republic of Indonesia of 2009 Number 158, Supplement to the State Gazette of the Republic of Indonesia Number 5077);
3. Law Number 48 of 2009 on Judicial Power (State Gazette of the Republic of Indonesia of 2009 Number 157, Supplement to the State Gazette of the Republic of Indonesia Number 5076);
4. Law Number 1 of 2015 on Enactment of Government Regulation in Lieu of Law Number 1 of 2014 on Election of Governor, Regent and Mayor into Law (State Gazette of the Republic of Indonesia of 2015 Number 23, Supplement to the State Gazette of the Republic of Indonesia Number 5656) as amended several times, last by Law Number 10 of 2016 on the Second Amendment to Law Number 1 of 2015 on Enactment of Government Regulation in Lieu of Law Number 1 of 2014 on Election of Governor, Regent and Mayor into Law (State Gazette of the Republic of Indonesia of 2016 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 5898);
5. Law Number 7 of 2017 on General Election (State Gazette of the Republic of Indonesia of 2017 Number 182, Supplement to the State Gaz

HAS DECIDED

To issue : REGULATION OF THE SUPREME COURT ON SETTLEMENT PROCEDURES OF ELECTORAL AND GENERAL-ELECTORAL CRIMES.

CHAPTER 1
GENERAL PROVISIONS

Article 1

In this Supreme Court Regulation:

1. Electoral Crime means any violations and/or crimes as regulated in Law Number 1 of 2015 on Enactment of Government Regulation in Lieu of Law Number 1 of 2014 on Election of Governor, Regent and Mayor into Law as amended several times, last by Law Number 10 of 2016 on the Second Amendment to Law Number 1 of 2015 on Enactment of Government Regulation in Lieu of Law Number 1 of 2014 on Election of Governor, Regent, and Mayor into Law.
2. General-Electoral Crime means any violations and/or crimes as regulated in Law Number 7 of 2017 on General Election;
3. Day means a working day.

CHAPTER II AUTHORIZATION

Article 2

District courts and high courts are authorized to examine, adjudicate and decide:

- a. The arising electoral crimes due to the report containing allegation of electoral crimes reported by Election Supervisory Board (*Badan Pengawas Pemilihan Umum*, Bawaslu), Provincial Election Supervisory Board (Provincial Bawaslu), Regency/Municipal Election Supervisory Committee (Regency/Municipal Panwas) to the Indonesian National Police not later than 1 x 24 hours (one time twenty-four hours) by the time Bawaslu, Provincial Bawaslu, Regency/Municipal Panwas and/or Sub-district Election Supervisory Committee (*Panitia Pengawas Pemilihan Umum*, Sub-district Panwaslu) declare that the alleged actions are the electoral crimes;
- b. The arising general-electoral crimes due to the report containing allegation of general-electoral crimes reported by Bawaslu, Provincial Bawaslu, Regency/Municipal Election Supervisory Board (Regency/Municipal Bawaslu) to the Indonesian National Police not later than 1 x 24 hours (one time twenty-four hours) by the time Bawaslu, Provincial Bawaslu, Regency/Municipal Bawaslu and/or Sub-district Panwaslu declare that the alleged actions are the general-electoral crimes.

CHAPTER III SETTLEMENT PROCEDURES OF ELECTORAL AND GENERAL-ELECTORAL CRIMES

Article 3

- (1) The district court examines, adjudicates and decides the case of electoral and general-electoral crimes not later than 7 (seven) days after the case files being transferred.
- (2) The judges must anticipate limitation of the time as referred to in section (1) will not be exceeded, if necessary, a trial is held in the evening to meet settlement deadline.
- (3) The examination as referred to in section (1) can be conducted without the presence of the defendant.
- (4) In the event that the court decision as referred to in section (1) is filed as an appeal, the time limit of filing an appeal is 3 (three) days after rendering the court decision for the present party or 3 (three) days after the court decision is delivered to the absent party.
- (5) The district court transfers the case file of appeal filed to the high court not later than 3 (three)-days after the appeal is received.
- (6) The court decision as referred to in section (1) must be delivered to the public prosecutor not later than 3 (three) days after the decision is rendered.
- (7) The high court examines and decides the appeal case as referred to in section (4) not later than seven (7) days after the appeal is received.

- (8) The decision of high court as referred to in section (7) is final and binding and does not have any other appeal.
- (9) The court decision as referred to in section (8) must be delivered to the public prosecutor via district court not later than 3 (three) days after the decision is rendered.
- (10) The court decision as referred to in section (6) and section (9) must be executed not later than 3 (three) days after Prosecutor receives the decision.
- (11) The court decision of electoral crimes and general-electoral crimes affecting the polling of candidates of election and general election must be done not later than 5 (five) days before the National Election Commission (*Komisi Pemilihan Umum*, KPU), Provincial Election Commission (Provincial KPU), and/or Regency/Municipal Election Commission (Regency/Municipal KPU) establish the result of Election and General Election publicly.
- (12) The official copy of the court decision as referred to in section (11) must be received by KPU, Provincial KPU, and/or Regency/Municipal KPU and the candidates of election or general election on the day the decision is rendered.
- (13) The KPU, Provincial KPU and/or Regency/Municipal KPU is obligated to perform the court decision as referred to in section (11).
- (14) The official copy of the district court and high court are delivered manually and/or electronically.

CHAPTER IV SPECIFIC PANEL OF JUDGES FOR ELECTORAL AND GENERAL-ELECTORAL CRIMES

Article 4

- (1) Specific panel of judges examining, adjudicating and deciding electoral crimes and general-electoral crimes are specific carrier judges at district court and high court as stipulated by a decree of the Chief Justice.
- (2) The Chief Judge of District Court and Chief Judge of High Court are authorized to propose the specific judges to the Chief Justice.
- (3) In the event that the specific judge does not handle the case of electoral and general-electoral crimes, the specific judge may examine, adjudicate and decide other cases.

CHAPTER IV MISCELLANEOUS PROVISION

Article 5

In the event of not being regulated clearly by this Regulation of the Supreme Court, the Code of Criminal Procedure is prevailed *mutatis mutandis*.

CHAPTER VI
CLOSING PROVISIONS

Article 6

At the time this Regulation of the Supreme Court comes into force, Regulation of the Supreme Court Number 02 of 2013 on Settlement Procedure of General-Electoral Crimes (State Bulletin of the Republic of Indonesia of 2013 Number 874) is repealed and declared ineffective.

Article 7

This Regulation of the Supreme Court comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Regulation of the Supreme Court by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta
on 29 March 2018

CHIEF JUSTICE OF THE SUPREME COURT
OF THE REPUBLIC OF INDONESIA,

signed

MUHAMMAD HATTA ALI

Promulgated in Jakarta
on 4 April 2018

DIRECTOR GENERAL OF LEGISLATION
OF THE MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

WIDODO EKATJAHJANA

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Jakarta, 3 November 2025
Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,



DHAHANA PUTRA