

**REPUBLIC OF INDONESIA**  
**LAW NUMBER 23 of YEAR 2003**  
**ON**  
**THE GENERAL ELECTION OF THE PRESIDENT AND**  
**VICE PRESIDENT**

**July 2003**

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**LAW OF THE REPUBLIC OF INDONESIA**

**NUMBER 23 of YEAR 2003**

**ON**

**THE GENERAL ELECTION OF THE PRESIDENT AND VICE PRESIDENT**

**UPON THE GRACE OF GOD THE ALMIGHTY**

**PRESIDENT OF THE REPUBLIC OF INDONESIA**

- Observing:
- a. Whereas, a Direct General Election of the President and Vice President by the people is a manifestation of the sovereignty of the people in the state's governance as mandated by the 1945 Constitution;
  - b. Whereas, the Election of the President and Vice-President is commenced democratically, with the greatest participation from the community, and is conducted upon the principles of directness, public activity, freedom, confidentiality, honesty, and fairness
  - c. Whereas, in line with the considerations as referred to in point a and point b, it is deemed necessary to establish a Law concerning the General Election of the President and Vice-President.

- Considering :
1. Article 1 paragraph (2), Article 2 paragraph (1), Article 3 paragraph (2), Article 5 paragraph (1), Article 6, Article 6A, Article 7, Article 8, Article 9, Article 20, Article 22E, Article 24C paragraph (1) and Article 27 paragraph (1) of the 1945 Constitution;
  2. Law Number 31 of 2002 on Political Parties (State Gazette 2002 Number 138, Supplementary State Gazette Number 4251);
  3. Law Number 12 of 2003 on the General Election of the Members of the People's Representative Assembly, Regional Representative Assembly and Regional People's Representative Assembly (State Gazette Year 2003 Number 37, Supplementary State Gazette Number 4277)

With the collective approval of

**THE PEOPLE'S REPRESENTATIVE COUNCIL  
OF THE REPUBLIC OF INDONESIA  
AND  
THE PRESIDENT OF THE REPUBLIC OF INDONESIA**

**HAVE DECIDED:**

**To enact : LAW ON THE GENERAL ELECTION OF THE PRESIDENT AND THE VICE PRESIDENT**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1**

In this law, that which is meant by:

1. General Election, hereinafter referred to as Election, is an instrument to implement the sovereignty of the people within the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution, to elect the members of the People's Representative Council, Regional Representative Council, President and Vice-President, Provincial Regional People's Representative Council and Regency/City Regional People's Representative Council.
2. The General Election of the President and Vice-President, hereinafter referred to as the Election of the President and Vice President, is an instrument to implement the sovereignty of the people, within the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution, to elect the President and Vice-President.
3. The People's Representative Council, Regional Representative Council, Provincial Regional People's Representative Council, and Regency/City Regional People's Representative Council, hereinafter referred to respectively as the DPR, DPD, Provincial DPRD, and Regency/City DPRD are as referred to in Law Number 12 of 2003 on the General Election of the members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council.
4. Political Parties are political parties participating in the Election as referred to in Law No. 12 of 2003 on the General Election of the members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council.

5. Coalition of Political Parties is 2 (two) or more political parties that coalesce to nominate 1 (one) Candidate Pair of President and Vice-President.
6. Candidate Pairs of President and Vice President hereinafter referred to as Candidate Pairs are Presidential and Vice-presidential electoral participants nominated by a qualified political party or coalition of political parties.
7. The National Election Commission, the Provincial Election Commission and the Regency/City Election Commission, hereinafter referred to as KPU, Provincial KPU and Regency/City KPU, are as referred to in Law No. 12 of 2003 on the General Election of the members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council, with other adjustments and stipulations in this Law, are the organizers of the Election of the President and Vice President.
8. The Sub-District (*Kecamatan*) Election Committee, the Overseas Election Committee, *Kelurahan/Village* Election Committee, Voting Station Officials, Overseas Voting Station Officials, hereinafter referred to as the PPK, PPLN, PPS, KPPS and KPPSLN are as referred to in Law No. 12 of 2003 on the General Election of the members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council
9. Election Supervisors are the Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Sub-District Election Supervisory Committee as referred to in Law No. 12 of 2003 on the General Election of the members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council.
10. Voters are citizens of Indonesia who are registered as voters for the Election.
11. Electoral Campaign of the President and Vice President hereinafter referred to Campaign is an activity with the purpose of convincing the voters by offering Candidate Pairs' respective visions, missions and programs
12. Campaign Organizing Team, hereinafter referred to as Campaign Team, is a team, formulated by Candidate Pairs together with a political party or coalition of political parties, whose duty and authority is to assist the implementation of the campaign and which is responsible for the technical implementation of the campaign.
13. Voting Stations and Overseas Voting Station, hereinafter referred to as TPS and TPSLN, are locations at which voters vote on Voting day.

## **Article 2**

The Presidential and Vice-Presidential election shall be held based on the principles of directness, public activity, freedom, secrecy, honesty, and fairness.

### **Article 3**

- (1) The Presidential and Vice-Presidential Election shall be conducted in the whole area of the Unitary State of the Republic of Indonesia as one electoral district.
- (2) The Presidential and Vice-Presidential Election shall be held once every 5 (five) years on a holiday or a day declared as a holiday.
- (3) The Presidential and Vice-Presidential Election shall be of one series with the Election of members of the DPR, DPD and DPRD.
- (4) The Presidential and Vice-Presidential Election must result in an elected President and Vice-President no later than 14 (fourteen) days prior to the end of the Presidential term of office.

### **Article 4**

Voting for the Presidential and Vice-Presidential election as referred to in Article 3 paragraph (1) shall be conducted no later than 3 (three) months after the announcement of the result of the Election for the members of DPR, DPD, Provincial DPRD and Regency/City DPRD.

## **CHAPTER II**

### **PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTORAL PARTICIPANTS**

#### **Article 5**

- (1) Electoral Participants are pairs of Presidential and Vice-Presidential candidates proposed by a Political Party or by a Coalition of Political Parties.
- (2) The notification of the names of Presidential and/or Vice-Presidential candidates by a Political Party or by a Coalition of Political Parties may be made at the same time as the submission to the KPU of the list of candidates for membership of the DPR.
- (3) Candidate Pairs are registered with the KPU by the political party or coalition of political parties, after the requirements of seats allocated in the DPR or valid votes obtained, as stipulated by this Law, have been met.
- (4) Candidate Pairs as referred to in Paragraph (1) may only be nominated by a political party or coalition of political parties which obtains at least 15% (fifteen percent) of the number of DPR seats or 20% (twenty percent) of the national valid votes in the election for members of the DPR.

## **Article 6**

The Presidential and Vice-Presidential candidates shall meet the following requirements:

- a. Have faith in God the Almighty
- b. Native citizens of the Republic of Indonesia by birth and have never accepted other citizenship of their own volition;
- c. Have never committed treason against the state;
- d. Are physically and mentally able to perform their duties and obligations as the President and Vice-President.
- e. Domiciled in the territory of the Unitary State of the Republic of Indonesia;
- f. Have reported their assets to the institution authorized to audit the assets of state officials;
- g. Not individually and/or as a legal entity being responsible for a debt that has resulted in a financial loss to the state;
- h. Are not declared to be bankrupt by a court decision;
- i. Have not had their voting rights revoked by a final court decision;
- j. Have never committed impeachable conduct;
- k. Are registered as voters;
- l. Have a Tax Registration Number (NPWP) and have fulfilled their tax duties for the last 5 (five) years, substantiated by a Letter of Annual Notification of Income Tax for Private Individuals;
- m. Have a curriculum vitae;
- n. Have never held the office of President or Vice-President for two consecutive terms of office in the same office;
- o. Are loyal to Pancasila as the foundation of the country, the 1945 Constitution and the aims of the August 17, 1945 Proclamation;
- p. Have never been imprisoned as a result of a final court decision, for treason;
- q. Are at least 35 (thirty five) years of age;
- r. Have a level of education of at least Senior High School or similar level;
- s. Are not former members of the banned Indonesian Communist Party, including its mass organizations, or were not involved directly in G-30-S/PKI;
- t. Have never been sentenced to imprisonment by a final court decision for a crime punishable by 5 (five) or more years imprisonment.

**CHAPTER III**  
**VOTING RIGHTS**

**Article 7**

Citizens of the Republic of Indonesia who are entitled to vote shall be those who are 17 (seventeen) years of age at the time of the election, or are/have been married

**Article 8**

- (1) To exercise his/her right to vote, a citizen of the Republic of Indonesia must be registered as a voter.
- (2) In order to be registered as a voter, a citizen of the Republic of Indonesia as referred to in paragraph (1) shall have to meet the following requirements
  - a. clearly not suffering from a mental disorder;
  - b. not having had his/her voting rights revoked by a final court decision;
- (3) A citizen of the Republic of Indonesia who, after being registered in the voters register, no longer meets the requirements as referred to in paragraph (2), shall be prohibited from exercising his/her right to vote.

**CHAPTER IV**

**THE ORGANIZERS OF THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTION**

**Article 9**

- (1) The Presidential and Vice-presidential election shall be conducted by the KPU.
- (2) The KPU, as referred to in paragraph (1), shall be the KPU as stipulated in Law No. 12 of 2003 on the General Election of the members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council, unless stipulated otherwise in this Law.

**Article 10**

The duties and authorities of the KPU in the Presidential and Vice-Presidential Election shall be:

- a. To plan the conduct of the Presidential and Vice-Presidential Election;



- b. To determine the procedures for conducting the Presidential and Vice-Presidential election, in accordance with the stages stipulated in the Law;
- c. To coordinate, conduct and control all stages of the implementation of the Presidential and Vice-Presidential election;
- d. To establish the time, date, campaign procedures and voting procedures for the Presidential and Vice-Presidential election
- e. To examine the qualifications of Political Parties or Coalitions of Political Parties that nominate Candidate Pairs;
- f. To examine the qualifications of nominated Presidential and Vice-Presidential Candidate Pairs;
- g. To determine eligible Candidate Pairs;
- h. To accept registration of and announce the Campaign Teams;
- i. To announce the report on campaign fund contributions;
- j. To determine the public accountant firms to audit campaign funds and announce the results of these audits;
- k. To determine the result of the recapitulation of vote counts and announce the result of the Presidential and Vice-Presidential Election;
- l. To evaluate and give a report on the implementation of the Presidential and Vice-Presidential election;
- m. To implement other duties and authorities regulated by Law.

#### **Article 11**

The KPU shall have the following obligations:

- a. To treat the Candidate Pairs fairly and equally to ensure the success of the Presidential and Vice-Presidential Election;
- b. To determine standards and requirements for the goods and services necessary for the implementation of the Presidential and Vice-Presidential election in accordance with the legislation;
- c. To maintain the archives and documents of the Presidential and Vice-Presidential election and to manage KPU inventories in accordance with the law;
- d. To convey information about Presidential and Vice-Presidential election activities to the public;

- e. To submit a report on the implementation of the Presidential and Vice-Presidential election to the President no later than 30 (thirty) days after the taking of the oath/pledge by the President and Vice-President;
- f. To account for the utilization of all funding received from the State Budget, in accordance with the law;
- g. To conduct all stages of the Presidential and Vice-Presidential election on time.

## **Article 12**

The Provincial KPU shall have the following duties and authorities:

- a. To plan the implementation of the Presidential and Vice-Presidential in the province;
- b. To conduct the Presidential and Vice-Presidential election in the province;
- c. To determine the result of vote counting for the Presidential and Vice-Presidential election in the province;
- d. To coordinate the activity of Regency/City KPUs;
- e. To accept the registration of and announce Candidate Pairs' Campaign Teams in the province; and
- f. To perform other duties assigned by the KPU.

## **Article 13**

The Provincial KPU shall have the following obligations:

- a. To treat the Candidate Pairs in a fair and equal manner;
- b. To convey information about Presidential and Vice-Presidential election activities to the public;
- c. To maintain the archives and documents of the Presidential and Vice-Presidential election and to manage Provincial KPU inventories in accordance with the law;
- d. To provide responses to enquiries and receive and process complaints submitted by Candidate Pairs and the public;
- e. To submit periodic reports, and be accountable for the implementation of Presidential and Vice Presidential election activities, to the KPU;
- f. To submit periodic reports to the Governor;
- g. To account for the utilization of all funding received from the national budget (APBN) and regional budget (APBD); and

- h. To conduct all stages of the Presidential and Vice-Presidential election on time.

#### **Article 14**

The Regency/City KPU shall have the following duties and authorities:

- a. To plan the implementation of the Presidential and Vice-Presidential election in the regency/city;
- b. To conduct the Presidential and Vice-Presidential election in the regency/city;
- c. To determine the result of vote counting for the Presidential and Vice-Presidential election in the regency/city;
- d. To establish PPK, PPS and KPPS within its jurisdiction;
- e. To coordinate the activities of the election committees for the Presidential and Vice-Presidential election, within its jurisdiction;
- f. To accept the registration of and announce the Candidate Pairs' Campaign Teams in the regency/city; and
- g. To perform other duties assigned by the KPU and Provincial KPU.

#### **Article 15**

The Regency/City KPU has the following obligations:

- a. To treat the Candidate Pairs in a fair and equal manner;
- b. To convey information about Presidential and Vice-Presidential election activities to the public;
- c. To maintain the archives and documents of the Presidential and Vice-Presidential election and to manage Regency/City KPU inventories in accordance with the law;
- d. To provide responses to enquiries and receive and process complaints submitted by Candidate Pairs and the public;
- e. To submit periodic reports, and be accountable for the implementation Presidential and Vice Presidential election activities, to the Provincial KPU;
- f. To submit periodic reports to the regent/mayor;
- g. To account for the utilization of all funding received from the national budget (APBN) and regional budget (APBD); and
- h. To conduct all stages of the Presidential and Vice-Presidential election on time.

### **Article 16**

PPK, PPLN, PPS, KPPS and KPPSLN shall be as stipulated in Law No. 12 of 2003 on the General Election of the members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council, and their terms of office shall end 30 (thirty) days after voting for the Presidential and Vice-Presidential election.

### **Article 17**

- (1) The supply and distribution of ballot papers and election equipment for the Presidential and Vice Presidential election shall be carried out expeditiously, precisely and accurately, with priority on quality, safety, and cost efficiency.
- (2) Ballot papers shall be procured domestically, with priority on printing capacity which conforms to the requirement for and print quality of the ballot papers
- (3) The number of ballot papers printed shall be determined by the KPU.
- (4) The supply of ballot papers and election equipment for the Presidential and Vice Presidential election shall be the responsibility of the KPU.

### **Article 18**

- (1) The relevant printing company is only allowed to print the number of ballot papers determined by KPU and must maintain confidentiality, security, and safety of the ballot papers.
- (2) The KPU may request assistance from the security apparatus to maintain security of the ballot papers for the duration of the printing, storage, and distribution to the determined destinations.
- (3) There shall be a regular official report on printed and verified ballot papers, as well as on ballot papers delivered and/or in storage, signed by the printing company and an official of the KPU.
- (4) The KPU shall assign officers from the KPU to the location where the ballot papers are printed to witness every Official Verification Report and the delivery of ballot papers at this printing company.
- (5) The KPU shall supervise and secure the design, the negatives and the printing plates of the ballot papers before and after they are used, and seal and store such materials.
- (6) Procedures for securing the printing, counting, storage, packing, and distribution of the ballot papers to their destination shall be determined by a KPU Decree.

#### **Article 19**

- (1) The KPU shall determine the number of ballot papers to be distributed.
- (2) Ballot papers shall be distributed by the KPU.
- (3) Ballot papers and election equipment for the election of the President and the Vice President must be received by the PPS and PPLN no later than 10 (ten) days prior to voting day.
- (4) Procedures and technical aspects for the distribution of ballot papers to the KPPS and KPPSLN shall be determined by a KPU Decree.

### **CHAPTER V**

#### **VOTER REGISTRATION**

#### **Article 20**

- (1) The Voters Register determined for the election of the DPR, DPD, Provincial and Regency/City DPRD, shall be used as the Voters Register for the Presidential and Vice-Presidential election.
- (2) Added to the Voters Register as referred to in paragraph (1) shall be a supplementary register of citizens who are eligible to vote.

#### **Article 21**

Registered voters as referred to in Article 20 shall be given a proof of registration to be exchanged for a separate voter's card for each voting day.

#### **Article 22**

- (1) A voter can only be registered once in the voters register.
- (2) If a voter has more than 1 (one) place of domicile, he/she must decide which one will be the domicile listed in the voters register.

### **Article 23**

- (1) A voter registered in the voters register as referred to in Article 20 who subsequently has a change of domicile or wants to cast his/her vote in another place shall report this to the local PPS.
- (2) The PPS as referred to in paragraph (1) shall remove the name of the relevant voter from the voters register and provide a Statement of Change of Voting Location.
- (3) The relevant voter shall report his/her change of domicile to the new PPS.
- (4) A voter who is unable to exercise his/her right to vote at the assigned TPS, may exercise his/her right at another location by showing his/her voter's card.

### **Article 24**

- (1) Based on the voters register as referred to in Article 20, the PPS shall compile and determine a temporary voters register.
- (2) The temporary voters register as referred to in paragraph (1) shall be announced by the PPS in order to receive comments from the public.
- (3) Voters who are not registered in the temporary voters register may register themselves in the supplementary voters register.
- (4) The temporary voters register and the supplementary voters register shall together be the final voters register.
- (5) The final voters register shall be validated and announced by the PPS.
- (6) The procedure for implementing voter registration shall be determined by the KPU.

## **CHAPTER VI**

### **NOMINATION**

#### **Article 25**

Presidential and Vice-Presidential candidates shall be nominated by a participating political party or a coalition of political parties participating in the general Election.

#### **Article 26**

- (1) A Presidential and/or Vice-Presidential candidate shall be nominated using a democratic and open process in accordance with the internal procedures of the relevant political party.

- (2) A political party may make an agreement with another political party to form a coalition to nominate a Candidate Pair.
- (3) A political party or coalition of political parties as referred to in paragraph (2) may only nominate 1 (one) Candidate Pair, using a democratic and open process, in accordance with the internal procedures of the party and/or a joint discussion between the political parties.
- (4) A Presidential candidate and/or a Vice-Presidential candidate nominated in a Candidate Pair by a political party or a coalition of political parties as referred to in paragraph (3) can not be nominated by another political party or coalition of political parties.
- (5) A political party or coalition of political parties shall register eligible Candidate Pairs as stipulated in Article 5 paragraph (3).

#### **Article 27**

A political party or coalition of political parties must submit the following documents to the KPU when registering a Candidate Pair:

- a. A Letter of Nomination signed by the leaders of the political party or coalition of political parties;
- b. A written agreement between parties forming a coalition to nominate the Candidate Pair;
- c. A letter stating that nomination will not be withdrawn from the nominated pair, signed by the leaders of the political party or coalition of political parties;
- d. A letter stating the willingness of the Presidential and Vice-Presidential candidates to be nominated as the candidate pair;
- e. A letter stating that the candidates will not withdraw as a candidate pair;
- f. A letter of resignation from candidates who are civil servants, members of the Armed Forces or members of the Police Force of the Republic of Indonesia;
- g. Other requirements to be met by Presidential and Vice-Presidential candidates as stipulated in Article 6; and
- h. A written draft of the vision, mission and programs of the Candidate Pair.

#### **Article 28**

- (1) The materials require from a political party and coalition of political parties as stipulated in Article 27 shall be submitted to the KPU during the registration period.
- (2) The registration period as referred to in paragraph (1) shall be no longer than 7 (seven) days, starting from the determination by the KPU of the result of voting at the election for members of the DPR

- (3) The KPU shall examine the nomination letter and the required attachments.
- (4) The KPU shall notify in writing the result of the examination as referred to in paragraph (3) to the leaders of the political Party or coalition of political parties and the Candidate Pair, no later than 7 (seven) days after the acceptance of the nomination letter.
- (5) If a Candidate Pair has not met the requirements or is rejected due to inadequate completion of the candidate requirements as stipulated in Article 6 and Article 27, the relevant political party or coalition of political parties is allowed to complete and/or to amend the qualification documentation for the candidates, or to propose new candidates, no later than 7 (seven) after being notified of the result of the examination by KPU.
- (6) The KPU shall re-examine the qualifications and/or amendment of qualifications of the Candidate Pair as referred to in paragraph (5) and notify the result of this examination within 7 (seven) days.
- (7) If the result of the examination as referred to in paragraph (6) is that the Candidate Pair does not meet the qualifications and is rejected by the KPU, the relevant political party or coalition of political parties is not allowed to propose new candidates.

#### **Article 29**

Until 7 (seven) days prior to the determination of candidates, a political party or coalition of political parties for whom one candidate or the Candidate Pair has become permanently incapable of being a candidate, shall be given the opportunity to nominate a substitute candidate or Candidate Pair.

#### **Article 30**

- (1) The KPU shall announce the names of the eligible Presidential and Vice-Presidential Candidate Pairs as Electoral Participants, as referred to in Article 5 paragraph (3), Article 6, and Article 27, 1 (one) day after the end of the registration period as referred to in Article 28 paragraph (3).
- (2) The notification as referred to in paragraph (1) shall be final and binding.
- (3) The eligible Candidate Pairs who are announced by the KPU, as referred to in paragraph (1) and paragraph (2), shall have the right to security and health insurance from the State until the determination of the result of the Election for the President and Vice President.



### **Article 31**

- (1) A political party or coalition of political parties shall be forbidden from withdrawing their candidates and/or Candidate Pair, and any one of a Candidate Pair shall be forbidden from withdrawing him/herself, after the Candidate Pairs have been determined by the KPU.
- (2) If a political party or coalition of political parties withdraws its candidate and/or Candidate Pair and/or one of a Candidate Pair withdraws as referred to in paragraph (1), the political party or coalition of political parties nominating this candidate shall not be able to nominate a substitute candidate.

### **Article 32**

- (1) If one of the candidates or a Candidate Pair becomes permanently incapable of being a candidate in the period between the determination of the candidates until the commencement of the campaign period, the political party or coalition of political parties whose Candidate Pair becomes permanently incapable of being a candidate may nominate a substitute Candidate Pair no later than 3 (three) days after the day the Candidate Pair is permanently incapable of being a candidate, and the KPU shall verify and determine the substitute Candidate Pair no later than 4 (four) days after the registration of the substitute Candidate Pair.
- (2) If one of the candidates or a Candidate Pair becomes permanently incapable of being a candidate between the commencement of the campaign until voting day, and there are more than two Candidate Pairs, the conduct of the Election shall continue and the Candidate Pair that has become permanently incapable of being a candidate shall be declared disqualified and cannot be substituted.
- (3) In the event that one of the candidates or a Candidate Pair becomes permanently incapable of being a candidate between the commencement of the campaign until voting day, thus causing the number of Candidate Pairs to be less than two pairs, implementation of the Election shall be postponed for no more than 30 (thirty) days, and the political party or coalition of political parties whose Candidate Pair is permanently incapable of being a candidate shall nominate a substitute Candidate Pair no later than 3 (three) days from the day the Candidate Pair becomes permanently incapable of being a candidate, and the KPU shall verify and determine the substitute Candidate Pair no later than 4 (four) days after the registration of the substitute Candidate Pair.
- (4) Further regulations on the implementation of a postponed Presidential and Vice Presidential election stage as referred to in paragraph (3), shall be determined by the KPU.

### **Article 33**

- (1) In the event that one of the candidates or a Candidate Pair becomes permanently incapable of being a candidate after the first round of the election but before the commencement of the second round of the election, the implementation of the Election shall be postponed for no more than 30 (thirty) days, and the political party or coalition of

political parties whose Candidate Pair has become permanently incapable of being a candidate shall nominate a substitute Candidate Pair no later than 3 (three) days after the day the Candidate Pair becomes permanently incapable of being a candidate, and the KPU shall verify and determine the substitute Candidate Pair no later than 4 (four) days after the registration of the substitute Candidate Pair.

- (2) Further regulations on the implementation of a postponed Presidential and Vice Presidential election stage as referred to in paragraph (1), shall be determined by the KPU.

#### **Article 34**

- (1) In the event that the elected Vice-Presidential candidate becomes permanently incapable of being a candidate, the elected Presidential candidate shall be inaugurated as the President.
- (2) The President as referred to in paragraph (1) shall nominate two Vice-Presidential candidates to the People's Consultative Assembly, to contest an election.
- (3) In the event that the elected Presidential candidate becomes permanently incapable of being a candidate, the elected Vice-Presidential candidate shall be inaugurated as the President.
- (4) The President as referred to in paragraph (3) shall nominate two Vice-Presidential candidates to the Peoples' Consultative Assembly, to contest an election.
- (5) In the event that the elected Candidate Pair becomes permanently incapable of being a candidate, the political party or coalition of political parties whose Candidate Pairs obtain the first and the second highest vote shall nominate a Candidate Pair to the People's Consultative Assembly to be elected as the President and Vice-President.

### **CHAPTER VII**

#### **CAMPAIGN AND CAMPAIGN FUNDS**

##### **Part One**

##### **Campaign**

#### **Article 35**

- (1) The Election Campaign shall be conducted as part of the conduct of the Election of the President and Vice President.
- (2) The campaign as referred to in paragraph (1) shall be conducted for 30 (thirty) days and shall end 3 (three) days prior to voting day.

- (3) The campaign as referred to in paragraph (1) shall be organized by a campaign team, established by a Candidate Pair together with the nominating political party or coalition of political parties.
- (4) The campaign team as referred to in paragraph (3) shall be registered with the KPU, together with the registration of the Candidate Pair.
- (5) The campaign as referred to in paragraph (1) shall be conducted together or separately by a Candidate Pair and/or campaign team.
- (6) The Candidate Pair is responsible for the election campaign, and the campaign team is accountable for the campaign's implementation.
- (7) Campaign teams may be established hierarchically, at national, provincial and regency/city level and shall be registered with the KPU at each level.
- (8) The public is free to attend election campaigns.
- (9) In the event that there is no eligible Candidate Pair as stipulated in Article 6A paragraph (3) of the 1945 Constitution, the two Candidate Pairs who obtain the first and second highest number of votes may improve their vision, mission and program, under the regulation and facilitation of the KPU.
- (10) Procedures and timetables for conducting the election campaign shall be determined by the KPU taking into account proposals from the Candidate Pairs.

### **Article 36**

- (1) Election Campaigns may be conducted in the form of:
  - a. Limited meetings;
  - b. Meetings and dialogues;
  - c. Publication through printed and electronic media;
  - d. Broadcast on radio and/or television;
  - e. Dissemination of campaign materials to public;
  - f. Installation of visual displays in public places;
  - g. General assemblies;
  - h. Public/open debate between candidates; and
  - i. Other activities permitted by the applicable legislation.
- (2) The Candidate Pairs must deliver their vision, mission and program orally and in writing to the public.

- (3) The Presidential and Vice-Presidential candidates have the right to obtain information or data from state officials in accordance with the applicable legislation.
- (4) Delivery of campaign material shall be conducted in a polite, orderly manner and shall be educative in nature.
- (5) The campaign shall be conducted in all regions of the Unitary State of the Republic of Indonesia.
- (6) Further regulations on the campaign as referred to in paragraph (1) shall be determined by the KPU.

#### **Article 37**

- (1) Electronic media and printed media shall provide equal opportunities to each candidate Pair to deliver the theme and contents of their election campaign.
- (2) Printed and electronic media must provide equal opportunities to every Candidate Pair to place advertising for the Presidential and Vice-Presidential election campaign.
- (3) Governments on every level shall give equal opportunities to every Candidate Pair to use public facilities.
- (4) Every person attending a limited or public meeting held by a Candidate Pair shall only be allowed to carry or use symbols and/or things associated with the relevant Candidate Pair.
- (5) The KPU, in coordination with the Government, shall determine the locations and procedures for installation of visual display items for a campaign.
- (6) In displaying visual display items as referred to in paragraph (5), the ethics, aesthetics, cleanliness, and appeal of the city or local area shall be observed, in accordance with the applicable law.
- (7) Owners must give prior permission for the installation or placement of campaign visual display items on properties owned by individuals or private institutions.
- (8) Campaign visual display items shall be removed no later than 3 (three) day prior to voting day.
- (9) Further regulations on the implementation of this article shall be determined by the KPU.

#### **Article 38**

In conducting Election Campaigns, it is prohibited to:

- a. Question the nation's ideology of Pancasila and the Preamble to the 1945 Constitution;
- b. Insult any person, any religion, ethnicity, race, group, another candidate and/or Candidate Pair;

- c. Provoke or lead any Political Parties, individuals and/or social groups into dispute;
- d. Disturb public order;
- e. Use violence, threaten violence or suggest the use of violence against any individual, social group and/or other Candidate Pair;
- f. Destroy and/or remove another Candidate Pair's election campaign visual display materials; and
- g. Use government, religious and educational facilities.

### **Article 39**

- (1) It is forbidden to involve the following public officials in the election campaign:
  - a. Chief/Vice-Chief/Junior Chief/Justices of the Supreme Court/the Constitutional Court and judges of all judicial bodies;
  - b. Chairperson/Vice-Chairperson and members of the State Audit Agency;
  - c. Governor/Senior Deputy Governors and Deputy Governors of the Bank of Indonesia;
  - d. Officials of state owned and regionally owned enterprises;
  - e. Officials in structural and functional positions within the civil service;
  - f. Village chiefs, or other titles such officials may be known by.
- (2) The prohibition as referred to in paragraph (1) shall not be applicable if this official becomes a candidate for President or Vice-President;
- (3) A state official who becomes a candidate for President or Vice-President, must adhere to the following requirements in conducting a campaign:
  - a. must not use any facilities related to his/her official position;
  - b. must take unpaid leave; and
  - c. the management of the length and timing of this leave must take into account the continuing implementation of government.
- (4) A Candidate Pair is prohibited from involving civil servants, members of the Armed Forces and members of the Police Force of the Republic of Indonesia as campaign participants and spokespersons for the Presidential and Vice-Presidential election campaign.

#### **Article 40**

State officials, officials holding structural and functional positions within the civil service and village chiefs, or other titles describing such officials, are forbidden from making decisions that benefit or harm any of the Candidate Pairs during the campaign period.

#### **Article 41**

- (1) Violations of provisions regarding prohibitions on the holding of election campaigns as referred to in Article 38 point a, point b, point c, point d, point e and point f constitute criminal actions which are punishable in accordance with the applicable laws and regulations.
- (2) Violations of provisions regarding prohibitions on the holding of election campaigns as referred to in Article 38 point d, point f, and point g, which constitute violations of campaign procedures, shall be subject to the following sanctions:
  - a. a written reprimand if the organizer of the Election campaign is found to have violated a prohibition, even if no disturbance occurs;
  - b. termination of election campaign activities in the place where the violation occurs, or in all relevant Electoral Districts, if a disturbance of security occurs which has the potential of spreading to other Electoral Districts.
- (3) Procedures for imposing sanctions with respect to violations of campaign procedures as referred to in paragraph (2), shall be determined by the KPU.
- (4) Violations of the prohibitions on the holding of Election campaigns as referred to in Article 39 shall result in the KPU, Provincial KPU, or Regency/City KPU terminating campaign activities during the campaign period.

#### **Article 42**

- (1) A Candidate Pair and/or campaign team is prohibited from promising and/or giving money or other materials with the objective of influencing voters.
- (2) A Candidate Pair and/or its campaign team which is proven, by a final court decision, to have committed a violation as referred to in paragraph (1), shall be disqualified as a Candidate Pair by the KPU.
- (3) Procedures for the disqualification of a candidate as referred to in paragraph (2) shall be determined by the KPU.

**Part Two**  
**Campaign Funds**

**Article 43**

- (1) Campaign funds may be obtained from:
  - a. Candidate Pairs;
  - b. A nominating political party and/or coalition of political parties;
  - c. Contributions from other non-binding sources including individuals and/or private entities;
- (2) Candidate Pairs must have a special campaign fund account and this account shall be registered with the KPU.
- (3) Contributions to Campaign Funds as referred to in paragraph (1) letter c from any individual person shall not exceed Rp. 100,000,000 (one hundred million rupiah), and contributions from a private entity shall not exceed Rp. 750,000,000 (seven hundred fifty million rupiah).
- (4) A Candidate Pair may receive and/or approve the direct funding of in-kind contributions to campaign activities.
- (5) Contributions to a Candidate Pair of more than Rp. 5,000,000 (five million rupiah) both in money or in a non-monetary form that can be converted into monetary value, must be reported to the KPU stating the amount of the contribution and the identity of the contributor.
- (6) A report on campaign fund contributions as referred to in paragraph (3) and paragraph (5) shall be submitted by a Candidate Pair to the KPU one day prior to the commencement of the campaign period and one day after the end of the campaign period.
- (7) The KPU shall publicize the contribution report of each Candidate Pair as referred to in paragraph (6) through the media one (1) day after receiving the report from a Candidate Pair.

**Article 44**

- (1) Campaign funds must be used by a Candidate Pair, and are technically managed by its Campaign Team.

- (2) Campaign funds as referred to in paragraph (1) must be reported by a Candidate Pair to the KPU, no later than 3 (three) days after voting day.
- (3) The KPU must submit the campaign funds report as referred to in paragraph (2) to a public accountant, no later than 2 (two) days after the KPU receives the campaign fund report from a Candidate Pair.
- (4) The public accountant must conclude the audit no later than 15 (fifteen) days after the campaign fund report is received from the KPU.
- (5) The result of the audit, as referred to in paragraph (4), shall be publicly announced by the KPU no later than 3 (three) days after KPU receives the audit report from the public accountant.
- (6) The campaign fund report received by the KPU shall be maintained so it is open to the public.

#### **Article 45**

- (1) A Candidate Pair is prohibited from accepting contributions to or assistance with electoral campaigns from:
  - a. Foreign countries, foreign private organizations, foreign non-governmental organizations, and foreign citizens;
  - b. A contributor whose identity is not clear;
  - c. Government, state owned enterprises and regional owned enterprises.
- (2) A Candidate Pair which receives contributions as referred to in paragraph (1) are not allowed to use these funds and must report them to the KPU no later than 2 (two) weeks after the end of the campaign period, and surrender the funds to the State Treasury.
- (3) A Candidate Pair which does not meet its obligations as stipulated in paragraph (2) shall be subject to criminal sanctions.
- (4) A Candidate Pair which violates the regulations as stipulated in paragraph (1) shall be disqualified as candidates by the KPU.



**CHAPTER VIII**  
**VOTING AND VOTE COUNTING**

**Part One**

**Voting**

**Article 46**

The day, date, and time of the Election for the President and Vice President shall be determined by the KPU.

**Article 47**

- (1) Voting shall use ballot papers containing the number, pictures and names of the Candidate Pairs.
- (2) The numerical order of each Candidate Pair shall be determined by the KPU by lottery.
- (3) The quantity, shape, size and color of ballot papers as referred to in paragraph (1) are determined by KPU.

**Article 48**

- (1) The quantity of ballot papers printed, as referred to in Article 47 paragraph (3), is equal to the number of voters plus 2.5% (two and a half percent).
- (2) The supplementary ballot papers as referred to in paragraph (1) shall be used as a reserve at each TPS to replace ballot papers for voters who have made an error in voting, and damaged ballots.
- (3) The use of supplementary ballot papers as referred to in paragraph (2) shall be reported in an Official Report.
- (4) The format of the Official Report as referred to in paragraph (3) shall be determined by the KPU.

**Article 49**

Voting for the Presidential and Vice-Presidential election shall be done by punching one of the Candidate Pairs on the ballot paper.

### **Article 50**

- (1) A voter who is blind, physically impaired or physically disabled in any way, may be assisted to vote at the TPS, on request of the voter, by a KPPS officer or another person.
- (2) The KPPS officer or other person assisting the voter as referred to in paragraph (1) shall keep the voters' vote confidential.
- (3) Further regulations on assistance for voters as referred to in paragraph (1) and paragraph (2) shall be determined by the KPU.

### **Article 51**

- (1) The number of voters at each TPS shall be no more than 300 (three hundred) persons.
- (2) The TPS as referred to in paragraph (1) shall be located at a location accessible to every voter, including physically disabled voters, and which will ensure that every voter shall be able to vote directly, freely and secretly.
- (3) The numbers, locations, form and layout of the TPS shall be determined by the KPU.

### **Article 52**

- (1) For the purpose of voting in the Presidential and Vice-Presidential election, ballot boxes shall be made available to store the ballot papers used by voters.
- (2) The number, material, form, size and color of the ballot boxes as referred to in paragraph (1) shall be determined by the KPU.

### **Article 53**

- (1) Before conducting the voting process, the KPPS shall:
  - a. open the ballot box;
  - b. empty the contents of the ballot box;
  - c. identify the types of documents and equipment; and
  - d. count every type of document and equipment.
- (2) Activities of the KPPS as referred to in paragraph (1) may be attended by witnesses from the Candidate Pairs, election supervisors, election observers and members of the community.

- (3) Activities of the KPPS as referred to in paragraph (1) shall be recorded in an official report signed by the chairperson and by at least 2 (two) members of the KPPS, and may be signed by witnesses representing the Candidate Pairs.

#### **Article 54**

- (1) After conducting the activities as referred to in Article 53, the KPPS shall explain the voting procedure.
- (2) The KPPS gives voters the opportunity to vote in order of attendance.
- (3) In the event a voter receives a damaged ballot, he/she may request a replacement ballot from the KPPS, and the KPPS shall provide, one time only, a replacement ballot.
- (4) In the event the voter makes an error in voting, he/she may request a replacement ballot paper from the KPPS, and the KPPS shall provide, one time only, a replacement ballot.
- (5) The time at which the voting process commences and ends shall be determined by the KPU.

#### **Article 55**

- (1) Voters who have voted at a TPS shall be given a special mark by the KPPS.
- (2) The mark as referred to in paragraph (1) shall be determined by the KPU.

#### **Article 56**

- (1) Votes for the election of the President and Vice President shall be considered valid if:
  - a. the ballot has been signed by the chairperson of the KPPS; and
  - b. the punch mark is present in only one of the squares containing one Candidate Pair;  
or
  - c. there is a punch mark in one of the squares containing the number, pictures and names of the selected Candidate Pair; or
  - d. more than one punch mark is present, but they are located within one square containing the number, pictures and names of the selected Candidate Pair; or
  - e. the punch mark is made on one of the border lines of the square containing the number, pictures and names of the selected Candidate Pair;
- (2) The technical implementation of the rules stipulated in paragraph (1) shall be regulated further by the KPU.

### **Article 57**

- (1) Voting for citizens of the Republic of Indonesia who are overseas shall be held at every representative office of the Republic of Indonesia at the same time as the holding of the Presidential and Vice-Presidential Election in Indonesia.
- (2) In the event a voter is not able to cast his/her vote at the TPSLN provided, he/she may cast his/her vote via post addressed to the local representative mission of the Republic of Indonesia.

### **Part Two**

### **Vote Counting**

### **Article 58**

- (1) Vote counting at the TPS/TPSLN shall be conducted by the KPPS/KPPSLN after the voting process has been completed.
- (2) Prior to the commencement of vote counting, the KPPS/KPPSLN shall count:
  - a. the number of voters who have cast their votes on the basis of the Copy of the Final Voters Register at each TPS/TPSLN;
  - b. the number of voters from other TPS/TPSLN;
  - c. the number of unused ballot papers; and
  - d. the number of ballot papers returned by voters due to damage or errors made while voting;
- (3) The use of supplementary ballot papers shall be recorded in an official report signed by the chairperson and by at least 2 (two) members of the KPPS/KPPSLN.
- (4) Vote counting at the TPS/TPSLN shall be conducted and finished at the TPS/TPSLN by the KPPS/KPPSLN, and may be attended by witnesses of Candidate Pairs, election supervisors, election observers, and members of the community.
- (5) A witness representing a Candidate Pair must carry an authorization letter from the relevant campaign team and submit it to the chairperson of the KPPS/KPPSLN.
- (6) The vote counting process shall be conducted in a manner which allows witnesses of Candidate Pairs, election supervisors, election observers and members of the community present to clearly witness the process.

- (7) Candidate Pairs and members of the community may submit a complaint, through witnesses of Candidate Pairs present, about the KPPS/KPPSLN's vote counting procedures, should there be any matters not in accordance with the applicable legislation.
- (8) In the event that the complaint submitted by or through a witness of a Candidate Pair as referred to in paragraph (7) is accepted, the KPPS/KPPSLN shall immediately rectify the matter.
- (9) Immediately following the completion of the vote counting process in the TPS/TPSLN, the KPPS/KPPSLN shall prepare an official report and Result of Vote Count Certificate signed by the Chairperson and at least 2 (two) members of the KPPS/KPPSLN, which may be signed by witnesses representing Candidate Pairs.
- (10) The KPPS/KPPSLN shall provide 1 (one) copy of the Official Report and Result of Vote Count Certificate to the witness representing a Candidate Pair who is present.
- (11) The KPPS/KPPSLN shall submit the Official Report, Result of Vote Count Certificate, ballot papers and all administrative requirements relevant to voting and vote counting to the PPS/PPLN, immediately following the completion of the vote counting process.
- (12) The result of overseas vote counting shall be included in the vote count for DKI Jakarta province.

#### **Article 59**

- (1) After receiving the Official Report and Result of Vote Count Certificate, the PPS shall prepare an Official Report of Receipt and conduct a recapitulation of the voting result for the village/*kelurahan* level, which may be attended by witnesses representing Candidate Pairs, election supervisors, election observers and members of the community.
- (2) A witness representing a Candidate Pair must carry a letter of authorization from the relevant campaign team and submit it to the PPS.
- (3) Candidate Pairs and members of the community may submit complaints, through witnesses representing Candidate Pairs present, about the PPS's vote counting procedures, should there be any matters not in accordance with the applicable legislation.
- (4) In the event that a complaint submitted by or through a witness representing a Candidate Pair as referred to in paragraph (3) is accepted, the PPS shall immediately rectify the matters.
- (5) Immediately following the completion of the recapitulation of the vote counts from all TPS in the village/*kelurahan* within its jurisdiction, the PPS shall prepare an Official Report and Recapitulation of the Vote Count Result Certificate signed by the chairperson and at least 2 (two) members of the PPS, as well as by witnesses representing Candidate Pairs.
- (6) The PPS must provide 1 (one) copy of the Official Report and Recapitulation of the Vote Count Result Certificate at PPS to the witnesses representing Candidate Pairs who are present.

- (7) The PPS must provide 1 (one) copy of the Official Report and Recapitulation of the Vote Count Result Certificate in the PPS to the local PPK.
- (8) The PPLN shall conduct recapitulation of the vote count results received according to Result of Vote Count Certificate from all the KPPSLN within its jurisdiction.
- (9) The PPLN shall submit the Official Report, Result of Vote Count Certificate, and Recapitulation of the Vote Count Result from all the KPPSLN within its jurisdiction, to the KPU.

#### **Article 60**

- (1) After receiving the Official Report and Result of Vote Count Certificate, the PPK shall prepare a Report of Receipt and conduct a recapitulation of the voting result for the sub-district/kecamatan level which may be attended by witnesses representing Candidate Pairs, election supervisors, election observers and members of the community.
- (2) A witness representing a Candidate Pair must carry an authorization letter from the relevant campaign team and present this to the PPK.
- (3) Candidate Pairs and members of the community may submit a complaint, through witnesses representing Candidate Pairs present, about the PPK's vote counting procedures, should there be any matters not in accordance with the applicable legislation.
- (4) In the event that a complaint submitted by or through a witness representing a Candidate Pair as referred to in paragraph (3) is accepted, the PPK shall immediately rectify the matter.
- (5) Immediately following the completion of the recapitulation of vote counts from all PPS in the sub-district/kecamatan within its jurisdiction, the PPK shall prepare an Official Report and Recapitulation of Vote Count Result Certificate signed by the chairperson and at least 2 (two) members of the PPK, as well as by witnesses representing Candidate Pairs.
- (6) The PPK provides 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate in the PPK to the witness representing a Candidate Pair who is present.
- (7) The PPK must submit 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate in the PPK to the local Regency/City KPU

#### **Article 61**

- (1) The recapitulation of votes and the affirmation of the vote count result for the Presidential/Vice-Presidential in the Regency/City, shall be conducted in a plenary meeting of the Regency/City KPU on the basis of the Vote Count Result Certificates submitted by the PPKs.
- (2) The recapitulation and affirmation of the vote count result conducted by the Regency/City KPU, may be attended by witnesses representing Candidate Pairs, election supervisors, election observers, and members of the community.

- (3) A witness representing a Candidate Pair must carry an authorization letter from the relevant campaign team and present this letter to the chairperson of the Regency/City KPU.
- (4) The recapitulation of the vote count results shall be conducted at a location and under such conditions which allows all present to witness the process clearly.
- (5) Candidate Pairs and members of the community may submit a complaint, through witnesses representing Candidate Pairs present, about the Regency/City KPU's vote counting procedures, should there be any matters not in accordance with the applicable legislation.
- (6) In the event that a complaint submitted by or through a witness representing a Candidate Pair as referred to in paragraph (5) is accepted, the Regency/City KPU shall immediately rectify the matter.
- (7) The Regency/City KPU shall prepare the Official Report and Recapitulation of Vote Count Result Certificate signed by the chairperson and at least 2 (two) members of the Regency/City KPU, as well as by witnesses representing Candidate Pairs.
- (8) Copies of Official Report and Recapitulation of Vote Count Result Certificate prepared by the Regency/City KPU shall be submitted to the Provincial KPU with carbon copies to the KPU.
- (9) The Regency/City KPU must provide 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate to the witness representing a Candidate Pair present.

#### **Article 62**

- (1) The recapitulation of votes and the affirmation of the vote count result for the Presidential and Vice-Presidential election, shall be conducted in a plenary meeting of the Provincial KPU on the basis of the Recapitulation of Vote Count Result Certificates submitted by the Regency/City KPUs.
- (2) The recapitulation as referred to in paragraph (1) may be attended by witnesses representing Candidate Pairs, election supervisors, election observers, and members of the community.
- (3) A witness representing a Candidate Pair must carry an authorization letter from the relevant campaign team and present this letter to the chairperson of the Provincial KPU.
- (4) The recapitulation of the vote count results shall be conducted at a location and under such conditions which allows all present to clearly witness the process.
- (5) Candidate Pairs and members of the community may submit a complaint, through the witnesses representing Candidate Pairs present, about the Provincial KPU's

vote counting procedures, should there be any matters not in accordance with the applicable legislation.

- (6) In the event that a complaint submitted by or through a witness representing a Candidate Pair as referred to in paragraph (5) is accepted, the Provincial KPU shall immediately rectify the matter.
- (7) The Provincial KPU shall prepare the Official Report and Recapitulation of Vote Count Result Certificate, signed by the chairperson and at least 2 (two) members of the Provincial KPU, as well as by witnesses representing the Candidate Pairs.
- (8) The Official Report and Recapitulation of Vote Counting Result Certificate for the Presidential and Vice-Presidential election, prepared by the Provincial KPU shall be submitted to the KPU.
- (9) The Provincial KPU must provide 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate to the witness representing a Candidate Pair present.

#### **Article 63**

- (1) The recapitulation of the vote count result for the Presidential and Vice-Presidential election, shall be conducted by the KPU on the basis of the Recapitulation of Vote Count Result Certificates submitted by the Provincial and Regency/City KPUs.
- (2) The recapitulation of votes and the affirmation of the vote count result as referred to in paragraph (1) shall be conducted and affirmed in a plenary meeting of the KPU, and attended by witnesses representing Candidate Pairs, election supervisors, election observers and members of the community.
- (3) A witness representing a Candidate Pair must carry an authorization letter from the relevant campaign team and present this letter to the chairperson of the KPU.
- (4) The recapitulation of the vote count result shall be conducted at a location and under such conditions so as to allow all present to clearly witness the recapitulation of the vote count.
- (5) Candidate Pairs and members of the community may submit a complaint, through a witness representing a Candidate Pair present, about the KPU's vote counting procedures, should there be any matters not in accordance with the applicable legislation.
- (6) In the event that the complaint submitted by or through a witness representing a Candidate Pair as referred to in paragraph (6) is accepted, the KPU shall immediately rectify the matter.
- (7) The KPU shall prepare an Official Report and Recapitulation of Vote Count Result Certificate for the Presidential and Vice-Presidential election, signed by the members of KPU and by witnesses representing Candidate Pairs.



- (8) The KPU shall submit copies of the Official Report and Recapitulation of Vote Count Result Certificate, as referred to in paragraph (7), no later than 3 (three) days after the signing of the official report and recapitulation of the vote count to the:
  - a. People's Consultative Assembly;
  - b. President;
  - c. Political parties or coalitions of political parties that nominated Candidate Pairs; and
  - d. Candidate Pairs.

#### **Article 64**

Complaints in relation to the vote counting process, submitted by or through witnesses representing Candidate Pairs, shall not hold up the Presidential and Vice-Presidential election process.

#### **Article 65**

- (1) Voting and vote counting procedures in TPS and TPSLN shall be determined by the KPU.
- (2) Procedures for recapitulation of vote count results by PPS, PPK, Regency/City KPU and Provincial KPU shall be determined by the KPU.
- (3) The format of the Official Report of Receipt, Official Report and the Result of Vote Count Certificate of the KPPS/KPPSLN, and the format of the Official Report and the Recapitulation of Vote Count Result Certificate of the PPS, PPSLN, PPK, Regency/City KPU, Provincial KPU and KPU as referred to in Article 58, Article 59, Article 60, Article 61, Article 62 and Article 63 shall be determined by the KPU.

### **CHAPTER IX**

#### **DETERMINATION AND INAUGURATION OF ELECTED CANDIDATES**

#### **Article 66**

- (1) The KPU shall determinate the recapitulation of the vote count result and announce the Presidential and Vice-Presidential election result no later than 30 (thirty) days after voting day.
- (2) A Candidate Pair that receives more than fifty percent of the number of votes in the Presidential and Vice-Presidential Election, with at least twenty percent of the votes in at

least one half of the provinces in Indonesia, shall be announced as the elected President and Vice President and shall be recorded in an Official Report of the Result of the Presidential and Vice-Presidential Election.

- (3) The Official Report as referred to in paragraph (2) shall be submitted by the KPU on the same day to the:
  - a. People's Consultative Assembly;
  - b. People's Representative Council;
  - c. Supreme Court;
  - d. President;
  - e. Political parties or coalitions of political parties that nominated Candidate Pairs; and
  - f. The elected President and Vice-President.

#### **Article 67**

- (1) In the event that no Candidate Pair is elected as stipulated in Article 66 paragraph (2), then the two Candidate Pairs who receive the highest and the second highest number of votes contest a second direct election by the people, for President and Vice President.
- (2) In the event that there are two pairs of candidates receiving the highest number of votes, the two pairs of candidates shall contest the second direct election by the people.
- (3) In the event that the highest number of votes is received by three or more Candidate Pairs, the first and second ranking candidate pair shall be determined based on the hierarchy of the breadth of the area from which votes are received.
- (4) In the event that the second highest vote is received by more than one Candidate Pair, the determination shall be based on the hierarchy of the breadth of the area from which votes are received.

#### **Article 68**

- (1) Objections against the determination of the result of the Presidential and Vice-Presidential Election may be submitted, by a Candidate Pair only, to the Constitutional Court no later than 3 (three) days after the determination of the Presidential and Vice-Presidential election result by the KPU.
- (2) Objections as referred to in paragraph (1) shall only be in relation to a vote count result that affects the election of the Candidate Pair.
- (3) The Constitutional Court shall decide on disputes arising from the objection, as referred to in paragraph (1) and paragraph (2), no later than 14 (fourteen) days after the receipt of the objection by the Constitutional Court.

- (4) The Constitutional Court submits its Decision on the Vote Count Result as referred to in paragraph (3) to the:
  - a. People's Consultative Assembly;
  - b. President/Government;
  - c. KPU;
  - d. Political parties or coalitions of political parties that nominated the candidates; and
  - e. Candidate Pairs.

#### **Article 69**

- (1) The elected President and Vice-President shall take the oath/pledge in accordance with their religion and shall be inaugurated by the MPR in a MPR Session before the end of the Presidential and Vice-Presidential term of office.
- (2) In the event that the MPR is unable to have this session, the elected Candidate Pair takes their oath/pledge in accordance with their religion in front of a DPR session.
- (3) In the event that the DPR is unable to have this session, the elected Candidate Pair takes their oath/pledge in accordance with their religion in front of the MPR leadership, witnessed by the Supreme Court Leadership.
- (4) The taking of the oath/pledge as referred to in paragraph (2) and paragraph (3) shall be the inauguration of the elected President and Vice-President.
- (5) The oath or pledge as referred to in paragraph (1), paragraph (2) and paragraph (3) shall be as follows:

##### Presidential (Vice-Presidential) Oath

"In the name of God, I hereby pledge an oath to carry out my obligations as the President (Vice-President) of the Republic of Indonesia to the utmost and as justly as possible, uphold the 1945 Constitution, and abide by all laws and regulations as strictly as possible, and serve the country and the people."

##### Presidential (Vice-Presidential) Pledge

"I hereby solemnly promise to carry out my obligations as the President (Vice-President) of the Republic of Indonesia to the utmost and as justly as possible, uphold the 1945 Constitution, and abide by all laws and regulations as strictly as possible, and serve the country and the people."

## **CHAPTER X**

### **REPEAT VOTING AND REPEAT COUNTING OF VOTES AND SUPPLEMENTARY VOTING, CONTINUATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTION AND SUPPLEMENTARY PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTION**

#### **Part One**

#### **Repeat Voting and Vote Counting**

##### **Article 70**

- (1) Vote counting at a TPS may be repeated if from observation and examination it is found that one or several of the following errors have occurred:
  - a. the vote count was closed to witnesses;
  - b. the vote count was conducted in a location which does not have sufficient lighting;
  - c. representatives of Candidate Pairs, election supervisors, election observers, and members of the community were not able to clearly witness the vote counting process;
  - d. the vote counting process was conducted at a location and period other than those which had been previously determined; and/or
  - e. an inconsistency occurred in determining valid and invalid votes.
- (2) Vote counting at the PPS level may be repeated in the event that there is a discrepancy in the data on the number of votes from the TPS.
- (3) Vote counting at the PPK level may be repeated in the event that there is a discrepancy in the data on the number of votes from the PPS.
- (4) In the event that there is a discrepancy in the data on the number of votes at the Regency/City KPU Provincial KPU and KPU, a recheck of the Recapitulation of the Vote Count Result Certificate is conducted at 1 (one) level below the respective level.

##### **Article 71**

- (1) Voting at a TPS may be repeated should a riot occur that renders the result of the voting to be unusable or prevents vote counting.
- (2) Voting at a TPS may be repeated, if, based on observation and examination by the sub-district election supervisory committee, it is proven that one or more of the following occurred:

- a. the opening of the ballot boxes and/or voting and vote counting documents have not been completed according to the applicable laws and regulations;
- b. KPPS personnel required the voters to make a specific mark, sign or write their names or addresses on the ballot papers being used;
- c. more than one person exercised his/her voting right twice at the same or several different TPS;
- d. KPPS personnel have by some means damaged more than one ballot paper which has been used by a voter, thus rendering them invalid; and/or
- e. more than one person who is not registered as a voter was given the opportunity to vote at the TPS.

## **Article 72**

Repeat voting and vote counting as referred to in Article 70 and Article 71 shall be determined by the PPK and shall be conducted no later than 20 (twenty) days after voting day.

## **Part Two**

### **Continuation of Presidential and Vice-Presidential Election and Supplementary Presidential and Vice-Presidential Election**

## **Article 73**

- (1) A Continuation of the Presidential and Vice-Presidential Election in a region shall be conducted in the event that some part of the Election stages in the region cannot be implemented.
- (2) The implementation of a Continuation of the Presidential and Vice-Presidential Election as referred to in paragraph (1) shall commence from the stage at which the election was postponed.
- (3) A Supplementary Presidential and Vice-Presidential Election shall be conducted in a region in the event that none of the Election stages in the region can be implemented.
- (4) The implementation of a Supplementary Presidential and Vice-Presidential Election as referred to in paragraph (3) shall commence from the beginning.

## **Article 74**

- (1) A Continuation and/or Supplementary Presidential and Vice-Presidential election shall be conducted if in a part of or all parts of a region, there were riots, security disturbances or a

natural disaster which prevented a part of or all of the implementation stages of the Presidential and Vice-Presidential Election from being conducted.

- (2) A Continuation and/or Supplementary Presidential and Vice-Presidential election shall be conducted after it has been determined to postpone the Presidential and Vice-Presidential election.
- (3) The national postponement of the Presidential and Vice-Presidential election is determined by the President on the proposal from the KPU should it not be able to conduct the Presidential and Vice-presidential election in 40% (forty percent) of the number of provinces or should 50% (fifty percent) of the number of registered voters not be able to exercise their right to vote.
- (4) Postponement of the Presidential and Vice-Presidential election shall be determined by:
  - a. the KPU on recommendation of the Provincial KPU, if such postponement covers one or several provinces;
  - b. the Provincial KPU on recommendation of the Regency/City KPU if such postponement covers one or several regencies/cities;
  - c. the Regency/City KPU on recommendation of the PPK, if such postponement covers one or several kecamatan ;
  - d. the Regency/City KPU on recommendation of the PPK if such postponement covers one or several villages/kelurahan.
- (5) In the event that there is a postponement of the conduct of the Presidential and Vice-Presidential election, as referred to in paragraph (4), the voting for the Continuation or Supplementary election shall be conducted no later than 7 (seven) days prior to the determination of the result of the election for President and Vice President.
- (6) In the event that the voting would exceed the time limit as referred in paragraph (5), it is not necessary to conduct this voting.
- (7) A Continuation or Supplementary Presidential and Vice-Presidential election as referred to in paragraph (1) and paragraph (2) shall be conducted subject to a decision by the official or institution authorized to determine the postponement of the Presidential and Vice Presidential election, as referred to in paragraph (3) and paragraph (4).
- (8) Further regulations on the postponement of the Presidential and Vice-Presidential election caused by permanent disability of a candidate or Candidate Pairs, as stipulated in Article 32 paragraph (3) and Article 33 paragraph (1), shall be determined by the KPU.
- (9) Further regulations on the procedures for a Continuation or Supplementary Presidential and Vice-Presidential election shall be determined by the KPU.

## **Article 75**

Conduct of stages of the Presidential and Vice-Presidential election in regions where it is impossible to have the Presidential and Vice-Presidential election activities conducted normally, shall be regulated by the KPU together with the Government.

## **CHAPTER XI**

### **SUPERVISION, LAW ENFORCEMENT, AND OBSERVATION OF THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTION**

#### **Part One**

#### **Supervision**

### **Article 76**

- (1) Supervision of the Presidential and Vice-Presidential Election shall be conducted by Election Supervisors.
- (2) Election Supervisors as referred in paragraph (1) shall be the Election Supervisors as stipulated in Law Number 12 of 2003 on the Election of members of the DPR, DPD and DPRD, unless stipulated otherwise in this law.

### **Article 77**

- (1) Election Supervisors have the following duties and authorities:
  - a. To supervise all stages of implementation of the Presidential and Vice-Presidential Election;
  - b. To accept reports pertaining to violations of laws for the Presidential and Vice-Presidential Election;
  - c. To settle disputes arising from the conduct of the Presidential and Vice-Presidential Election; and
  - d. To submit findings and unfinished reports to authorized institutions.
- (2) The work framework and coordination between the Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Sub-district Election Supervisory Committee shall be regulated by the Election Supervisory Committee.
- (3) To support supervision of the Presidential and Vice-Presidential Election, the organizers of the Presidential and Vice-Presidential Election, and other related parties, must expedite access to information by Election Supervisors, in accordance with the applicable legislation.

## **Article 78**

The Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Sub-district Election Supervisory Committee are established prior to the commencement of registration of voters and their duties shall end 30 (thirty) days after the taking of the pledge/oath by the President and Vice-President.

## **Part Two**

### **Law Enforcement**

#### **First Paragraph**

#### **Election Violation and Dispute Settlement**

## **Article 79**

- (1) Electoral violations at all stages of the Presidential and Vice-Presidential election shall be reported to the Election Supervisors.
- (2) Reports on electoral violations can be submitted by:
  - a. Citizens registered as voters;
  - b. Election observers;
  - c. Candidate Pairs and/or campaign teams.
- (3) Reports shall be submitted in writing or orally, containing:
  - a. The name and address of the reporter;
  - b. The time and place of occurrence;
  - c. The names and addresses of the perpetrators;
  - d. The names and addresses of witnesses; and
  - e. The details of the occurrence.
- (4) Reports as referred to in paragraph (3) shall be submitted to the Election Supervisors in the relevant jurisdiction no later than 7 (seven) days after the violation of the Presidential and Vice-Presidential Election law.
- (5) The reporting procedure shall be regulated further by the Election Supervisory Committee.



### **Article 80**

- (1) Election Supervisors analyze all reports of violations received.
- (2) Election Supervisors decide to process or not to process a report referred to in paragraph (1), no later than 7 (seven) days after the receipt of the report.
- (3) In the event Election Supervisors need additional information from the reporter to add to the report, the decision as referred to in paragraph (2) shall be taken no later than 14 (fourteen) days after the receipt of the report.
- (4) Reports on disputes which are not criminal in nature shall be settled by the Election Supervisors.
- (5) Reports on criminal acts will be forwarded to investigators.

### **Article 81**

- (1) Election Supervisors settle disputes in the following stages:
  - a. Confront the disputing parties for a dialog and consensus;
  - b. In the event that a consensus could not be reached, the Election Supervisors offer an alternative settlement to the disputing parties;
  - c. In the event that the decision as referred to in letter b could not be accepted by the parties in dispute, the Election Supervisors make a final and binding decision in relation to the objections raised by the disputing parties
- (2) A dispute as referred to in paragraph (1) shall be settled no later than 14 (fourteen) days after the day when the disputing parties met.

### **Article 82**

Election Supervisors shall forward findings of administrative violations to the KPU and of criminal violations to investigators.

## **Second Paragraph**

### **Investigation and Prosecution**

#### **Article 83**

- (1) All rules for investigation and prosecution of criminal acts regulated in this law are as determined by Law No. 8 of 1981 on Criminal Code of Conduct, except as regulated otherwise in this law.
- (2) Investigation of criminal acts regulated by this law shall be completed within 30 (thirty) days of the receipt of the report.
- (3) Investigators must submit the case file to the Attorney General no later than 7 (seven) days after the completion of the investigation.
- (4) The Attorney General shall delegate the case file to the court no later than 14 (fourteen) days after the receipt of the case file from the investigators.

## **Third Paragraph**

### **Examination in Court of Justice**

#### **Article 84**

- (1) Examination of criminal acts defined in this law is conducted by the general courts of justice.
- (2) Courts of justice, as referred to in paragraph (1), are District Courts, which are the first and the final level, for violations punishable by less than 18 (eighteen) months imprisonment.
- (3) Courts of justice, as referred to in paragraph (1), are District Courts for the first level and the Court of Appeal as the appellate and final level, for violations punishable by 18 (eighteen) months or more imprisonment.
- (4) Settlement of cases as referred to in paragraph (2) and paragraph (3) shall be no later than 21 (twenty one) days after the receipt of the case file by the District Court and no later than 14 (fourteen) days after the receipt of the case file by the Court of Appeal.

#### **Article 85**

In the event of a dispute about the result of the Election for the President and Vice President as referred to in Article 68, the Constitutional Court shall investigate and decide the matter as the first and final level of court.

**Part Three**  
**Election Observation**

**Article 86**

- (1) Observation of the Election of the President and Vice President may be conducted by election observers.
- (2) Election observers as referred to in paragraph (1), consist of non-governmental organizations, legal entities and representatives of foreign governments.
- (3) Election observers as referred to in paragraph (2), whether from abroad or local, must register with and be accredited by the KPU, after fulfilling the relevant requirements.
- (4) Election observers must:
  - a. Be independent; and
  - b. Have a transparent source of funding;
- (5) In addition to fulfilling the requirements as stipulated in paragraph (4), observers from foreign non-governmental organization and legal entities must fulfill the following requirements:
  - a. Have competence and experience in the field of presidential election observation in other countries; and
  - b. Obtain a visa as an election observer.

**Article 87**

- (1) Election observers must submit reports on their observation results to the KPU, no later than 7 (seven) days after the inauguration of the elected President and Vice-President.
- (2) Election observers must adhere to the applicable laws and to all regulations determined by the KPU.
- (3) Election observers that do not fulfill their obligations as referred to in paragraph (2) and/or no longer meet the requirements as stipulated in Article 86 paragraph (4) shall have their rights as election observers revoked.
- (4) Procedures for becoming an election observer, and procedures for election observation and revocation of rights as an election observer shall be determined by the KPU.

**CHAPTER XII**  
**CRIMINAL PROVISIONS**

**Article 88**

- (1) Any person who intentionally provides false information with regard to his/her identity or that of another person on a matter required for the completion of a Voter Registration form, shall be punishable by imprisonment for between 15 (fifteen) days and 3 (three) months and/or a fine of between Rp. 100,000 (one hundred thousand rupiah) and Rp. 1,000,000 (one million rupiah).
- (2) Any person who intentionally causes another person to lose his/her right to vote and the person who loses his/her right to vote objects, shall be punishable by imprisonment for between 1 (one) month and 6 (six) months and/or a fine of between Rp. 200,000 (two hundred thousand rupiah) and Rp. 2,000,000 (two million rupiah).
- (3) Any person who intentionally forges a document, which is required by a provision in this Law for any action in the conduct of a Presidential and Vice-Presidential Election, with the intention of it being used by himself/herself or by any other person as a valid document or a document which has not been forged, shall be punishable by imprisonment for between 3 (three) months and 18 (eighteen) months and/or a fine of between Rp. 600,000 (six hundred thousand rupiah) and Rp 6,000,000 (six million rupiah).
- (4) Any person who, with the knowledge that a document as referred to in paragraph (3) is invalid or has been forged, intentionally uses or causes another person to use it as a valid original document shall be punishable by imprisonment for between 3 (three) months and 18 (eighteen) months and/or a fine of between Rp. 600,000 (six hundred thousand rupiah) and Rp 6,000,000 (six million rupiah)
- (5) Any person who at the time of voters registration, with undue force or by using a threat of violence, obstructs a person intending to register as a voter for the Presidential and Vice-Presidential Election in accordance with this law, shall be punishable by imprisonment for between 3 (three) months and 18 (eighteen) months and/or a fine of between Rp. 600,000 (six hundred thousand rupiah) and Rp 6,000,000 (six million rupiah)
- (6) Any person who intentionally provides false information or uses a forged document as a valid original document for matters required for the completion of the requirements for becoming a Candidate Pair, shall be punishable by imprisonment for between 3 (three) months and 18 (eighteen) months and/or a fine of between Rp. 600,000 (six hundred thousand rupiah) and Rp 6,000,000 (six million rupiah)

**Article 89**

- (1) Any person who intentionally conducts a campaign outside the timetable regulated by the KPU for each Candidate Pair, as stipulated in Article 35 paragraph (2), shall be punishable by imprisonment for between 15 (fifteen) days and 3 (three) months and/or a fine of between Rp. 100,000 (one hundred thousand rupiah) and Rp 1,000,000 (one million rupiah).

- (2) Any person who intentionally violates the rules on prohibitions of electoral campaign activities as stipulated in Article 38 sub paragraph a, sub paragraph b, sub paragraph c, sub paragraph d and sub paragraph e, shall be punishable by imprisonment for between 3 (three) months and 18 (eighteen) months and/or a fine of between Rp. 600,000 (six hundred thousand rupiah) and Rp 6,000,000 (six million rupiah)
- (3) Any person who intentionally violates the rules on prohibitions of electoral campaign activities as stipulated in Article 38 sub paragraph f, and sub paragraph g, Article 39 paragraph (1), paragraph (3) and paragraph (4), shall be punishable by imprisonment for between 1 (one) month and 6 (six) months and/or a fine of between Rp. 100,000 (one hundred thousand rupiah) and Rp. 1,000,000 (one million rupiah).
- (4) Any state official, structural and functional official holding a state position, and chief of village (however titled), who intentionally violates the prohibition stipulated in Article 40 shall be punishable by imprisonment for between 1 (one) month and 6 (six) months and/or a fine of between Rp. 600,000 (six hundred thousand rupiah) and Rp. 6,000,000 (six million rupiah).
- (5) Any person who intentionally disrupts, obstructs or disturbs the course of an election campaign shall be punishable by imprisonment for between 1 (one) month and (six) months and/or a fine of between Rp. 600,000 (six hundred thousand rupiah) and Rp 6,000,000 (six million rupiah).
- (6) Any person who gives or receives a contribution to campaign funds exceeding the specified limits as stipulated in Article 43 paragraph (3) shall be punishable by imprisonment for between 4 (four) months and 24 (twenty four) months and/or a fine of between Rp. 200,000,000,(two hundred million rupiah) and Rp 1,000,000,000 (one billion rupiah).
- (7) Any person who intentionally makes or receives a contribution to campaign funds to or from prohibited parties as stipulated in Article 45 paragraph (1), shall be punishable by imprisonment for between 4 (four) months and 24 (twenty four) months and/or a fine of between Rp. 200,000,000 (two hundred million rupiah) and Rp 1,000,000,000 (one billion rupiah).
- (8) Any person who intentionally give false information in the Electoral Campaign Fund Report as required by this law, shall be punishable by imprisonment for between 2 (two) months and 12 (twelve) months and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).

#### **Article 90**

- (1) Any person who intentionally uses undue force or a threat of violence and obstructs a person intending to exercise his/her right to vote shall be punishable by imprisonment for between 2 (two) months and 12 (twelve) months and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).
- (2) Any person who intentionally provides or promises money or other materials to a person with the intention to prevent that person from exercising his/her right to vote, or to vote for a certain Candidate Pair, or to cause that person to exercise his/her right to vote in a certain manner so that the ballot becomes invalid, shall be punishable by imprisonment for

between 2 (two) months and 12 (twelve) months and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).

- (3) Any person who intentionally participates in the Presidential and Vice-Presidential Election regulated under this Law by impersonating another person, shall be punishable by imprisonment for between 15 (fifteen) days and 60 (sixty) days and/or a fine of between Rp. 100,000 (one hundred thousand rupiah) and Rp 1,000,000 (one million rupiah).
- (4) Any person who intentionally votes more than the number of times as stipulated in this law at the same or different TPS, shall be punishable by imprisonment for between 1 (one) month and 4 (four) months and/or a fine of between Rp. 200,000 (two hundred thousand rupiah) and Rp 2,000,000 (two million rupiah).
- (5) Any person who intentionally causes the voting to fail shall be punishable by imprisonment for between 6 (six) months and 3 (three) years and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).
- (6) An employee/superior who does not provide an opportunity to an employee to exercise his/her right to vote without providing a reason why the duty of the employee makes it impossible to do so, shall be punishable by imprisonment for between 2 (two) months and 12 (twelve) months and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).
- (7) Any person who at the time of voting intentionally assists a voter other than a voter stipulated in Article 50 paragraph (1), shall be punishable by imprisonment for between 2 (two) months and 12 (twelve) months and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).
- (8) Any person who acts as an assistant to a voter as stipulated by Article 50 paragraph (2), and intentionally discloses the choice of the voter to another person shall be punishable by imprisonment for between 2 (two) months and 12 (twelve) months and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).

#### **Article 91**

- (1) Any person who intentionally commits an act which causes a person's vote to be worthless or causes a certain Candidate Pair to receive additional or a reduced number of votes, shall be punishable by imprisonment for between 2 (two) months and 1 (one) year and/or a fine of between Rp. 1,000,000 (one million rupiah) and Rp 10,000,000 (ten million rupiah).
- (2) Any person who intentionally causes the destruction or loss of a sealed result of voting shall be punishable by imprisonment for between 4 (four) months and 2 (two) years and/or a fine of between Rp. 2,000,000 (two million rupiah) and Rp 20,000,000 (twenty million rupiah).
- (3) Any person who due to his/her negligence, causes destruction or loss of a sealed result of voting shall be punishable by imprisonment for between 15 (fifteen) days and 2 (two) months and/or a fine of between Rp. 100,000 (one hundred thousand rupiah) and Rp. 1,000,000 (one million rupiah).
- (4) Any person who intentionally changes the result of the vote count and/or the Official Report and Result of Vote Count Certificate, shall be punishable by imprisonment for

between 6 (six) months and 3 (three) years and/or a fine of between Rp. 100,000,000 (one hundred million rupiah) and Rp 1,000,000,000 (one billion rupiah).

#### **Article 92**

In the event that a criminal act is committed intentionally by election organizers or a Candidate Pair, the criminal sanction shall be increased by 1/3 (one third), from the sanction stipulated in the relevant article.

### **CHAPTER XIII**

#### **MISCELLANEOUS PROVISIONS**

#### **ARTICLE 93**

Where matters relating to the KPU, Provincial KPUs, Regency/City KPUs, Sub District Election Committees, Overseas Election Committees, Village Election Committees, Voting Station Committees, Overseas Voting Station Committees, have not been regulated in *Law No 12 of 2003 on the Election of the Members of the DPR, DPD and DPRD*s, the relevant provisions in this law shall prevail.

#### **ARTICLE 94**

Financial rights of the head and the members of the KPU, and the staff of the election management bodies, and of the head and the members of the Election Supervisors, shall be regulated by Government Regulation.

#### **ARTICLE 95**

- (1) Members of the KPU, Provincial KPUs, Regency/City KPUs, as well as members of the Election Supervisors, are prohibited from receiving or accepting domestic and/or foreign aid from outside the State budget (APBN) and regional budget (APBD), for activities related to the conduct of the stages of the election.
- (2) Violation of the provisions of paragraph (1) shall be punishable by dismissal from membership of the KPU, a Provincial KPU, Regency/City KPU or an Election Supervisory Committee (PANWAS).

#### **ARTICLE 96**

- (1) KPU decrees which are implementation mechanisms of the law, which relate to the implementation of the election, shall be submitted to the DPR, the President, and made available to the public, no later than 3 days after the decree has been enacted.
- (2) A KPU decree as described in paragraph (1) may be reviewed by the Supreme Court.

#### **Article 97**

- (1) In the event that extraordinary issues affect the membership of the KPU, causing the KPU to be unable to perform their duties in accordance with the law, in the interim the Election shall be conducted by the remaining KPU apparatus.
- (2) In the event that the KPU is unable to perform its duties as referred to in paragraph (1), the President and the People's Representative Council must take action within 1 (one) month to enable the KPU to regain the capacity to conduct its duties.

#### **Article 98**

Election observers from foreign non-governmental organizations and legal entities who have received accreditation to observe the Election of members of the DPR, DPD and DPRD must be accredited again to observe the Presidential and Vice-Presidential Election.

#### **Article 99**

The Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Sub-district Election Supervisory Committee whose duties end no later than 1 (one) month after all stages of the general election are finalized, as stipulated in Article 126 of Law Number 12 of 2003 on Election of members of the DPR, DPD and DPRD shall have the period of their official duties extended until 30 (thirty) days after the taking of the oath/pledge by the President and Vice-President.

#### **Article 100**

PPK, PPLN, PPS, KPPS and KPPLN whose duties end in accordance with Article 17 of Law Number 12 of 2003 on Election of members of DPR, DPD and DPRD shall have the period of their official duties extended until 30 (thirty) days after voting day for the election of the President and Vice-President.

### **CHAPTER XIV**

#### **TRANSITIONAL PROVISIONS**

#### **Article 101**

Specifically for the 2004 Election of the President and Vice President, a participating political party or coalition of political parties which obtains at least 3% (three percent) of the number of



seats in the DPR, or 5% (five percent) of the valid votes nationally, in the election for members of the DPR in the year 2004, may nominate a Candidate Pair.

#### **Article 102**

In the 2004 Election, members of the National Armed Forces (TNI) and the Indonesian Police Force (PoLRI) shall not exercise their rights to vote.

### **CHAPTER XV**

#### **CONCLUDING PROVISIONS**

#### **Article 103**

This Law shall come to effect upon its promulgation.

In order to be known by every person, it is hereby ordered that this law be published in the State Gazette of the Republic of Indonesia.

Ratified in Jakarta

On 31 July 2003

PRESIDENT OF THE REPUBLIC OF INDONESIA

MEGAWATI SOEKARNO PUTRI

Promulgated in Jakarta

On 31 July 2003

**STATE MINISTER/STATE SECRETARY**

**THE REPUBLIC OF INDONESIA**

**BAMBANG KESOWO**

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2003 NUMBER 93

**ELUCIDATION  
OF  
LAW OF THE REPUBLIC OF INDONESIA  
NUMBER 23 OF 2003  
ON**

**THE GENERAL ELECTION OF THE PRESIDENT AND VICE PRESIDENT**

**I. GENERAL**

**1. Background**

The fourth paragraph of the preamble of the 1945 Constitution of the Republic of Indonesia, among other things, states that the freedom of the nation of Indonesia is compiled in a Constitution, which is formulated in a state structure of people's sovereignty of the Republic of Indonesia.

Article 1 paragraph (2) of the amended 1945 Constitution of the Republic of Indonesia states that "the sovereignty lies on the hand of its people and is implemented in accordance with its Constitution." This amendment means that the people's sovereignty is no longer exercised fully by the MPR, but it is exercised in accordance with the stipulation in the Constitution. One of the outcomes of people's sovereignty is the implementation of a general election both to elect members of DPR, DPR and DPRD as well as to elect the President and Vice-President, all of which are implemented in accordance with the legislation as the materialization of a constitutional state within the framework of the Integrated State of the Republic of Indonesia.

Article 6A of the 1945 Constitution states that "The President and Vice-President are elected in one pair directly by the people" and that "The Presidential and Vice-Presidential candidate pair shall be nominated, before the commencement of General Election, by a political party or a coalition of political parties participating in the election." The President and Vice-President are elected once every five years in a direct, public, free, secret, honest, and fair general election, which is organized by an election commission which is national, permanent and independent.

Political parties are the main channel to struggle for the aspirations of the people, nation and country, as well as an infrastructure of regeneration and recruitment of national leadership. Therefore, the electoral participants in the Presidential and Vice-Presidential Election are candidate pairs nominated by a political party or coalition of political parties, whose nomination is conducted democratically and openly in accordance with the internal mechanism of the political party or by agreement amongst the coalescing political parties.

A direct Presidential and Vice-Presidential election by the people is a political process for the people of Indonesia to move towards a more democratic and accountable political culture. Therefore, to ensure a Presidential and Vice-Presidential election of higher quality, which promotes a healthy degree of competition, is participative and accountable, it is necessary to formulate a law on Presidential and Vice-Presidential elections.

## **2. Objective**

The Presidential and Vice Presidential Election is held with the objective to elect a President and Vice-President who have strong support from the people so that they would be able to exercise functions of state government powers to achieve national goals as mandated by the 1945 Constitution.

## **2. The Principle**

Based on Article 22E paragraph (1) of the 1945 Constitution, the Presidential and Vice-Presidential Election is held directly, publicly, freely, secretly, honestly and fairly.

### **Direct**

People as voters have the right to give their votes directly, in accordance with their aspirations and conscience, without any mediator.

### **Public**

Basically, all citizens who fulfill the requirements in accordance with this law have the right to participate in the election. An election of public nature means guaranteeing that opportunities are given fully to all citizens, without discrimination on grounds of ethnicity, religion, race, group, gender, region, occupation and social status.

### **Free**

Every citizen eligible to vote is free to determine his or her choice without any pressure or intimidation from anybody. In exercising his or her right, each citizen is guaranteed his/her security, so that he/she can vote in accordance with his/her aspirations and conscience.

### **Secret**

It is ensured that voters choices in voting are not known by any party and by any means. Voters give their votes on the ballot papers without any person knowing to whom the vote is given.

### **Honest**

In the implementation of the Election, every election organizer, government apparatus, candidate pair, political party, campaign team,

election supervisor, election observer, voters and all related parties must behave and act honestly in accordance with the legislation.

### **Fair**

In the implementation of the Election, every election organizer and all related parties must behave and act fairly. Voters and candidate pairs must receive fair treatment, free from fraud by any party.

## **4. Implementation of the Presidential and Vice-Presidential Election**

The Presidential and Vice-Presidential election is part of the same series as the election of the members of the DPR, DPD and DPRD, conducted once in five years. A direct Presidential and Vice-Presidential election shall give stronger legitimacy to the elected President and Vice President in executing the state government's power.

The KPU and its apparatus as the organizers of the election of members of the DPR, DPD and DPRD, is also the organizer of the Presidential and Vice-Presidential election, and whose terms of office are adjusted by the provisions in this law. The provisions on the KPU and its apparatus as stipulated in Law Number 12 of 2003 on the Election of members of DPR, DPD and DPRD shall be enacted by this law, and for matters that have not been regulated in Law Number 12 of 2003, stipulations in this law shall be enacted.

## **5. Electoral Participants in the Presidential and Vice-Presidential Election**

Candidate pairs who can participate in the Presidential and Vice-Presidential election shall be Candidate Pairs nominated by an eligible political party or coalition of political parties. A political party or coalition of political parties may only nominate one pair of eligible candidates if it obtains at least 15% of the number of seats in the DPR or at least 20% of the national valid votes in the election of members of the DPR. This regulation means that political parties as the channel of public political participation to nominate candidates, have conducted a preliminary selection of the Presidential and Vice-Presidential candidates. In addition to the requirements for the political parties, the Presidential and Vice-Presidential candidates must also fulfill the requirements as regulated in the 1945 Constitution.

Moreover, the requirement that at least two candidate pairs stand for a direct election means that the people have the opportunity to select the best Candidate Pair.

## **6. Supervision, Observation and Law Enforcement**

Supervision and observation of the election shall be based on the principle of accountability. The implementation of the general election is supervised to accommodate and respond to reports of violations and disputes. The implementation of the Presidential and Vice-Presidential election shall be

supervised by Election Supervisors as stipulated in Law Number 12 of 2003 on the General Election of Members of the DPR, DPD and DPRD, whose terms of office shall be adjusted in accordance with this law. Violations and the resolution of electoral disputes related to administrative provisions and election procedures shall be handled by the KPU. Law enforcement related to criminal provisions shall be conducted by a general judicial court. Resolution of disputes about the result of a Presidential and Vice-Presidential election shall be conducted by the Constitutional Court.

## **II. INTERPRETATION BY ARTICLE**

### Article 1

Sufficiently clear

### Article 2

Sufficiently clear.

### Article 3

#### Paragraph (1)

Sufficiently clear

#### Paragraph (2)

The Presidential and Vice-Presidential Election is conducted on a holiday or a day declared as a holiday, to give the fullest opportunity to society to exercise their voting rights without any psychological burden to do other activities which could distract their orientation towards voting.

#### Paragraph (3)

Sufficiently clear

#### Paragraph (4)

Sufficiently clear

### Article 4

Sufficiently clear

## Article 5

### Paragraph (1)

The meaning of coalition of Political Parties is a coalition between 2 (two) or more political parties to nominate Candidate Pairs before the registration period is closed by the KPU. The coalition of political parties shall be substantiated with at least a nomination intention statement from the coalition.

### Paragraph (2)

Notification of Candidate Pairs is meant for the interest of the political party or coalition of political parties as well as for the voters to know the Presidential or the Vice-Presidential candidates nominated by a political party or coalition of political parties.

### Paragraph (3)

Sufficiently clear.

### Paragraph (4)

A political party or coalition of political parties, in fulfilling the requirements for nomination of Candidate Pairs, can only use either of the percentage of seats allocated in the DPR, or the percentage of valid votes obtained at the DPR election.

## Article 6

### Letter a

Have faith in God Almighty means exercising his/her religious belief.

### Letter b

Citizens who become Presidential and Vice-Presidential candidates are citizens who display the cultural values, customs and sincerity towards the nation of Indonesia, and have the spirit of national patriotism towards the Unitary State of the Republic of Indonesia.

The meaning of 'have never accepted other citizenship by their own choice' is have never become a citizen of a country other than the Republic of Indonesia or have never possessed double citizenship by his/her own choice.

Letter c

'Never committed treason against the state' means have never been involved in a separatist movement, have never committed unconstitutional action or violently attempted to overthrow the basic principle of the state, and have never violated the 1945 Constitution of the Republic of Indonesia.

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

Sufficiently clear

Letter h

Sufficiently clear

Letter i

Sufficiently clear

Letter j

'Never committed impeachable conduct' means have never undertaken any action that is against the religious, moral and cultural norms, such as gambling, being drunk, using drugs and adultery.

Letter k

Sufficiently clear

Letter l

If the candidate has not qualified, or has not fully met the qualifications to be a taxpayer for the last 5 (five) years, the tax obligation is calculated from the time the candidate became a taxpayer.

Letter m

Sufficiently clear

Letter n

Two terms of office in the same office means the candidate has never filled the same office for two terms of office, whether consecutively or not, even though the term of office is less than 5 (five) years.

Letter o

The qualification of loyalty to Pancasila as the state's principle, the 1945 Constitution of the Republic of Indonesia and the aspirations of the August 17, 1945 Proclamation is substantiated by recommendation and guarantee from the leaders of the political party or coalition of political parties.

Letter p

Requirement stipulated in letter p is exempt for those who have received amnesty and/or rehabilitation.

Letter q

Sufficiently clear

Letter r

Sufficiently clear

Letter s

Requirement stipulated in letter s includes the members of other organizations prohibited by law.

Letter t

Sufficiently clear



Article 7

Sufficiently clear

Article 8

Sufficiently clear

Article 9

Sufficiently clear

Article 10

Sufficiently clear

Article 11

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

The budget used by the KPU shall be audited periodically by the State Audit Agency

Letter g

Sufficiently clear

Article 12

Sufficiently clear

Article 13

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

For the use of funds from the State Budget by the Provincial KPU, the audit shall be conducted periodically by the State Audit Agency.

For the use of funds from the Regional Budget by the Provincial KPU, the audit shall be conducted periodically by the State Audit Agency and/or other functional supervisory apparatus.

Letter h

Sufficiently clear

Article 14

Sufficiently clear

Article 15

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

For the use of funds from the State Budget by the Regency/City KPU, the audit shall be conducted periodically by the State Audit Agency.

For the use of funds from the Regional Budget by the Regency/City KPU, the audit shall be conducted periodically by the State Audit Agency and/or other functional supervisory apparatus.

Letter h

Sufficiently clear

Article 16

Sufficiently clear

Article 17

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

The procedures for procurement of ballot papers and election equipment shall be implemented in accordance with the law.

Article 18

Sufficiently clear

Article 19

Paragraph (1)

Sufficiently clear

Paragraph (2)

Ballot papers shall be distributed paying attention to the principles of effectiveness and efficiency.

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Article 20

Paragraph (1)

Sufficiently clear

Paragraph (2)

The Supplementary voter register is the register of new voters, which is different from the voter register for the election of members of the DPR, DPD and DPRD. Supplementary new voters may be due to attaining the age eligibility requirement, due to marriage, due to change of status from Armed Forces/Police Force to civilians, or to other causes.

Article 21

The proof of registration shall be exchanged for the voters card after the announcement of the final voters register.

Article 22

Sufficiently clear

Article 23

Sufficiently clear

Article 24

Sufficiently clear

Article 25

Sufficiently clear

Article 26

Sufficiently clear

Article 27

Letter a

What is meant by leaders of the political parties are the General Chairperson and General Secretary of the political parties, or holders of other leadership titles in accordance with the authority based on the articles of association/by laws of the relevant political parties.

Letter b

Sufficiently clear

Letter c

What is meant by leaders of the political parties are the General Chairperson and General Secretary of the political parties, or other leadership titles in accordance with the authority based on the articles of association/by laws of the relevant political parties.

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

Sufficiently clear

Letter h

Sufficiently clear

Article 28

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

The KPU shall examine the nomination letter and the information provided in relation to the election requirements by clarifying their contents with the institutions that issued the statements. The public may give inputs, substantiated by written evidence, to the KPU, on the candidates' information in relation to the election requirements.

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Paragraph (7)

Sufficiently clear

Article 29

Sufficiently clear

Article 30

Sufficiently clear

Article 31

Sufficiently clear

Article 32

Paragraph (1)

'Permanently incapable of being a candidate' means deceased or no longer eligible to be a candidate for President or Vice-President.

Paragraph (2)  
Sufficiently clear

Paragraph (3)  
Sufficiently clear

Paragraph (4)  
Sufficiently clear

Article 33  
Sufficiently clear

Article 34  
Sufficiently clear

Article 35  
Paragraph (1)  
Sufficiently clear

Paragraph (2)  
Sufficiently clear

Paragraph (3)  
Sufficiently clear

Paragraph (4)  
Sufficiently clear

Paragraph (5)  
Sufficiently clear

Paragraph (6)  
Sufficiently clear



Paragraph (7)

Sufficiently clear

Paragraph (8)

Sufficiently clear

Paragraph (9)

Regulated and facilitated by the KPU means that KPU shall regulate that the implementation of the improvement of the vision, mission and programs of the Candidate Pairs shall be no longer than 3 (three) days, for which funding is given by the KPU

Paragraph (10)

Sufficiently clear

Article 36

Sufficiently clear

Article 37

Paragraph (1)

Sufficiently clear

Paragraph (2)

Candidate Pairs must not use opportunities to place advertisements that are not taken up by another Candidate Pair.

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Paragraph (7)

Sufficiently clear

Paragraph (8)

Sufficiently clear

Paragraph (9)

Sufficiently clear

Article 38

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Disturb public order means a condition in which it is not possible to implement normal general government service and public activities.

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

Educational facilities as referred to in letter g are excluded, providing it is based on initiatives of, or have prior consent from the leaders of the educational institutions, with equal opportunities for all electoral participants, and that it does not hinder the teaching or learning process

Article 39

Sufficiently clear

Article 40

State officials in this law include the President, Vice-President, ministers/chairpersons of non-departmental state institutions, governors, vice-governors, regents, vice-regents, mayors and vice mayors.

Decisions/policies that benefit or harm, shall be substantiated by a significant report, supported by evidence.

Article 41

Sufficiently clear

Article 42

Paragraph (1)

Promising and/or giving money or other materials to influence voters means an action initiated by candidates and/or the Campaign Team to influence voters.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Article 43

Paragraph (1)

Sufficiently clear

Paragraph (2)

Special accounts shall be opened using the names of the Candidate Pairs and the names of the Campaign Teams, from the time the Candidate Pairs are determined by the KPU and shall be closed on the day after the campaign period is over. Campaign fund revenue can only be deposited in the special account on behalf of the Candidate Pairs, and can be used through the account of the Campaign Team.

Paragraph (3)

Sufficiently clear

Paragraph (4)

In-kind contributions must be able to be converted to cash value and the value must not exceed the limit of contributions stipulated in this law.

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Paragraph (7)

Sufficiently clear

Article 44

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Paragraph (6)

Campaign fund report means report of campaign fund before or after being audited. Maintained means being held in the state archives.

Article 45

Sufficiently clear

Article 46

Sufficiently clear

Article 47

Sufficiently clear

Article 48

Sufficiently clear

Article 49

Sufficiently clear

Article 50

Sufficiently clear

Article 51

Sufficiently clear

Article 52

Sufficiently clear

Article 53  
Sufficiently clear

Article 54  
Sufficiently clear

Article 55  
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Article 56  
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Article 57  
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Article 58  
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Article 59  
Sufficiently clear

Article 60  
Sufficiently clear

Article 61  
Sufficiently clear

Article 62  
Sufficiently clear

Article 63  
Sufficiently clear

Article 64

Sufficiently clear

Article 65

Sufficiently clear

Article 66

Sufficiently clear

Article 67

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Hierarchy of the breadth of area from which votes are received means the candidate who is more superior in more provinces, regencies/cities.

Paragraph (4)

Hierarchy of the breadth of area from which votes are received means the candidate who is more superior in more provinces, regencies/cities.

Article 68

Paragraph (1)

The Candidate Pairs may give power of attorney to the nominating political parties or coalition of political parties, Campaign Teams or attorneys at law, to lodge objections against the determination of the result of the Presidential and Vice-Presidential election. The objection must be submitted within 3 (three) days or 3 x 24 hours and, subsequently, the Constitutional Court must give confirmation to the KPU on whether there are, or are not, any objections against the determination of Presidential and Vice-Presidential election.

Paragraph (2)

Sufficiently clear

Paragraph (3)  
Sufficiently clear

Paragraph (4)  
Sufficiently clear

Article 69  
Sufficiently clear

Article 70  
Sufficiently clear

Article 71  
Sufficiently clear

Article 72  
Sufficiently clear

Article 73  
Paragraph (1)  
Region means province, regency/city, sub-district (*kecamatan*), or overseas representative office of the Republic of Indonesia.

Paragraph (2)  
Sufficiently clear

Paragraph (3)  
Sufficiently clear

Paragraph (4)  
Sufficiently clear



Article 74

Sufficiently clear

Article 75

Regions in which it is impossible to conduct Presidential and Vice-Presidential election activities means regions with military emergency status, regions with civilian emergency status, and/or regions with conflicts.

Article 76

Sufficiently clear

Article 77

Sufficiently clear

Article 78

Sufficiently clear

Article 79

Sufficiently clear

Article 80

Sufficiently clear

Article 81

Sufficiently clear

Article 82

Sufficiently clear

Article 83

Sufficiently clear

Article 84

Sufficiently clear

Article 85  
Sufficiently clear

Article 86  
Sufficiently clear

Article 87  
Sufficiently clear

Article 88  
Sufficiently clear

Article 89  
Sufficiently clear

Article 90  
Sufficiently clear

Article 91  
Sufficiently clear

Article 92  
Election organizers liable to be sanctioned are the KPU, Provincial KPU, Regency/City KPU, PPK, PPS, PPLN, KPPS, KPPSLN and Electoral Supervisors. Electoral participants liable to be sanctioned are the Candidate Pairs and/or their Campaign Teams.

Article 93  
Sufficiently clear

Article 94  
Government Regulations on the financial rights of the leadership and members of the KPU and members of Election Supervisory Committees shall be constructed

with regard to the Regulation of the Salary of Civil Servants and the principles of state financial management.

#### Article 95

##### Paragraph (1)

The KPU's funds shall come only from the State budget (APBN) and regional budgets (APBD). If the KPU obtains financial aid from other than the State and regional budgets, such as technical assistance, technical cooperation, partnership or any other aid, this must be implemented within the State budgetary (APBN) mechanism, or the State's financial management mechanism. Financial aid from other than the State and regional budgets which has been provided before this law comes into effect, must be adjusted so as to adhere to State financial management and foreign technical cooperation procedures, in accordance with the law and regulations, and shall be facilitated by the government.

##### Paragraph (2)

Sufficiently clear

#### Article 96

Sufficiently clear

#### Article 97

Sufficiently clear

#### Article 98

Sufficiently clear

#### Article 99

Sufficiently clear

#### Article 100

Sufficiently clear

#### Article 101

Sufficiently clear

Article 102

Sufficiently clear

Article 103

Sufficiently clear

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