

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 13 OF 2022
ON
THE SECOND AMENDMENT TO LAW NUMBER 12 OF 2011
ON LEGISLATION MAKING

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that Legislation Making in support of the achievement of the direction and objectives of national legal development is carried out in a planned, integrated, and sustainable manner to realize legal certainty and sovereignty in the hands of the people as mandated by the 1945 Constitution of the Republic of Indonesia;
 - b. that in order to realize the planned, integrated, and sustainable Legislation Making, it is necessary to regulate and improve the mechanism of Legislation Making from planning, preparation, discussion, endorsement, enactment or issuance to promulgation by adding, among other things, regulation regarding the omnibus method in Legislation Making and strengthening meaningful public participation and involvement;
 - c. that Law Number 12 of 2011 on Legislation Making, as amended by Law Number 15 of 2019 on Amendment to Law Number 12 of 2011 on Legislation Making remains imperfect and has not yet accommodated the development of public need, so it needs to be amended;
 - d. that based on the considerations referred to in point a, point b, and point c, it is necessary to enact a Law on the Second Amendment to Law Number 12 of 2011 on Legislation Making;
- Observing :
1. Article 20, Article 21, and Article 22A of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended by Law Number 15 of 2019 on Amendment to Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of

Indonesia of 2019 Number 183, Supplement to the State Gazette of the Republic of Indonesia Number 6398);

With Joint the Approval of
THE HOUSE OF REPRESENTATIVES
and
PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

To enact : LAW ON THE SECOND AMENDMENT TO LAW NUMBER 12 OF 2011 ON LEGISLATION MAKING.

Article I

Several provisions in Law Number 12 of 2011 on the Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended by Law Number 15 of 2019 on Amendment to Law Number 12 of 2011 on the Legislation Making (State Gazette of the Republic of Indonesia of 2019 Number 183, Supplement to State Gazette of the Republic of Indonesia Number 6398) are amended as follows:

1. Elucidation of Article 5 point g amended as stated in the elucidation.
2. The provisions of Article 9 are amended to read as follows:

Article 9

- (1) In the event that a Law is considered contradictory to the 1945 Constitution of the Republic of Indonesia, the review on the Law is carried out by the Constitutional Court.
- (2) In the event that legislation subordinate to Law is considered contradictory to a Law, the review on the Law is conducted by the Supreme Court.
- (3) The review on a Law by the DPR in the Constitutional Court as referred to in section (1) within the DPR's scope is coordinated by DPR's complementary organ discussing the Draft Law by involving the commission in the field of law and legislation.
- (4) In the event that the DPR's complementary organs as referred to in section (3) no longer exist at the time the Law is reviewed in the Constitutional Court as referred to in section (1), the commission in the field of law and legislation becomes the DPR's proxy.
- (5) The handling of the review on a Law in the Constitutional Court as referred to in section (1) and the handling of judicial review of legislation subordinate to Law in the Constitutional Court as referred to in section (2) in the Supreme Court as referred to in section (2) within the Government is carried out by the minister or head of the institution administering government affairs in the field of Legislation Making and involves the minister or head of the relevant institution.

- (6) Further provisions regarding the handling of the review as referred to in section (3) and section (4) are regulated in a DPR Regulation and the handling of the review as referred to in section (5) are regulated in a Presidential Regulation.
3. After the Part Six of Chapter IV, 1 (one) section is added, namely the Part Seven Section so that it reads as follows:

Part Seven
Planning of Legislation using Omnibus Method

4. Between Article 42 and Article 43, 1 (one) article is inserted, namely Article 42A, so it reads as follows:

Article 42A

The use of omnibus method in the preparation of Draft Legislation must be determined in the planning document.

5. The provisions of section (2) of Article 49 are amended to read as follows:

Article 49

- (1) A Draft Law from the DPR is submitted by a letter from the DPR leadership to the President.
- (2) The President assigns a minister representing to discuss the Draft Law accompanied by a problem inventory list with the DPR within a maximum period of 60 (sixty) days as of the receipt of the DPR leader's letter.
- (3) The Minister as referred to in section (2) coordinates the preparation of the discussion with the minister or head of the institution administering government affairs in the field of Legislation Making.

6. The provisions of Article 58 are amended to read as follows:

Article 58

- (1) Harmonization, unification, and consolidation of the conception of the Draft Provincial Regulation are coordinated by the minister or head of the institution administering government affairs in the field of Legislation Making.
- (2) Harmonization, unification, and consolidation of the conception of the Draft Provincial Regional Regulation as referred to in section (1) are carried out by the vertical institution of the ministry or the agency administering government affairs in the field of Legislation Making.

7. Between section (1) and section (2) of Article 64, 2 (two) sections are inserted, namely section (1a) and section (1b) so that Article 64 reads as follows:

Article 64

- (1) Preparation of a Draft Legislation is in accordance with the Legislative drafting techniques.
 - (1a) The preparation of a Draft Legislation as referred to in section (1) may use the omnibus method.
 - (1b) The omnibus method as referred to in section (1a) is a method of the preparation of Legislation by:
 - a. containing a new material content;
 - b. changing the material content that has relations and/or legal needs that are regulated in various Legislation of the same type and hierarchy; and/or
 - c. repealing Legislation of the same type and hierarchy,by combining them into one Legislation to achieve certain objectives.
 - (2) Provisions regarding the Legislative drafting techniques as referred to in section (1) are attached in Annex II as an integral part of this Law.
 - (3) Provisions regarding changes to the Legislative drafting techniques as referred to in section (2) are regulated by a Presidential Regulation.
8. Between section (1) and section (2) of Article 72, 2 (two) sections are inserted, namely section (1a) and section (1b) and the provisions of section (2) of Article 72 are amended so that Article 72 reads as follows:

Article 72

- (1) A Draft Law that has been jointly approved by the DPR and the President is submitted by the DPR's leadership to the President to be endorsed as a Law.
 - (1a) In the event that the Draft Law that has been jointly approved by the DPR and the President as referred to in section (1) still contains technical writing errors, revisions are made by the leaders of the DPR complementary organs discussing the Draft Law and the Government represented by the ministry discussing the Draft Law.
 - (1b) The results of the revisions as referred to in section (1a) must obtain approval from the leader of the DPR's complementary organs discussing the Draft Law and the representative of the Government discussing the Draft Law.
 - (2) The revisions and submission of the Draft Law as referred to in section (1) to section (1b) are made not later of 7 (seven) days as of the date of joint approval.
9. The provisions of Article 73 are amended to read as follows:

Article 73

- (1) In the event that the Draft Law that has been submitted by the DPR's leadership to the President as referred to in Article 72 still finds technical writing errors, the ministry administering government affairs in the field of state secretariat and the ministry that

discusses the Draft Law make improvements by involving the leadership of the DPR's complementary organs that discuss the Draft Law.

- (2) The Draft Law as referred to in Article 72 or the Draft Law as referred to in section (1) is endorsed by the President by putting his/her signature not later 30 (thirty) days as of the date the Draft Law is jointly approved by the DPR and the President.
 - (3) In the event that the Draft Law as referred to in section (2) is not signed by the President not later than 30 (thirty) days as of the date the Draft Law is jointly approved, the Draft Law automatically becomes a Law and thereafter is required to be promulgated.
 - (4) In the event of the endorsement of the Draft Law as referred to in section (3), the wording of endorsement reads as follows: "This Law is declared to have been endorsed under Article 20 section (5) of the 1945 Constitution of the Republic of Indonesia".
 - (5) The wording of endorsement which reads as referred to in section (4) must be put on the last page of the Law before the phrase of promulgation in the State Gazette of the Republic of Indonesia.
10. The Elucidation of Article 78 is amended as stated in the elucidation.
 11. The provisions of Article 85 are amended to read as follows:

Article 85

- (1) The promulgation of Legislation in the State Gazette of the Republic of Indonesia as referred to in Article 82 point a to c is carried out by the minister administering government affairs in the field of state secretariat.
 - (2) The promulgation of the Legislation in the State Gazette of the Republic of Indonesia as referred to in Article 82 point d and the State Gazette of the Republic of Indonesia as referred to in Article 83 is carried out by the minister or head of the institution administering government affairs in the field of Legislation Making.
12. The Elucidation of Article 95 is amended as stated in the elucidation.
 13. The provisions of section (3) of Article 95A are amended and 2 (two) sections are inserted between section (3) and section (4), namely section (3a) and section (3b), and the elucidation of section (2) and section (4) of Article 95A are amended so that Article 95A reads as follows:

Article 95A

- (1) Monitoring and Review of Law are conducted after a Law comes into force.

- (2) Monitoring and Review of Law as referred to in section (1) are carried out by the DPR, the DPD, and the Government.
- (3) Monitoring and Review of Law by the DPR as referred to in section (2) are coordinated by DPR's complementary organ for Legislation affairs.
- (3a) Monitoring and Review of Law by the DPD as referred to in section (2) are coordinated by DPR's complementary organ for Legislation affairs.
- (3b) Monitoring and Reviewing of Law by the Government as referred to in section (2) are coordinated by the minister or head of institution administering government affairs in the field of Legislation by involving the relevant minister or head of institution.
- (4) The results of the Monitoring and Review of Law as referred to in section (2) may become a proposal in the preparation of Prolegnas.

14. The provisions of Article 96 are amended to read as follows:

Article 96

- (1) The public has the right to provide inputs verbally and/or in writing in every stage of Legislation Making.
- (2) The provision of public inputs as referred to in section (1) is conducted online and/or offline.
- (3) The public as referred to in section (1) is an individual or group of persons who are directly affected and/or have an interest in the material content of a Draft Legislation.
- (4) To facilitate the public in providing inputs as referred to in section (1), each Academic Draft and/or a Draft Legislation can be easily accessed by the public.
- (5) In exercising the right as referred to in section (1), the Legislation Maker informs the public about Legislation Making.
- (6) To fulfill the right as referred to in section (1), the Legislation maker may conduct public consultation activities through:
 - a. public hearings;
 - b. work visits;
 - c. seminars, workshops, discussions; and/or
 - d. other public consultation activities.
- (7) The results of public consultation activities as referred to in section (6) are taken into consideration in the planning, preparation, and discussion of a Draft Legislation.
- (8) The Legislation Maker can explain to the public about the results of the discussion of public inputs as referred to in section (1).
- (9) Further provisions regarding public participation as referred to in section (1) to section (8) are regulated in a DPR Regulation, DPD Regulation, and Presidential Regulation.

15. Between Article 97 and Article 98, 4 (four) articles are inserted, namely Article 97A, Article 97B, Article 97C, and Article 97D so that they read as follows:

Article 97A

The material content regulated in Legislation that uses the omnibus method can only be amended and/or repealed by amending and/or repealing the Legislation.

Article 97B

- (1) Legislation Making can be done electronically.
- (2) Signature put in every stage of Legislation Making starting from planning to promulgation can use an electronic signature.
- (3) The electronic signature as referred to in section (2) must be certified in accordance with the provisions of Legislation.
- (4) Legislation Making electronically as referred to in section (1) has the same legal force as Legislation made in printed form.
- (5) Regulation Legislation signed with electronic signature as referred to in section (2) has the same legal force as Legislation signed non-electronically.
- (6) Further provisions regarding the procedures for the electronic Legislation Making as referred to in section (1) are regulated in a DPR Regulation, DPD Regulation, and Presidential Regulation.

Article 97C

In addition to the types and hierarchy of Legislation that have been regulated in Article 46 section (2), Article 47 section (3), Article 48 section (1), Article 54 section (2), Article 55 section (2), and Article 58, the ministry or institution administering government affairs in the field of Legislation Making conducts analysis and evaluation of Legislation.

Article 97D

The harmonization, unification, and consolidation of the conception of the Draft Provincial Regulation as referred to in Article 58 and the Draft Regency/Municipal Regulation as referred to in Article 63 apply mutatis mutandis to the Harmonization, unification, and consolidation of the conception of the Draft Provincial Head Regulation and the Draft Regency/Municipal Head Regulation.

16. Between section (1) and section (2) of Article 98, 1 (one) section is inserted, namely section (1a) so that Article 98 reads as follows:

Article 98

- (1) Each stage in Legislation Making process engages the participation of Legislative Drafters.
- (1a) In addition to the Participation of Legislative Drafter as referred to in section (1), Legislation Making can engage legal analysts in accordance with the needs.

- (2) Provisions regarding the participation and the development of Legislative Drafters as referred to in section (1) are regulated in a Government Regulation.

17. The provisions of Article 99 are amended to read as follows:

Article 99

In addition to the participation of legislative drafters as referred to in Article 98 section (1), each stage in the making of Law, Provincial Regulation, and Regency/Municipal Regulation engages the participation of legislative analysts and experts.

18. The provisions of point D of Chapter II as listed in Annex I to Law Number 12 of 2011 on Legislation Making as amended by Law Number 15 of 2019 on Amendment to Law Number 12 of 2011 on Legislation Making are amended to become those as listed in Annex I which as an integral part of this Law.
19. The provisions of number 2, number 3, number 4, number 5, number 6, number 7, number 9, number 10, number 19, number 31, number 33, number 77, number 98, number 104, number 111, number 158, number 176, number 180, number 188, and number 190 of Annex II of Law Number 12 of 2011 on the Establishment of Legislation as amended by Law Number 15 of 2019 on the Amendment to Law Number 12 of 2011 on the Establishment of Legislation are amended and inserted number 2a, number 3a, number 4a, number 27a, number 27b, number 41a, number 41b, number 41c, number 41d, number 66a, number 69a, number 109a, number 111a, number 111b, number 111c, number 111d, number 111e, number 111f, number 111g, number 111h, number 111i, number 111j, number 111k, number 189a, number 190a, number 190b, number 233a, number 233b, number 234a, number 236a, number 236b, number 236c, number 256a, number 270a, number 270b, number 270c, number 284a, and added Chapter IV letter M and letter N so that it becomes as stated in Annex II which is an integral part of this Law.

Article II

This Law comes into force on the date of its promulgation.

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

Enacted in Jakarta
on 16 June 2022

PRESIDENT OF THE REPUBLIC OF
INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta
on 16 June 2022

MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2022 NUMBER 143

Jakarta, 22 January 2026
Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,

DHANANA PUTRA



ANNEX I
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 13 OF 2022
ON
THE SECOND AMENDMENT TO LAW
NUMBER 12 OF 2011 ON LEGISLATION
MAKING

DRAFTING TECHNIQUES OF ACADEMIC DRAFT OF DRAFT LAW, PROVINCIAL
REGULATION AND REGENCY/MUNICIPAL REGULATION

2. CHAPTER II THEORETICAL STUDIES AND EMPIRICAL PRACTICES

- D. An assessment of the implications of implementing a new system to be regulated in a Law or Regional Regulation on aspects of public life and its impact on aspects of the state's financial burden. An assessment of the implications of implementing a new system is conducted by analyzing the impact of a norm in a Law or Regional Regulation to estimate the costs that must be incurred and the benefits obtained from the implementation of a Law or Regional Regulation. The study is supported by analysis using certain methods, including the Regulatory Impact Analysis (RIA) method and the Rule, Opportunity, Capacity, Communication, Interest, Process, and Ideology (ROCCIPI) methods.

PRESIDENT OF THE REPUBLIC OF INDONESIA,

signed

JOKO WIDODO

ANNEX II
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 13 OF 2022
ON
THE SECOND AMENDMENT TO LAW
NUMBER 12 OF 2011 ON LEGISLATION
MAKING

LEGISLATIVE DRAFTING TECHNIQUES

2. The title of Legislation at the central level contains information regarding the type, number, year of promulgation or enactment, and name of the legislation, including the phrase "Republic of Indonesia." The title of a regional regulation shall include information on the type, number, year of promulgation or endorsement, and name of Legislation, along with the name of the region.

Example 1:

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 5 OF 2014
ON
CIVIL SERVICE

Example 2

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 11 OF 2020
ON
JOB CREATION

Example 3:

REGULATION OF THE PROVINCE OF WEST SUMATERA
NUMBER 7 OF 2018
ON
NAGARI

- 2a. The numbering of Legislation is written using only Arabic numerals without the addition of letters, Roman numerals, and/or punctuation marks. The numbering does not follow the numbering rules for official documents.
3. The name of the regulation is made concise using only 1 (one) word or phrase, but its meaning essentially reflects the content of Legislation.

Examples of names of Legislation using one (1) word:

- a. Patent
- b. Foundation
- c. Electricity

Examples of names of Legislation that use phrases:

- a. Freedom of Expression in Public
- b. The Flag, Language, and National Emblem as well as the National Anthem
- c. Job Creation

- 3a. Legislation that uses the omnibus method may use a new name that is not the same as the name of the amended or repealed legislation, which is made briefly by using only 1 (one) word or phrase, but essentially its meaning has been and reflects the content of the legislation that uses the omnibus method.

Example: Job Creation

4. The title of the legislation is written entirely in capital letters, centered on the margin without any punctuation marks.

Example:

a. LAW OF THE REPUBLIC OF INDONESIA
 NUMBER 6 OF 2011
 ON
 IMMIGRATION

b. LAW OF THE REPUBLIC OF INDONESIA
 NUMBER 11 OF 2020
 ON
 JOB CREATION

c. REGIONAL REGULATION OF THE PROVINCE OF THE SPECIAL
 CAPITAL REGION OF JAKARTA
 NUMBER 8 OF 2007
 ON
 PUBLIC ORDER

d. QANUN OF THE REGENCY OF ACEH JAYA
 NUMBER 2 OF 2010
 ON
 ADMINISTRATION OF POPULATION DATA

e. REGULATION OF THE PROVINCE OF PAPUA
 NUMBER 5 OF 2010
 ON
 PROTOCOL POSITIONS OF THE LEADERS AND MEMBERS OF THE
 PAPUA PEOPLE'S ASSEMBLY

f. SPECIAL REGULATION OF PAPUA PROVINCE
 NUMBER 23 OF 2008
 ON
 HAK ULAYAT (COLLECTIVE/COMMUNAL RIGHT) COMMUNITIES AND
 ADAT LAW (INDIGENOUS) COMMUNITIES ON LAND

- 4a. For the title of the Draft Regulation, the word DRAFT is added in capital letters before the title, and for the number and year, only three dots (ellipsis) are used.

Example:

 DRAFT
 LAW OF THE REPUBLIC OF INDONESIA
 NUMBER ... OF ...
 ON
 JOB CREATION

5. The name of a regulation may not be abbreviated or acronymized unless one of the following conditions applies:

- a. it has not been absorbed into Indonesian or there is no equivalent word in Indonesian;

- b. it is a standard technical term;
- c. if it is not abbreviated and/or has been abbreviated, it may change the meaning of the language;
- d. it is a standard term used internationally.

Inappropriate examples of adding abbreviations:

- a. LAW OF THE REPUBLIC OF INDONESIA
NUMBER ... OF ...
ON
STATE BUDGET (APBN)
- b. REGULATION OF THE MUNICIPALITY OF PEKANBARU
NUMBER 9 OF 2005
ON
URBAN VILLAGE COMMUNITY EMPOWERMENT INSTITUTION (LPMK)

Inappropriate example using an acronym:

REGIONAL REGULATION OF THE REGENCY OF ... NUMBER ... OF ...
ON
THE FORMULATION OF REGIONAL LEGISLATION PROGRAM
(PROLEGDA)

Permissible example using an acronym:

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 21 OF 2020
ON
LARGE-SCALE SOCIAL RESTRICTIONS IN THE CONTEXT OF
ACCELERATING THE HANDLING OF CORONA VIRUS DISEASE 2019
(COVID-19)

- 6. In the name of the amended Legislation, the phrase “amendment to” in front of the amended Legislation title.

Examples:

- a. LAW OF THE REPUBLIC OF INDONESIA
NUMBER 2 OF 2011
ON
AMENDMENT TO LAW NUMBER 2 OF 2008 ON POLITICAL PARTIES
- b. LAW OF THE REPUBLIC OF INDONESIA
NUMBER ... OF ...
ON
AMENDMENT TO LAW NUMBER 11 OF 2020 ON JOB CREATION
- c. REGULATION OF THE REGENCY OF JAYAPURA
NUMBER 14 OF 2009
ON
AMENDMENT TO LOCAL REGULATION NUMBER 2 OF 2007 ON
PRINCIPLES OF REGIONAL FINANCIAL MANAGEMENT

- 7. If the Legislation has been amended more than once, between the words “amendment” and the word “to” will be inserted with the word showing how many times the amendment has been made, without detailing the previous amendment.

Example:

- a. LAW OF THE REPUBLIC OF INDONESIA
 NUMBER 13 OF 2019
 ON
 THE THIRD AMENDMENT TO LAW NUMBER 17 OF 2014 ON THE
 PEOPLE'S CONSULTATIVE ASSEMBLY, THE HOUSE OF
 REPRESENTATIVES, THE REGIONAL REPRESENTATIVE COUNCIL, AND
 THE REGIONAL HOUSE OF REPRESENTATIVES
- b. LAW OF THE REPUBLIC OF INDONESIA
 NUMBER ... OF ...
 ON
 THE SECOND AMENDMENT TO LAW NUMBER 11 OF 2020 ON JOB
 CREATION
- c. GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
 NUMBER 21 OF 2007
 ON
 THE THIRD AMENDMENT TO GOVERNMENT REGULATION NUMBER 24
 OF 2004 ON PROTOCOL AND FINANCIAL STATUS OF MEMBERS OF THE
 REGIONAL HOUSE OF REPRESENTATIVES
- d. REGULATION OF THE REGENCY OF SOUTHEAST MINAHASA
 NUMBER 3 OF 2011
 ON
 THE SECOND AMENDMENT TO LOCAL REGULATION NUMBER 6 OF
 2007 ON ORGANIZATION STRUCTURE AND WORK PROCEDURES OF
 THE SOUTHEAST MINAHASA REGENCY OFFICE

9. In the name of the repealed legislation, the word “repeal” means added before the title of the repealed Legislation.

Example:

- a. LAW OF THE REPUBLIC OF INDONESIA
 NUMBER 3 OF 2010
 ON
 REPEAL OF GOVERNMENT REGULATION IN LIEU OF LAW NUMBER 4
 OF 2009 ON AMENDMENT TO LAW NUMBER 30 OF 2002 ON
 CORRUPTION ERADICATION COMMISSION
- b. LAW OF THE REPUBLIC OF INDONESIA
 NUMBER ... OF ...
 ON
 REPEAL OF LAW NUMBER ... OF ... ON ...
- c. REGULATION OF THE PROVINCE OF SOUTH KALIMANTAN
 NUMBER 4 OF 2010
 ON
 REPEAL OF REGULATION OF THE PROVINCE OSOUTH KALIMANTAN
 NUMBER 4 OF 2003 ON ROUTE PERMIT LEVIES AND SPECIAL
 TRANSPORTATION PERMITS IN MAINLAND WATERS CROSSING
 REGENCIES OR MUNICIPALITIES

10. In the name of the Government Regulation in Lieu of Law (Perpu) that has been enacted into Law, the word “enactment” is added before the title of the Perpu and ended with the phrase “to become Law”.

- c. that the limited liability company as one of the national economic development pillars is given a legal foundation to encourage more the national development arranged as a jointly business based on the principle of familiarity principle;
- d. that Law Number 1 of 1995 on Limited Liability Company is deemed no longer appropriate with the legal development and social, so it is necessary to be replaced with a new law;
- e. that based on the considerations as referred to in point a, point b, point c, and point d it is necessary to establish the Law on Limited Liability Companies;

Example 2:

Law Number 7 of 2021 on Harmonization of Tax Regulations

- Considering :
- a. that in order to realize a just, prosperous, Pancasila-based, and prosperous Indonesian society, the 1945 Constitution of the Republic of Indonesia upholds the fundamental rights and obligations of Indonesian citizens, who need the state and place taxation as one of the manifestations of their civic obligations in the effort to improve welfare, justice, and social development;
 - b. that in order to increase sustainable economic growth and support accelerated economic recovery, a fiscal consolidation strategy is needed that focuses on improving the budget deficit and increasing the tax ratio, which is carried out, among other things, through the implementation of policies to improve tax revenue performance, reform the tax base administration, taxation, the creation of a taxation improvement system that prioritizes the principles of fairness and legal certainty, and increased voluntary compliance of Taxpayers;
 - c. that in order to implement a fiscal consolidation strategy that focuses on improving the budget deficit and increasing the tax ratio as referred to in point b, it is necessary to adjust policies in the areas of general provisions and taxation procedures, income tax, value added tax, and excise tax, as well as regulations concerning carbon tax and policies in the form of a voluntary Taxpayer disclosure program in one comprehensive law;
 - d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to establish a Law on Harmonization of Tax Regulations;

Example 3:

Regulation of the Province of Special Capital Region of Jakarta Number 4 of 2009 on Regional Health System

- Considering :
- a. that an increasingly high level of public health is a strategic investment in human resources so that they become more productive over time;

- b. Considering that in order for the community to improve, it is necessary to organize health development with clear, accountable, fair, equitable, high-quality, effective, and efficient responsibilities, boundaries, roles, and functions;
- c. that in order to provide direction, a foundation, and legal certainty to all parties involved in health development, regulations on health development are necessary;
- d. that based on the considerations referred to in point a, point b, and point c, it is necessary to establish a Regional Health System;

27a. Considerations of the legislation that implement an order or apply Legislation using the omnibus method, it is sufficient to include 1 (one) consideration that contains a brief explanation of the necessity to implement the provisions of one or several articles of the legislation using the omnibus method and/or add other considerations that contain the urgency or importance of the formation of the legislation.

Example 1:

Government Regulation Number 37 of 2021 on the Implementation of the Job Loss Security Program

Considering : that to implement the provisions of Article 82 and Article 185 point b of Law Number 11 of 2020 on Job Creation, it is necessary to stipulate a Government Regulation on Implementation of the Job Loss Security Program;

Example 2:

Presidential Regulation Number 11 of 2021 on Cooperation between the Central Government and Business Entities in the Implementation of State-Owned Basic Geospatial Information

Considering : that to implement the provisions of Article 20 and Article 185 point b of Law Number 11 of 2020 on Job Creation, it is necessary to issue a Presidential Regulation on Cooperation between the Central Government and State-Owned Enterprises in the Implementation of Basic Geospatial Information;

27b. The main points in the considerations of Legislation prepared as a follow-up to a Constitutional Court decision and the main points in the considerations of Legislation under a Law prepared as a follow-up to a Supreme Court decision may contain the decision number and a brief summary of the essential points of the decision and the judges' considerations.

31. The legal basis for making a Law originating from the DPD is Article 20 and Article 22D section (1) of the 1945 Constitution of the Republic of Indonesia.

33. If the substance regulated in the Law to be made is an elaboration of an article or several articles of the 1945 Constitution of the Republic of Indonesia, the article(s) will be included in full as the legal basis.

Example 1 (Draft Law originating from the House of Representatives):

Considering : Article (1), 20, Article 21, Article 28C section (1), Article 28H paragraph Article 28H section (2), Article 28H section

(1), Article 33 section (3), Article 34 section (1), Article 31 section (2), and Article 34 section (3) of the 1945 Constitution of the Republic of Indonesia;

Example 2 (Draft Law originating from the President):

Considering : Article 5 section 28E (1), section Article (1) 20, Article 26 section (2), and the 1945 Constitution of the Republic of Indonesia;

41a. The legislation to be amended by the legislation to be formed is listed in the legal basis.

Example 1:

Law Number 19 of 2016 on Amendment to Law Number 11 of 2008 on Electronic Information and Transactions

Considering : 1. ...,
2. Law Number 11 of 2008 on Electronic Information and Transactions (State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4843);

Example 2:

Government Regulation Number 48 of 2021 on the Third Amendment to Government Regulation Number 31 of 2013 on Implementing Regulation of Law Number 6 of 2011 on Immigration

Considering : 1...,
2...,
3. Government Regulation Number 31 of 2013 on Implementing Regulation of Law Number 6 of 2011 on Immigration (State Gazette of the Republic of Indonesia 5409) of 2013 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number as amended several times last by Government Regulation Number 51 of 2020 on the Second Amendment to Government Regulation Number 31 of 2013 on Implementing Regulation of Law Number 6 of 2011 on Immigration (State Gazette of the Republic of Indonesia of 2020 Number 203, Supplement to the State Gazette of the Republic of Indonesia Number 6553);

41b. Legislation that will be amended by Legislation using the omnibus method that will be formed cannot be included in the legal basis.

41c. If the content regulated in the Legislation other than the content that has been amended by the Legislation using the omnibus method will be amended again, the Legislation whose content has been amended by the Legislation using the omnibus method will be included in the legal basis.

Example:

Law Number ... of ... on the Second Amendment to Law Number 26 of 2007 on Spatial Planning

Considering : 1. ...;
2. Law Number 26 of 2007 on Spatial Planning in Indonesia (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to State Gazette of

the Republic of Indonesia Number 47235) as amended by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);

41d. Legislation that uses the omnibus method that is amended by legislation that uses the omnibus method that will be formed is included in the legal basis.

Example:

Law Number ... of ... on Amendment to Law Number 11 of 2020 on Job Creation

Considering : 1....;

2. Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to State Gazette of the Republic of Indonesia Number 6573);

66a. Norms that impose administrative sanctions, civil sanctions, or criminal sanctions must be placed after norms that contain obligations or prohibitions.

69a. For content that does not have similar material but is not included in the Miscellaneous Provisions Chapter, it will be placed in the last article before the next chapter, section, or paragraph.

77. An article is a unit of rules in legislation that contains one norm if it does not have any paragraphs and has a connection and is formulated in one sentence that is concise, clear, and straightforward. An article is also a unit of rules in legislation that may contain a number of norms in several sections that are related. The formulation of norms in sections is formulated in a single sentence per section that is concise, clear, and straightforward.

98. General provisions contain:

- a. limitations of meanings or definitions;
- b. abbreviations or acronyms included in meanings or definitions; and/or
- c. other general matters that apply to the article or several subsequent articles, including provisions that reflect the principles, intent, and objectives that can be formulated in the general provision chapter or a separate chapter.

Examples of limitations of meanings:

1. Minister means the minister of finance.
2. Administering regional government affairs mean the responsibility of the regent and regional apparatus as elements of the Mimika Regency Regional Government.

Example definitions:

1. Spatial means to the spatial aspect of an object or event, including its location, position, and place.
2. Local tax hereinafter referred to as tax means a mandatory contribution to the local government owed by individuals or entities, which is enforced by Law, without direct compensation, and used for the Region's needs for the greatest prosperity of the people.

Example of abbreviation:

1. Audit Board (*Badan Pemeriksa Keuangan*), hereinafter abbreviated to BPK, means a state institution having the duty to audit state financial

management and accountability as referred to in the 1945 Constitution of the Republic of Indonesia.

2. Government Internal Control System hereinafter referred to as SPIP means an internal control system that is implemented comprehensively in the process of designing and implementing policies as well as planning, budgeting, and implementation within the Municipal Government of Dumai.

Examples of acronyms:

1. Community Health Center (*Pusat Kesehatan Masyarakat*) hereinafter referred to as Puskesmas means a health service facility that provides primary public health and individual health services, with an emphasis on promotive and preventive efforts in its working area.
2. Person suffering from HIV/AIDS (*Orang dengan HIV/AIDS*), hereinafter referred to as ODHA, a means person who have been infected with HIV, either at the asymptomatic stage or at the symptomatic stage.

104. The definition of a regulation may differ from that of other regulations because it is tailored to the needs related to the subject matter to be regulated.

Example 1:

- a. Day means a calendar day (this definition is found in Law Number 40 of 2007 on Limited Liability Companies).
- b. Day means a work day as determined by the Central Government (this definition is found in Law Number 11 of 2020 on Job Creation).

Example 2:

- a. Every person means an individual or business entity, whether incorporated or unincorporated (this formulation is found in Law Number 32 of 2009 on Environmental Protection and Management).
- b. Every person means an individual or a legal entity (this formulation is contained in Law Number 1 of 2011 on Housing and Residential Areas).

- 109a. The order of placement of the name of the position or name of the government agency in general provisions follows the order according to the hierarchy or level from the highest to the lowest. Professional organizations, associations, groups, and other institutions formed by the community must be placed below the name of the position or name of the government agency.

111. The division of subject matter into books, chapters, parts, or paragraphs is carried out according to the criteria used as the basis for the division.

Example:

- a. division based on protected rights or interests, such as the division in the Criminal Code:
 1. crimes against state security;
 2. crimes against the dignity of the President;
 3. crimes against friendly countries and their representatives;
 4. crimes against state obligations and rights; and
 5. crimes against public order and so on.
- b. Classification based on sequence/chronology, such as the classification in criminal procedure law, starting from investigation, examination, prosecution, and examination in district court, high court, supreme court, and constitutional court.
- c. Classification based on position hierarchy, such as Attorney General, Deputy Attorney General, and Assistant Attorney General.

- 111a. Books, chapters, parts, and/or paragraphs in the main material of Legislation are divided into articles that regulate main content that is interrelated.
- 111b. Books, chapters, parts, and/or paragraphs in the main material of Legislation that use the omnibus method are divided into articles that regulate main content that is interrelated, consisting of:
 - a. articles containing new content;
 - b. articles that amend content that is interrelated and/or legal requirements regulated in various Legislation of the same type and hierarchy; and/or
 - c. articles that repeal Legislation of the same type and hierarchy.
- 111c. Articles that add new material content to omnibus Legislation are formulated in sentences that are concise, clear, and straightforward.

Example:

Law Number 11 of 2020 on Job Creation

Article 161

The examination of the financial management and accountability of the Institution are carried out by a public accountant registered with the Audit Board and the Financial Services Authority.

- 111d. Articles that amend the material content regulated in various Legislation in Legislation that use the omnibus method are formulated in sentences that are concise, clear, and straightforward, containing the reasons for the changes and details of the titles of the Legislation whose material content will be changed, accompanied by references to the State Gazette of the Republic of Indonesia and the Supplement to the State Gazette of the Republic of Indonesia, placed between parentheses.

Example:

Law Number 11 of 2020 on Job Creation

Article 16

In order to simplify the basic requirements for Business Licensing and to provide certainty and convenience for Business Actors in obtaining compliance of spatial utilization activities, this Law amends, deletes, and/or establishes new regulations for several provisions stipulated in:

- a. Law Number 26 of 2007 on Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to State Gazette of the Republic of Indonesia Number 47235);
- b. Law Number 27 of 2007 on Management of Coastal Areas and Small Islands (State Gazette of the Republic of the Republic of Indonesia of 2007 Number 84, Supplement to the State Gazette of the Republic of Indonesia Number 4739) as amended by Law Number 1 of 2014 on Amendment to Law Number 27 of 2007 on Management of Coastal Areas and Small Islands (State Gazette of the Republic Indonesia of 2014 Number 2, Supplement to the State Gazette of the Republic of Indonesia Number 5490);
- c. Law Number 32 of 2014 on Maritime Affairs (State Gazette of the Republic of Indonesia Year 2014 Number 294, Supplement to the State Gazette of the Republic of Indonesia Number 5603); and
- d. Law Number 4 of 2011 on Geospatial Information (State Gazette of the Republic of Indonesia of 2011 Number 49, Supplement to the State Gazette of the Republic of Indonesia Number 5214).

- 111e. If the provisions of the legislation whose material content will be amended in the previous article, each subsequent article will contain the material content to be amended from each of the aforementioned provisions of the legislation. If there is more than one amendment, each amendment shall be specified using Arabic numerals (1, 2, 3, and so on).

Example:

Article 17

Several provisions in Law Number 26 of 2007 on Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to State Gazette of the Republic of Indonesia Number 4725) are amended as follows:

1. ...
2. The provisions of Article 6 are amended to read as follows:

Article 6

- (1) Spatial planning is carried out with due regard to:
 - a. the physical conditions of the territory of the Unitary State of the Republic of Indonesia that are prone to disasters;
 - b. the potential of natural resources, human resources, and artificial resources, economic, social, cultural, political, legal, defense and security conditions, and the environment as well as science and technology as a whole, and
 - c. geostrategy, geopolitics, and geoeconomics.
- (2) National spatial planning, provincial spatial planning, and regency/city spatial planning shall be carried out in a tiered and complementary manner.

- (3) ...
3. The provisions of Article 8 are amended to read as follows:

Article 8

- (1) The authority of the Central Government in the implementation of spatial planning includes:
 - a. regulation, guidance, and supervision of the implementation of national, provincial, and regency/city spatial planning, as well as national strategic areas;
 - b. provision of technical assistance for the preparation of provincial, regency/city spatial plans, and detailed spatial plans;
 - c. and so on ...
- (2) The authority of the Central Government in the implementation of national spatial planning includes:
 - a. national spatial planning;
 - b. utilization of national spatial areas; and
 - c. control of the utilization of national spatial areas.
- (3) ...

- 111f. Articles that repeal Legislation stipulated in omnibus Legislation are formulated in sentences that are concise, clear, and straightforward, mentioning the repealed legislation accompanied by the mention of the State Gazette of the Republic of Indonesia and the Supplement to the State Gazette of the Republic of Indonesia, which are placed between parentheses and use the phrase repealed and declared ineffective.

Example:

Article 116

Law Number 3 of 1982 on Mandatory Company Registration (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to

the State Gazette of the Republic of Indonesia Number 3214) is repealed and declared ineffective.

- 111g. If an article regulated in Legislation using the omnibus method amends an article, point, paragraph, or point of a law or regulation, the phrase “The provisions of Article ... are amended to read as follows:”

Example:

Article 58

Several provisions in Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) are amended as follows:

1. The provisions of Article 1 are amended to read as follows:

Article 1

In this Law, the following terms have the following meanings:

1. ...
2. ...

2. The provisions of Article 6 are amended to read as follows:

Article 6

- (1) ...
- (2) ...

3. The provisions of Article 8 are amended to read as follows:

Article 8

- (1) ...;
 - a. ...; (and, or, and/or)
 - b. ...;
- (2) ...;
 - a. ...;
 - b. ...;
 - c. ...; (and, or, and/or)
 - d.

- 111h. If an article regulated in a Regulation that uses the omnibus method inserts a new book, chapter, part, paragraph, or article, then the new book, chapter, part, paragraph, or article will be put in a place that is appropriate to the material content concerned.

Example:

Article ...

Several provisions in Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) are amended as follows:

1. Between Chapter VII and Chapter VIII, 1 (one) chapter is inserted, namely Chapter VIIA, so that it reads as follows:

CHAPTER VIIA
NATIONAL FISCAL POLICY RELATED TO TAXES AND LEVIES

2. Between Article 159 and Article 160, 1 (one) article is inserted, namely Article 159A, so that it reads as follows:

Article 159A

Further provisions regarding the procedures for:

- a. ...;
- b. ...; and
- c. ...

are regulated by a Presidential Regulation.

- 111i. If the provisions in the omnibus legislation repeal a book, chapter, part, paragraph, article, section, or point, the sequence of the book, chapter, section, paragraph, article, section, or point will remain listed with a note indicating that it has been repealed.

Example:

Article ...

Several provisions in Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) are amended as follows:

1. Article 12 is deleted.
2. ...

- 111j. If an article regulated in legislation using the omnibus method adds a chapter, section, paragraph, or article, the sentence "After Chapter .../Section .../Paragraph .../Article ..., 1 (one) or several chapters/parts/paragraphs/articles are added, namely Chapter .../Part .../Paragraph .../Article so that it reads as follows:"

Example 1:

Article ...

Several provisions in Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) are amended as follows:

1. After Chapter IV, 1 (one) chapter is added, namely CHAPTER V, so that it reads as follows:

CHAPTER V

...

2. After Section Six of Chapter V, add one part, namely Part Seven, so that it reads as follows:

Part Seven

...

3. After Paragraph 8 of Part Seven, add one paragraph, namely Paragraph 9, so that it reads as follows:

Paragraph 9

4. After Article 13, 1 (one) article is added, namely Article 14, so that it reads as follows:

Article 14

...

- 111k. The main subject matter regulated in Legislation whose type and hierarchy under a Law, *mutatis mutandis*, is based on the main subject matter regulated in the Law.
158. Legislation can only be repealed by Legislation of the same or higher level. For example, a Law may repeal a Law and Legislation under the Law. A Government regulation may repeal a Government Regulation and Legislation under the Government Regulation. A Presidential Regulation may repeal a Presidential Regulation and Legislation under the presidential regulation.
176. Explanations serve as official interpretations by the Legislation Maker of specific norms in the body of the Legislation. Therefore, elucidation only contains descriptions of words, phrases, sentences, or equivalents of foreign words/terms in the norms, which may be accompanied by examples. Elucidation may not contain norms because elucidation, as a means of clarifying norms in the main text, may not result in ambiguity of the norms in question.
180. The title of the elucidation is the same as the title of the Legislation, preceded by the phrase “elucidation of” written in capital letters.

Example 1:

ELUCIDATION
OF
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 3 OF 2011
ON FUND TRANSFERS

Example 2:

ELUCIDATION
OF
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 7 OF 2021
ON
HARMONIZATION OF TAX REGULATIONS

188. For articles or sections that do not require explanation, the phrase “sufficiently clear” is ended by a full stop (.) and point c is written in capital letters. Elucidation for article by article is not combined, even if there are several consecutive articles that do not require elucidation.

Example 1:

Incorrect writing of elucidation for each article:

Article 7, Article 8, and Article 9 (Articles 7 to 9)
Sufficiently clear.

Should be:

Article 7
Sufficiently clear.
Article 8

Sufficiently clear.
Article 9
Sufficiently clear.

Example 2:

Article 18
Number 1
Article 1
Sufficiently clear.
Number 2
Article 7
Sufficiently clear.
Number 3
Article 7A
Sufficiently clear.
Article 7 B
Sufficiently clear.
Article 7 C
Sufficiently clear.

189a. If an article in a Legislation that uses the omnibus method consists of numbers, articles, sections, and/or points that do not require elucidation, the article concerned is given elucidation of sufficiently clear, without detailing each paragraph and/or item.

190. If it is necessary for an article to consist of several sections and/or points and one of these sections or points requires an explanation, each section or point is listed and accompanied by an appropriate elucidation.

Example 1:

Article 7
Section (1)
Sufficiently clear.
Section (2]
This section is intended to provide legal certainty to judges and users of the law.
Section (3)
Sufficiently clear.
Section (4)
Sufficiently clear.

Example 2:

Law Number 11 of 2020 on Job Creation

Article 22

Point 1
Article 1
Sufficiently clear.

Point 2
Article 20
Section (1)
Sufficiently clear.
Section (2)
Point a

The term "water quality standard" means a measure of the limit or level of living things,

substances, energy, or components that exist or must exist, and/or polluting elements whose presence in water is tolerated.

Point b

The term "water quality standard" means a measure of the limit or level of pollutants that are tolerated to be introduced into the water medium.

Point c

The term "seawater quality standard" means a measure of the limit or level of living beings, substances, energy, or components that exist or must exist and/or pollutant elements that are tolerated in seawater.

Point d

and so on.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Number 3

Article 24

Sufficiently clear.

- 190a. If an article, section, and/or point in the body of a piece of legislation requires the same explanation as the preceding article, paragraph, and/or point, the article, section, and/or point is given an elucidation with the phrase "See Elucidation of Article .../section (...)/letter...."

Example:

Law Number 9 of 2021 on Establishment of the West Papua High Court, Riau Islands High Court, West Sulawesi High Court, and North Kalimantan High Court

Article 5

Section (1)

Point a

The term "a case that has been examined, but has not yet been decided" means a case that has begun trial but has not yet been decided.

Point b

...

Section (2)

Point a

See elucidation of section (1) point a.

- 190b. If an article, section, and/or point in the body of a Legislation is deleted, the article, section, and/or point concerned are given elucidation of deletion written in capital D and ended with a full stop (.).

Example 1:

Article 3

Deleted.

Example 2:

Law Number 11 of 2020 on Job Creation

Article 112
Number 2
Article 4A
Section (1)
Deleted.

- 233a. Article II which contains transitional provisions and/or closing provisions is written from the material of the amendment more than 1 (one) then each material of the amendment is detailed using Arabic numerals (1, 2, 3, and so on).

Example:

Article II

1. ...
2. ...
3. Existing position names are declared to remain effective unless a change of position name is made.
4. This Government Regulation comes into force on the date of its promulgation.

- 233b. If in a Legislation that uses the omnibus method an amendment is made to an article or section, the sentence of the provision of Article ... is amended to read as follows:

Example 1:

1. The provisions of Article 7 are amended to read as follows:

Article 7

...

Example 2:

Law Number 11 of 2020 on Job Creation

The provisions of Article 17 are amended to read as follows:

Article 17

Several provisions in Law Number 26 of 2007 on Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to State Gazette of the Republic of Indonesia Number 4725) are amended as follows:

1. The provisions of Article 1 are amended to read as follows:

Article 1

In this Law:

1. ...
2. ...

2. The provisions of Article 6 are amended to read as follows:

Article 6

- (1) ...
- (2) ...
- (3) ...

3. The provisions of Article 8 are amended to read as follows:

Article 8

- (1) ...
 - a. ...; (and, or, and/or)
 - b. ...
- (2) ...
 - a. ...;
 - b. ...;
 - c. ...; (and, or, and/or)
 - d.

234a. If in the Legislation, addition of book is made, "After chapter, Book of part, .../Chapter of paragraph, or .../Part of article, using sentence .../Paragraph .../Article is added 1 (one) book/chapter/part/paragraph/article, namely Book .../Chapter .../Section .../Paragraph .../Article ... so that it reads as follows:"

Example 1:

- 1. After the Third Book, 1 (one) book is added, namely the Fourth Book so that it reads as follows:

FOURTH BOOK

...

Example 2:

- 2. After Chapter IV, 1 (one) chapter is added, namely Chapter V so that it reads as follows:

CHAPTER V

..

Example 3:

- 3. After the Part Six of Chapter IV, 1 (one) section is added, namely the Section Seven so that it reads as follows:

Seventh Section

...

Example 4:

- 4. After Paragraph 8 of the Part 6, 1 (one) paragraph is added, namely Paragraph 9 so that it reads as follows:

Paragraph 9

...

Example 5:

- 5. After Article 13, 1 (one) article is added, namely Article 14 so that it reads as follows:

Article 14

...

236a. If in a Legislation an amendment is made to the explanation of an article or section, in the body of the Legislation using the sentence "Elucidation of Article .../section (..) of Article ... is amended as stated in the explanation."

Example:

- 4. The Elucidation of Article 72 is amended as stated in the elucidation.

236b. If the Elucidation of the elucidation. in the Article of an Article ... 72 is amended as stated in the Legislation in the deletion of articles, sections, or points, then in the elucidation of article by article using the sentence "Article .../section (...)/letter ... is Deleted".

Example:

Number 1
Article 16
Deleted

236c. Amendments to the Annex contains the provisions that are amended, deleted, and/or added. The technique of formulating the norms of the amendments to the body applies mutatis mutandis to the technique of formulating the norms of the amendments to the Annex.

Example 1 the formulation of norms for the amendment of the Annex in the body:

6. The provisions of number 2 of Annex II to Law Number 12 of 2011 on Legislation Making as amended by Law Number 15 of 2019 on Amendment to Law Number 12 of 2011 on Legislation Making are amended and number 190b is inserted and Chapter IV point M is added so as to read as stated in Annex II as an integral part of this Law.

Example 2 of the formulation of norms for amendments to the Annex in the body:

12. The provision of the third paragraph on page 120 of the Annex to Presidential Regulation Number ... of ... on National Strategy ... is amended, so that it becomes as stated in the Annex as an integral part of this Presidential Regulation.

Example 1 the norm formulation of amendment to the Annex of a Legislation:

ANNEX II
LAW OF THE REPUBLIC OF INDONESIA
NUMBER ... TAHUN ...
ON
THE SECOND AMENDMENT TO
LEGISLATION NUMBER 12 OF 2011 ON
LEGISLATION MAKING

LEGISLATIVE DRAFTING TECHNIQUES

25. The amendment to the Annex states at least the provisions that are amended, deleted, and/or added.

PRESIDENT OF THE REPUBLIC OF
INDONESIA,

JOKO WIDODO

Example 2 of the formulation of norms for amendments to the Annex in the Annex of a Legislation:

ANNEX I
PRESIDENTIAL REGULATION OF THE
REPUBLIC OF INDONESIA NUMBER ...
OF ...
ON
NATIONAL STRATEGY ...

CHAPTER II
ORGANIZING ...

Amendment to the third paragraph on page 120:

The recovery of the tourism sector in the future is also expected to have a knock-on effect on small industries, especially MSME entrepreneurs. The development of tourism is also driven by the mobility of the community in visiting or seeing new areas, cultures, atmosphere, and even experiences.

PRESIDENT OF THE REPUBLIC OF INDONESIA,

JOKO WIDODO

- 256a. To express a criterion or requirement that must be met at least, use the word minimum.
- 270a. Do not use affixes and conjunctions at the beginning of each norm formulation.
- 270b. Do not use the phrase among others or the phrase but not limited to in the formulation of norms of articles or paragraphs.
- 270c. To provide legal certainty of the nominal or rupiah amount of an income, salary, honorarium, financial rights, allowances, incentives, disincentives, and other remuneration, the nominal or rupiah amount must be written with words or phrases in parentheses, except for the nominal or rupiah amount contained in the table.

Example: Rp10,000,000,00 (ten million rupiah)

- 284a. The text of Legislation 2022, No.143 is typed using paragraphs with a spacing of 1 space, the upper margin of the paper edge to the initial letter line is 8 cm, the lower margin of the paper edge to the final letter line is 2.5 cm, the left margin of the paper edge to the initial letter is 2.5 cm, and the right margin of the paper edge to the final letter is 2.5 cm.

M. FORM OF DRAFT LAW (OMNIBUS METHOD)

LAWS OF THE REPUBLIC OF INDONESIA
NUMBER ... OF ...
ON

...
(Name of Law)

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering : a. that...;
b. that...;

- c. that...;
 - d. and so on...;
- Observing : 1. ...;
- 2. ...;
 - 3. and so on ...;

With the Joint Approval of
THE HOUSE OF REPRESENTATIVES
and
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:
Establishing : LAW ON ... (name of Law).

CHAPTER I
GENERAL PROVISIONS

Article 1

...
(Subject matter to be regulated)

CHAPTER II (and so on ...)

...
Article

...
(Contains norms that regulate new material content)

Article

...
(Contains norms that change the material content in other
Legislation)

Article ...

In order to ..., this Law amends, deletes, and/or establishes new arrangements for several provisions stipulated in:

- a. Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...);
- b. Law Number ... of ... on... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) as amended by Law Number ... of ... on Amendment to Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...);
- c. and so on...

Article ...

Several provisions in Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ... , Supplement to the State Gazette of the Republic of Indonesia Number ...) are amended as follows:

- 1. The provisions of Article ... are amended to read as follows:

Article ...

2. Article ... deleted.
3. and so on ...

Article ...

(Contains norms that repeal other Legislation)

Article ...

Law Number ... of ... on... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) is repealed and declared ineffective.

CHAPTER ...
CRIMINAL PROVISIONS
(if required)

Article ...

...

CHAPTER ...
TRANSITIONAL PROVISIONS
(if required)

Article ...

...

CHAPTER ...
CLOSING PROVISIONS

Article ...

This Law shall come into force on the date of promulgation.

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

Enacted in Jakarta
on ...
PRESIDENT OF THE REPUBLIC
OF INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta

on ...

MINISTER (administering government affairs in the field of state secretariat),

signed

PRATIKNO

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF ... NUMBER ...

N. FORM OF THE DRAFT LAW OF THE AMENDMENT OF THE LAW
(OMNIBUS METHOD)

THE LAW OF THE REPUBLIC OF INDONESIA
NUMBER ... YEAR ...
ABOUT
AMENDMENT TO LAW NUMBER ... YEAR ... ABOUT ...
(for the first amendment)
or
THE SECOND AMENDMENT TO LAW
NUMBER ... OF ... ON ...
(for the second amendment, and so on...)

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering : a. that...;
b. that...;
c. and so on...;
- Observing : 1. ...;
2. ...;
3. and so on ...;

With the Joint Approval of
THE HOUSE OF REPRESENTATIVES
and
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

- To issue : LAW ON AMENDMENT TO LAW NUMBER ... OF ... ON
....

Article I

Several provisions in ... Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) are amended as follows:

1. The provisions of Article ... are amended to read as follows:

Article ...

Several provisions in Law Number ... of ... on ... (State Gazette of the Republic of Indonesia of ... Number ..., Supplement to the State Gazette of the Republic of Indonesia Number ...) are amended as follows:

1. The provisions of Article ... are amended to read as follows:

Article ...

2. ...
3. ...

4. and so on...
2. Article ... deleted.
3. and so on...

Article II

This Law comes into force on the date of its promulgation

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

Enacted in Jakarta

on ...

PRESIDENT OF THE REPUBLIC OF
INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta

on ...

MINISTER (administering government affairs in the field of state secretariat),

signed

PRATIKNO

STATE GAZZETE OF THE REPUBLIC OF INDONESIA OF ... NUMBER ...

PRESIDENT OF THE REPUBLIC OF
INDONESIA,

signed

JOKO WIDODO

ELUCIDATION
OF
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 13 OF 2022
ON
THE SECOND AMENDMENT TO LAW NUMBER 12 OF 2011
ON LEGISLATION MAKING

I. GENERAL

Article 1 section (3) The 1945 Constitution of the Republic of Indonesia states that Indonesia is a state of law. Based on the concept of the rule of law to achieve the objectives of the state, the rule of law is required. To realize the rule of law through the Formation of Legislation, it is necessary to pay attention to the principles of legal certainty, justice, and expediency. The formation of Legislation in supporting the achievement of the direction and objectives of national legal development is carried out in a planned, integrated and sustainable manner with due regard to the principles of the formation of good Legislation.

To realize the planned, integrated, and sustainable Formation of Legislation, it is necessary to arrange and improve the mechanism of Formation of Legislation from planning, preparation, discussion, ratification or stipulation to enactment. The arrangement and improvement in this Law is not only a follow-up to the Constitutional Court Decision Number 91/PUU-XVIII/2020, but also a refinement of several provisions in Law Number 12 of 2011 on Legislation Making as amended by Law Number 15 of 2019 on Amendments to Law Number 12 of 2011 on Legislation Making. Things that need to be refined include:

- a. adding omnibus method;
- b. correcting technical errors after joint approval between the DPR and the President in a plenary meeting and before ratification and promulgation;
- c. strengthening meaningful community involvement and participation;
- d. forming Legislation electronically;
- e. changing the support system from researchers to other functional officials whose scope of duties is related to the Formation of Legislation;
- f. changing the technique of drafting academic papers; and
- g. changing the technique of drafting Legislation.

The omnibus method in Legislation Making is included since the planning stage in the planning document for Legislation Making. Furthermore, the omnibus method is used in the drafting of Legislation.

In the event that the Draft Law that has been jointly approved by the DPR and the President still contains technical writing errors, corrections shall be made by the leadership of the DPR organs discussing the Draft Law and the Government represented by the ministry discussing the Draft Law.

In the event that the Draft Law has been submitted by the leadership of the DPR to the President and there are still technical writing errors, the ministry that

organizes government affairs in the field of state secretariat together with the ministry that discusses the Draft Law shall make improvements by involving the leaders of the DPR organs that discuss the Draft Law.

Strengthening the involvement and meaningful participation of the public is carried out in an orderly and responsible manner by fulfilling three prerequisites; namely, first, the right to be heard; second, the right to be considered; and third, the right to obtain an explanation or answer to the opinion given (right to be explained)

The addition of techniques for the preparation of Academic Scripts for 6801 Draft Laws, Draft Provincial Regional Regulations, and Draft Regency/City Regional Regulations is contained in Annex I. Changes to the Rule Study technique, the preparation of the Academic Paper for Draft Laws, Draft Provincial Regulations, and Draft Regency / City Regulations is carried out on the provisions of Chapter II letter D regarding the study of the implications of implementing a new system that will be regulated in a Law or Regional Regulation on aspects of community life and its impact on aspects of the state financial burden. supported by analysis using certain methods, including the Regulatory Impact Analysis (RIA) method and the Opportunity, Capacity, Communication, Interest, Process, and Ideology (ROCCIPI) method.

Amendments are also made to the drafting techniques of Legislation along with their examples as set out in Annex II. The amendment to the drafting techniques of Legislation introduces the omnibus method to provide definite, standard, and binding guidelines for all institutions authorized to establish Legislation.

II. ARTICLE BY ARTICLE

Article I

Number 1

Article 5

Point a

The term "principle of clear purpose" means every Legislation making must have a clear purpose to achieve.

Point b

The term "principle of competent state institution or official" means every type of Legislation must originate from a competent State institution or official. Legislation may be invalidated or legally void if it is issued by an incompetent State institution or official.

Point c

The term "principle of conformity between type, hierarchy and material content" means Legislation Making must observe the proper material contents in accordance with the type and hierarchy of Legislation.

Point d

The term "principle of enforceability" means that Legislation making must take into account the effectiveness of such Legislation in the society viewed from the philosophical, sociological, and juridical aspects.

Point e

The term "principle of efficiency and effectiveness" means that Legislation is made because it is needed and useful to regulate the social, national, and State life

Point f

The term "principle of clear formulation" means that Legislation must meet the technical requirements in its

preparation, systematics, choice of words or phrases, and clear and simple legal language so that it does not create different interpretations in its implementation.

Point g

The term “principle of transparency” means that Legislation making process during the stages of planning, preparation, discussion, endorsement or enactment or issuance, and promulgation, including monitoring and review, must provide access for the public who have interests and are directly affected to obtain information and/or give input at every stage, either verbally and/or in writing, online (in-network) and/or offline (outside the network).

Number 2

Article 9

Sufficiently clear.

Number 3

Sufficiently clear.

Number 4

Article 42A

The term “planning documents” includes, among others, the National Legislation Program (Prolegnas), the Government Regulation drafting program, the Presidential Regulation drafting program, the Provincial Legislative Program (Prolegda), and the Regency/Municipal Legislative Program.

Number 5

Article 49

Sufficiently clear.

Number 6

Article 58

Section (1)

In implementing the coordination of harmonization, unification, and consolidation of the concept of a Draft Provincial Regulation, the minister or head of the institution administering government affairs in the field of Legislation Making involving the minister administering government affairs in the field of home affairs, the ministers or heads of institutions related to the substance of the Draft Provincial Regulation, the Provincial Government, the Provincial DPRD, as well as other parties deemed necessary according to needs.

Section (2)

Sufficiently clear.

Number 7

Article 64

Section (1)

Sufficiently clear.

Section (1a)

Sufficiently clear.

Section (1b)

Point a

The term “new material content” means:

- a. material that has not previously been regulated in Legislation using the omnibus method; and/or
- b. an additional material content in Legislation amended through Legislation using the omnibus method.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Number 8

Article 72

Section (1)

Sufficiently clear.

Section (1a)

The term “technical writing errors” includes, among others, incomplete letters, incorrect references to articles or paragraphs, typographical errors, and/or incorrect titles or numbering of chapters, parts, paragraphs, articles, paragraphs, or points that are non-substantive in nature.

Section (1b)

Sufficiently clear.

Section (2)

Sufficiently clear.

Number 9

Article 73

Section (1)

The ministry that discusses the Draft Law is the minister assigned by the President to represent the Government in the discussion of the Draft Law in the DPR.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Number 10

Article 78

Section (1)

Draft Provincial Regulations, including those on regional taxes and levies, regional budgets, and spatial planning, that have been jointly approved by the Provincial DPRD and the governor are required initially to be evaluated by the minister in accordance with the provisions of Legislation before being enacted. For example, the provisions regarding mandatory evaluation of Draft Provincial Regulations as regulated in the law concerning central and regional financial relations.

Section (2)

Sufficiently clear.

Number 11

Article 85

Sufficiently clear.

Number 12

Article 95

The texts of Legislation disseminated are easily accessible to stakeholders and the public at large, including persons with disabilities.

Number 13

Article 95A

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (3a)

Monitoring and review activities of Laws by the Regional Representative Council (DPD) cover only those Laws related to the provisions of Article 22D of the 1945 Constitution of the Republic of Indonesia.

Section (3b)

Sufficiently clear.

Section (4)

The results of monitoring and review of Laws used as proposals for the preparation of the National Legislation Program (Prolegnas) are presented in the form of an Academic Paper and/or Draft Law.

Number 14

Article 96

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term “group of persons” means a group/community organization, professional organization, NGO registered with the relevant ministry, *adat* law (indigenous) communities, and persons with disabilities.

Section (4)

Sufficiently clear.

Section (5)

The term “informs” includes the National Legislation Program (Prolegnas), the program for establishing Government Regulations, the program for establishing Presidential Regulations, Provincial Legislation Program, and Regency/Municipal Legislation Program.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

The term “discussion results” includes meeting reports.

Section (9)

Sufficiently clear.

Number 15

Article 97A

The term “can only be amended and/or repealed by amending and/or revoking the Legislation” means, for example, Article 6 of Law Number 26 of 2007 on Spatial Planning, which was amended by Law Number 11 of 2020 on Job Creation. That article can only be amended and/or repealed by amending and/or revoking Law Number 11 of 2020 on Job Creation.

Another example, Article 5 of Law Number 26 of 2007 on Spatial Planning is not amended by Law Number 11 of 2020 on Job Creation. That article can only be amended and/or repealed by Law Number 26 of 2007 on Spatial Planning.

Article 97B

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term “certified” means an electronic signature that meets the requirements as referred to in the Legislation on information and electronic transactions.

Section (4)

The term “has the same legal force as Legislation made in printed form” means that Legislation made electronically has the same legal force as those made non-electronically.

Section (5)

The term “has the same legal force as Legislation signed non-electronically” means that electronic signatures affixed to Legislation have the same legal force as Legislation signed non-electronically. For example, in the planning, drafting, and discussion stages conducted non-electronically, but at the enactment/ratification or promulgation stage, an electronic signature is used.

Section (6)

Sufficiently clear.

Article 97C

Sufficiently clear.

Article 97D

Sufficiently clear.

Number 16

Article 98

Section (1)

The term "legislative drafters" means civil servants assigned to the tasks, responsibilities, authority, and rights to draft Legislation and/or other legal instruments in accordance with the prevailing Legislation.

Section (1a)

Sufficiently clear.

Section (2)

Sufficiently clear.

Number 17

Article 99

The term “legislative analysts” means civil servants who provide support in Making Laws, Provincial Regulations, and Regency/Municipal Regulations.

The term “expert staff” means experts in DPR, DPD, and provincial DPRD and regency/municipal DPRD.

Number 18

Sufficiently clear.

Number 19

Sufficiently clear.

Article II

Sufficiently clear.