

DRAFT OF
LAW OF THE REPUBLIC OF INDONESIA
NUMBER YEAR 2003
CONCERNING
GENERAL ELECTIONS FOR THE MEMBERS OF THE PEOPLE'S
REPRESENTATIVE COUNCIL, THE REGIONAL REPRESENTATIVE COUNCIL, AND
THE REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL

UPON THE GRACE OF GOD THE ALMIGHTY
PRESIDENT OF THE REPUBLIC OF INDONESIA

- Considering
- a. whereas, a general election constitutes an instrument with which to manifest the people's power in the state's governance as mandated by the 1945 Constitution;
 - b. whereas, in line with the demands and changes in the dynamics of society as expressed in the amendment to the 1945 Constitution, general elections are held to elect members of the People's Representative Council (DPR), the Regional People's House of Representatives (DPRD), and the Regional Representative Council (DPD) as well as the President and Vice President;
 - c. whereas, general elections need to be held to the highest standards with the community's fullest participation and conducted upon the principles of directness, public activity, freedom, confidentiality, honesty, fairness, justice, education, efficiency and accountability;
 - d. whereas, general elections held to elect members of the representative institutions must be able to guarantee the principle of representativeness, accountability and legitimacy;
 - e. whereas, Law Number 3 of 1999 on General Elections as amended by Law Number 4 of 2000 on the Amendment of Law Number 3 of 1999 on General Elections is no longer in accordance with the demands and developments of society's dynamics ;
 - f. whereas, in line with the considerations as referred to in point

a, point b, point c, point d and point e, it is deemed necessary to formulate a law on general elections of the members of DPR, DPD and DPRD;

- Bearing in mind :
1. Article 1 paragraph (2), Article 2 paragraph (1), Article 5 paragraph (1), Article 18 paragraph (3), Article 20, Article 22C paragraph (1) and paragraph (2), Article 22E and Article 27 paragraph (1) of the 1945 Constitution;
 2. Law Number 31 of 2002 concerning Political Parties (State Gazette 2002 Number 138, State Gazette Supplement Number 4251);

With the collective approval of

THE PEOPLE'S REPRESENTATIVE COUNCIL

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAVE DECIDED

To enact : LAW CONCERNING GENERAL ELECTIONS OF THE MEMBERS OF THE PEOPLE'S REPRESENTATIVE COUNCIL, THE REGIONAL REPRESENTATIVE COUNCIL, AND THE REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL

CHAPTER I

GENERAL PROVISIONS

Article 1

In this law, that which is meant by:

1. A general election, hereinafter referred to as election, is an implementing instrument of the people's sovereignty within the Unitary State of the Republic of Indonesia under Pancasila and the 1945 Constitution.
2. The People's Representative Council, Regional Representative Council, Provincial 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.

3. The National Election Commission, hereinafter referred to as the KPU, is a national, permanent, and independent, institution which is established to hold elections.
4. The Provincial Elections Committee and the Regency/City Elections Committee, hereinafter referred to as the Provincial KPU and the Regency/City KPU, are the election organizing bodies in the provinces and regencies/cities, which are part of the KPU.
5. The Sub-District (*Kecamatan*) Election Committee, the Overseas Election Committee, Kelurahan/Village Election Committee, Voting Station Officials, and Overseas Voting Station Officials shall hereinafter be referred to as the PPK, PPLN, PPS, KPPS and KPPSLN.
6. Election Supervisors are the Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Sub-district (*Kecamatan*) Election Supervisory Committee which supervise the implementation of all election processes.
7. Citizen refers to citizens of the Republic of Indonesia domiciled within the territory of the Republic of Indonesia or abroad.
8. Voters are citizens who are at least 17 (seventeen) years of age or are/have been married.
9. Electoral participants are political parties, and individuals who are candidates for membership of the DPD.
10. Participating Political Parties are political parties which are eligible to participate in the elections.
11. Electoral campaign is an activity undertaken by Participating Political Parties and/or candidates for membership of the DPR, Provincial DPRD, and Regency/City DPRD with the purpose of convincing the voters by offering their respective programs
12. Polling Stations and Foreign Polling Stations, hereinafter referred to as TPS and TPSLN, are locations at which voters cast their votes on election day.
13. Election Divisor, hereinafter referred to as BPP, is the divisor obtained as a result of dividing the number of valid votes by the number of seats in each respective electoral district to determine the number of seats obtained by the Participating Political Parties and the election of the members of the DPR, Provincial DPRD and Regency/City DPRD.
14. Stages of Implementation of the Election are the series of election activities which commence with voter registration, electoral participants registration, determination of electoral participants, determination of seats, nomination of candidates for DPR, DPD, Provincial DPRD and Regency/City DPRD, campaign, voting and vote counting, determination of election result, until the taking of the oath/pledge by the members of the DPR, DPD, Provincial and Regency/City DPRDs.

Article 2

Elections are held democratically based on the principles of directness, public participation, freedom, confidentiality, honesty, and fairness.

Article 3

Elections are held to elect members of the DPR, DPD, Provincial DPRD, and Regency/City DPRD.

Article 4

Elections shall be held once every 5 (five) years on a holiday or a day declared as a holiday.

Article 5

- (1) Electoral participants with respect to the election of members of the DPR, Provincial DPRD, and the Regency/City DPRD are political parties.
- (2) Electoral participants with respect to the election of members of the DPD are individual persons.

Article 6

- (1) Elections held to elect members of the DPR, Provincial DPRD, and the Regency/City DPRD shall use the proportional system with an open candidate list.
- (2) Elections held to elect members of the DPD shall use a multi representative district system.

CHAPTER II

ELECTORAL PARTICIPANTS

Section One

Electoral Participants from Political Parties

Article 7

- (1) A political party may become a participant in the election if it meets the following requirements:
 - a. Its existence is recognized under Law Number 31 of 2002 on Political Parties;

- b. It has a complete board of administrators in at least 2/3 (two thirds) of the number of provinces;
 - c. It has a complete board of administrators in at least 2/3 (two thirds) of the number of regencies/cities in each of the provinces referred to in sub paragraph b;
 - d. It has a minimum number of 1000 (one thousand) persons or at least 1/1000 (one thousandth) of the number of residents as members in each board of administrators' area as referred to in sub paragraph c, as substantiated by party membership cards;
 - e. The administrators as referred to in sub paragraph b and sub paragraph c must have permanent offices;
 - f. It has submitted the political party's name and symbol.
- (2) Political parties which are registered but do not meet the requirements as referred to in paragraph (1) cannot become participants in the election.
 - (3) The KPU shall determine and implement the method of examination with regard to the validity of fulfillment of the requirements referred to in paragraph (1).
 - (4) The determination of the method of examination, the conduct of the examination, and the determination of whether the requirements referred to in paragraph (1) have been validly fulfilled, is conducted by the KPU and such determinations shall be final.

Article 8

In submitting its name and symbol as referred to in Article 7 paragraph (1) sub paragraph f, a political party is prohibited from adopting a name and symbol which are similar to:

- a. the coat of arms or flag of the Republic of Indonesia;
- b. the coat of arms or flag of the government;
- c. the name, flag or coat of arms of a foreign country and the name, flag or symbol of an international organization/agency;
- d. the name and picture of a person; or
- e. names and symbols that have similarities in principle or in their entirety to the name and symbol of another political party.

Article 9

- (1) In order to participate in subsequent elections a Participating Political Party has to:
 - a. obtain at least 3% (three percent) of the number of seats in the DPR;
 - b. obtain at least 4% (four percent) of the number of seats in the Provincial DPRDs throughout at least ½ (one half) of the total number of provinces in Indonesia; or
 - c. obtain at least 4% (four percent) of the number of seats in the Regency/City DPRDs throughout at least ½ (one half) of the total number of regencies/cities in Indonesia.
- (2) A Participating Political Party which does not meet the requirements as referred to in paragraph (1) shall not be allowed to participate in subsequent elections unless such Participating Political Party:
 - a. amalgamates with another political party which meets the requirements as referred to in paragraph (1);
 - b. amalgamates with another Participating Political Party which does not meet the requirements as referred to in paragraph (1) to form a new political party under the name and symbol of either one of such political parties, thus obtaining the minimum required number of seats; or
 - c. amalgamates with another Participating Political Party which does not meet the requirements as referred to in paragraph (1) to form a new political party under a new name and symbol, thus obtaining the minimum required number of seats.

Article 10

- (1) The period for registering political parties as participants in the election shall be determined by the KPU.
- (2) The determination of the numerical order of political parties who are electoral participants is conducted by lottery by the KPU, and attended by all Participating Political Parties.

Section Two

Individual Electoral Participants

Article 11

- (1) In order to become a candidate for membership of the DPD, an individual participant must meet the requirement of having support from:
 - a) at least 1,000 (one thousand) voters in a province with a population up to 1,000,000 (one million) people;

- b) at least 2,000 (two thousand) voters in a province with a population of more than 1,000,000 (one million) and up to 5,000,000 (five million) people;
 - c) at least 3,000 (three thousand) voters in a province with a population of more than 5,000,000 (five million) and up to 10,000,000 (ten million) people;
 - d) at least 4,000 (four thousand) voters in a province with a population of more than 10,000,000 (ten million) and up to 15,000,000 (fifteen million) people;
 - e) at least 5,000 (five thousand) voters in a province with a population of more than 15,000,000 (fifteen million) people.
- (2) Support as referred to in paragraph (1) shall be spread through at least 25% (twenty five percent) of the number of regencies/cities in the respective province.
 - (3) The requirements as stipulated in paragraph (1) and paragraph (2) must be validated by signatures or thumb print and copies of identity cards (KTP) or other valid forms of identification.
 - (4) A supporter must not give support to more than one candidate for membership of the DPD.
 - (5) Support given to more than one candidate for membership of the DPD as referred to in paragraph (4) shall be regarded as invalid.
 - (6) The electoral participant registration schedule for candidates for membership of the DPD is decided by the KPU.

Article 12

- (1) A person who does not meet the requirements as referred to in Article 11 paragraph (1), paragraph (2) and paragraph (3) cannot become a participant in the election.
- (2) The KPU shall determine whether the requirements as referred to in Article 11 paragraph (1), paragraph (2) and paragraph (3) have been validly fulfilled, and such determination shall be final.
- (3) The KPU shall determine and implement the method used for examining whether the requirements as referred to in paragraph (2) have been validly fulfilled.

CHAPTER III
VOTING RIGHTS

Article 13

- (1) 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 14

- (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
ELECTION ORGANIZER

Part One

General Provisions

Article 15

- (1) The election is held by the KPU, which shall be national, permanent, and independent in nature.
- (2) The KPU is responsible for the implementation of general elections.
- (3) In performing its duties, the KPU shall give reports on the progressive stages of implementation of the election to the President and the DPR.

Article 16

- (1) The membership of the KPU shall consist of:

- a. At most 11 persons for the KPU;
 - b. 5 persons for the Provincial KPU;
 - c. 5 persons for the Regency/City KPU
- (2) The membership of the KPU shall consist of a Chairperson concurrently acting as a member, a Vice Chairperson concurrently acting as a member, and members.
 - (3) The Chairperson and Vice Chairperson of the KPU shall be elected from amongst and by the KPU members.
 - (4) All KPU members shall have equal voting rights.

Article 17

- (1) The organizational structure of the election organizers consists of the KPU, Provincial KPU and Regency/City KPU.
- (2) The Provincial KPU and Regency/City KPU, which are part of the KPU, are the election organizers in the provinces and regencies/cities .
- (3) In performing their duties, the KPU, Provincial KPU and Regency/City KPU have secretariats.
- (4) The organization and work procedures of the KPU as referred to in paragraph (1), paragraph (2) and paragraph (3) shall be determined by a Presidential Decree based on a proposal from the KPU in accordance with the applicable legislation.
- (5) In implementing the election, the Regency/City KPU shall form PPK and PPS.
- (6) To implement voting in TPS, PPS shall form KPPS.
- (7) The duties of PPK as referred to in paragraph (5) shall cease 2 (two) months after voting day.
- (8) The duties of PPS and KPPS as referred to in paragraph (6) shall cease 1 (one) month after voting day.
- (9) For the implementation of voting abroad, the KPU shall form PPLN and PPLN subsequently shall form KPPSLN.
- (10) The duties of PPLN and KPPSLN as referred to in paragraph (9) shall cease 1 (one) month after voting day.
- (11) To supervise the implementation of the election, the KPU shall form Election Supervisory Bodies.

Article 18

The requirements for becoming a member of the KPU, Provincial KPU and Regency/City KPU are:

- a. A citizen of the Republic of Indonesia;
- b. Loyal to Pancasila as the nation's ideology, the 1945 Constitution and the aims of the Proclamation of 17 August 1945;
- c. Have strong personal integrity, be honest and fair;
- d. Have commitment and dedication towards the success of the election, the enforcement of democracy, and justice;
- e. Have sufficient knowledge about party systems, electoral systems and processes, the representation system, and leadership skills;
- f. Entitled to vote and be elected;
- g. Domiciled in the territory of the Republic of Indonesia as evidenced by an identity card;
- h. Of sound body and mind as shown by the result of a complete physical examination at a hospital;
- i. Not be a member or administrator of a political party;
- j. Have never been sentenced to imprisonment by a final court decision for committing a crime punishable by 5 (five) years or more imprisonment;
- k. Does not currently hold a political, structural or functional position in the civil service;
- l. Willing to work full time.

Article 19

- (1) Candidates for membership of the KPU shall be proposed by the President for approval by the DPR to be determined as KPU members.
- (2) Candidates for membership of a Provincial KPU shall be proposed by governors for approval by the KPU to be determined as Provincial KPU members.
- (3) Candidates for membership of the Regency/City KPU shall be proposed by regents/mayors for approval by the Provincial KPU to be determined as Regency/City KPU members.
- (4) The candidates proposed for membership of the KPU as referred to in paragraph (1), paragraph (2) and paragraph (3) shall be twice the number of members required.

- (5) Membership of the KPU is determined by:
 - a. The President for the KPU;
 - b. The KPU for Provincial and Regency/City KPU.
- (6) The term of office of members of the KPU, Provincial KPU and Regency/City KPU is 5 (five) years from their taking of the pledge/oath.

Article 20

- (1) KPU, Provincial KPU and Regency/City KPU members may cease to be members during their office term due to:
 - a. death;
 - b. resignation;
 - c. violations of the pledge/oath;
 - d. violations of the code of ethics;
 - e. no longer fulfilling the requirements as referred to in Article 18.
- (2) A KPU member may be dismissed as referred to in paragraph (1) by:
 - a. The President, with approval and/or proposal from the DPR, for KPU members;
 - b. The KPU for Provincial KPU members;
 - c. The KPU for Regency/City KPU members.
- (3) Interim substitution of a KPU, Provincial KPU and Regency/City KPU member who resigns as stipulated in paragraph (1) shall be conducted as defined in Article 19.

Article 21

In order to maintain its independence, integrity, and credibility, the KPU formulates a code of ethics which is binding and must be adhered to by each of its members.

Article 22

- (1) An *ad hoc* KPU Honorary Council is established to investigate reports in relation to violations by a member of the KPU of the code of ethics.
- (2) Membership of the KPU Honorary Council shall consist of 3 (three) persons comprising a chairperson and members who are selected amongst and by KPU members.

- (3) The KPU Honorary Council shall recommend further action on their findings to the KPU
- (4) The methods of operation of the KPU Honorary Council shall be determined by the KPU.

Article 23

Funding for the KPU shall be derived from the state budget (APBN) and regional budget (APBD).

Article 24

- (1) Prior to executing their duties, members of the KPU, Provincial KPU, Regency/City KPU, PPK, PPS, PPLN, KPPS and KPPSLN shall take a pledge/oath
- (2) The oath/pledge for members of the KPU, Provincial KPU, and Regency/City KPU, PPK, PPS, PPLN, KPPS and KPPSLN shall be as follows:

“By God (Allah), I swear:

That I will perform my obligations as a Member of the KPU/Provincial KPU/Regency/City KPU/PPK/PPS/PPLN/KPPS/KPPSLN to the utmost and as justly as possible;

That I will conduct the elections in accordance with the applicable laws and regulations and shall adhere to Pancasila and the 1945 Constitution;

That in the performance of my duties and obligations, I will not surrender to any intimidation and influence from any parties that is against the applicable laws;

That in the performance of my duties and authority, I will do so faithfully, honestly, fairly and carefully for the success of the election, the upholding of democracy and fairness, and shall always put the interest of the Republic of Indonesia above personal and group interest;

Article 25

The KPU shall have the following duties and authorities:

- a. To plan the conduct of the election;
- b. To determine the organization and procedures for the conduct of all stages of the election;
- c. To coordinate, conduct and control all stages of the implementation of the election;
- d. To determine the electoral participants;

- e. To determine electoral districts, the number of seats and candidates for membership of the DPR, DPD, Provincial DPRD and Regency/City DPRD;
- f. To establish the time, date, campaign procedures and voting procedures;
- g. To determine the result of the election and announce the elected members of the DPR, DPD, Provincial DPRD and Regency/City DPRD;
- h. To evaluate and give a report on the implementation of the election;
- i. To implement other duties and powers regulated by law.

Article 26

The KPU shall have the following obligations:

- a. to serve and treat participants to the election in a fair and equal manner to ensure the success of the election;
- b. to determine standards and requirements for goods and services for the implementation of the election in accordance with the applicable legislation;
- c. to maintain election archives and documents and manage KPU inventories in accordance with the applicable legislation;
- d. to deliver information related to its activities to the public;
- e. to submit reports on the implementation of the election to the President no later than 7 (seven) days after the taking of the pledge/oath by members of the DPR and DPD;
- f. to be accountable for the utilization of funding received from the national budget (APBN); and
- g. to implement other obligations regulated by law.

Article 27

- (1) The KPU General Secretariat shall be chaired by a General Secretary and assisted by an Assistant General Secretary.
- (2) The General Secretary and Assistant General Secretary are civil servants appointed and dismissed by a presidential decree.
- (3) The General Secretary and Assistant General Secretary are nominated by the KPU from 3 (three) candidates for each, proposed by the Government and subsequently determined by a presidential decree.
- (4) The General Secretariat shall be staffed by civil servants

Section Three

Provincial KPU

Article 28

The Provincial KPU shall have the following duties and authorities:

- a) To plan the implementation of elections in the province;
- b) To conduct the election in the province;
- c) To determine the election results in the province;
- d) To coordinate the activities of the Regency/City KPUs; and
- e) To perform other duties assigned by the KPU.

Article 29

The Provincial KPU shall have the following obligations:

- a) To serve and treat participants to the election in a fair and equal manner;
- b) To deliver information relating to its activities to the public;
- c) To provide responses to enquiries and receive and process complaints submitted by electoral participants and the public;
- d) To submit periodic reports, and be accountable for all its activities, to the KPU;
- e) To submit periodic reports to the governor;
- f) To be accountable for the utilization of funding received from the national budget (APBN) and regional budget (APBD); and
- g) To perform other duties assigned by the KPU.

Article 30

- (1) The Provincial KPU Secretariat shall be chaired by a secretary.
- (2) The Provincial KPU secretary is a civil servant appointed and dismissed by a decree of the KPU General Secretariat.
- (3) The Provincial KPU secretary is nominated by the Provincial KPU from 3 (three) candidates proposed by the governor, and subsequently determined by a decree of the KPU General Secretariat.

Part Three

Regency/City KPU

Article 31

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

- a) To plan the implementation of elections in the regency/city;
- b) To conduct the Election in the regency/City;
- c) To determine the results of the election in the Regency/city;
- d) To establish PPK, PPS, and KPPS within its jurisdiction;
- e) To coordinate the activities of the election committees within the jurisdiction of the Regency/City KPU; and
- f) To perform other duties assigned by the KPU and Provincial KPU.

Article 32

The Regency/City KPU shall have the following obligations:

- a) To serve and treat participants in the election in a fair and equal manner;
- b) To deliver information relating to its activities to the public;
- c) To provide responses to enquiries and receive and process complaints submitted by electoral participants and the public;
- d) To submit periodic activity reports, and be accountable for all its activities, to the KPU, with copies delivered to the Provincial KPU;
- e) To submit periodic activity reports to the regent/mayor.
- f) To be accountable for the utilization of funding received from the national budget (APBN) and regional budget (APBD);
- g) To perform other duties assigned by the KPU and the Provincial KPU.

Article 33

- (1) The Regency/City KPU Secretariat shall be chaired by a secretary.
- (2) The Regency/City KPU secretary is a civil servant who is appointed and dismissed by decree of the KPU General Secretariat.

- (3) The Regency/City KPU secretary is nominated by the Regency/City KPU from 3 (three) candidates proposed by the regent/mayor and subsequently determined by decree of the KPU General Secretariat.

Section Five

Sub-District (Kecamatan) and Village/Kelurahan Organizing Election Committee

Article 34

- (1) PPK and PPS shall be established to conduct the elections at the kecamatan and village/kelurahan levels.
- (2) PPK and PPS as referred to in paragraph (1) shall be established by the Regency/City KPU.

Article 35

- (1) The PPK shall be located in the administrative center of the kecamatan.
- (2) The duties and authorities of the PPK are as follows:
 - a. To compile the results of vote counting from all the TPS within its jurisdiction and conduct a recapitulation of the vote counting results from all PPS within its jurisdiction;
 - b. To assist the Regency/City KPU in performing its duties to conduct the election.

Article 36

- (1) The PPK shall consist of 5 (five) persons selected from amongst public figures.
- (2) Members of the PPK are appointed and dismissed by the Regency/City KPU on the advice of the Camat.
- (3) In performing its duties, the PPK shall be assisted by a secretariat led by a secretary, who is a civil servant appointed by the Camat.
- (4) Staff in the PPK secretariat shall be kecamatan employees;
- (5) The head and personnel of the secretariat are appointed and dismissed by the Camat, based on a proposal from the PPK.
- (6) The duties of the PPK shall cease two month after voting day.

Article 37

- (1) The PPS shall be located in the village/kelurahan.

- (2) Members of the PPS shall consist of 3 (three) persons selected from amongst public figures.
- (3) Members of the PPS shall be appointed and dismissed by the PPK based on a proposal by the head of the village/kelurahan.
- (4) The duties and authorities of the PPS are as follows:
 - a. To conduct the registration of voters;
 - b. To designate census and registration officials;
 - c. To deliver the voter register to the PPK;
 - d. To establish KPPS;
 - e. To conduct recapitulation of vote counting from all TPS within its jurisdiction;
and
 - f. To assist the PPK in its duties.

Article 38

- (1) PPLN shall be domiciled at the relevant representative office of the Republic of Indonesia.
- (2) PPLN membership shall consist of at least 3 (three) persons and no more than 7 (seven) persons selected from representatives of the Indonesian people.
- (3) PPLN members are appointed and dismissed by the KPU based on proposals, within his/her area of jurisdiction, by the local head of the representative office of the Republic of Indonesia.
- (4) PPLN membership shall comprise of a chairperson, vice chairperson and Members.
- (5) The duties and authorities of the PPLN are:
 - a) To conduct voter registration of Indonesian citizens;
 - b) To designate census and registration officials;
 - c) To deliver the Indonesian citizen voter register to the KPU;
 - d) To establish KPPSLN; and
 - e) To conduct recapitulation of vote counting from all TPSLN within its jurisdiction.

Article 39

- (1) KPPS has the duty to conduct voting and the count of votes in the TPS.
- (2) KPPS membership consists of 7 (seven) persons.
- (3) To assist the KPPS in its duties, 2 (two) public security personnel shall be assigned to each TPS.
- (4) KPPS must submit an Official Report on Voting and Vote Counting, and a Result of Vote Count Certificate to the PPS.

Article 40

- (1) KPPSLN has the duty to conduct voting in the TPSLN.
- (2) KPPSLN membership consists of no more than 7 (seven) persons.
- (3) KPPSLN must submit an Official Report on Voting and Vote Counting, and a Result of Vote Count Certificate to the PPLN.

Article 41

The requirements which have to be met by a person to become a member of the PPK, PPLN, PPS, KPPS and KPPSLN shall be as follows:

- a. A citizen of the Republic of Indonesia;
- b. At least 17 (seventeen) years of age;
- c. Domiciled within the jurisdiction of the relevant PPK, PPLN, PPS, KPPS, and KPPSLN;
- d. Registered as a voter;
- e. Not an administrator of a political party;

Article 42

The organization and description of the work of the PPK, PPS, KPPS, PPLN and KPPSLN shall be determined by the KPU.

Section Six

Supply and Distribution of Election Equipment

Article 43

- (1) The supply and distribution of ballot papers and election equipment 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 shall be carried out by the KPU.

Article 44

- (1) During the printing of the ballot papers, the relevant printing company is only allowed to print ballot papers according to the number 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 periodic 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 45

- (1) The KPU shall determine the number of ballot papers to be distributed.
- (2) Distribution of the ballot papers shall be conducted by the KPU.

- (3) Ballot papers and election equipment must be received by the PPS and PPLN by 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

ELECTORAL DISTRICTS AND NUMBER OF SEATS

Section One

Electoral Districts and Number of Seats for Election of DPR, Provincial DPRD and Regency/City DPRD members

Article 46

- (1) Electoral districts for the election of members of the DPR, Provincial DPRD, Regency/City DPRD are determined in the following manner:
 - a. Electoral districts for members of the DPR shall be a province or parts of a province;
 - b. Electoral districts for members of the Provincial DPRD shall be a regency/city or combinations of regencies/cities as electoral districts;
 - c. Electoral districts for members of the Regency/City DPRD shall be a Kecamatan or combinations of kecamatan as electoral districts;
- (2) The determination of the electoral districts for DPR, Provincial DPRD and Regency/City DPRD members is conducted by the KPU, with the stipulation that each electoral district is allocated between 3 (three) and 12 (twelve) seats.

Article 47

The number of seats for the DPR is determined to be 550 (five hundred and fifty).

Article 48

- (1) The determination of the number of seats in the DPR for each electoral district is based on the population of the relevant province, taking into account a proper balance.
- (2) The method for calculating the number of seats in the DPR for each province as referred to in paragraph (1) shall be determined by the KPU.

Article 49

- (1) The number of seats in a Provincial DPRD is at least 35 (thirty-five) and not more than 100 (one hundred).
- (2) The number of seats in the Provincial DPRD as referred to in paragraph (1) is based on the population of the relevant Province, within the following conditions:
 - a. A province with a population up to 1,000,000 (one million) people shall be allocated 35 (thirty-five) seats;
 - b. A province with a population above 1,000,000 (one million) people but not more than 3,000,000 (three million) people shall be allocated 45 (forty-five) seats;
 - c. A province with a population above 3,000,000 (three million) people but not more than 5,000,000 (five million) people shall be allocated 55 (fifty-five) seats;
 - d. A province with a population above 5,000,000 (five million) people but not more than 7,000,000 (seven million) people shall be allocated 65 (sixty-five) seats;
 - e. A province with a population above 7,000,000 (seven million) people but not more than 9,000,000 (nine million) people shall be allocated 75 (seventy-five) seats;
 - f. A province with a population above 9,000,000 (nine million) people but not more than 12,000,000 (twelve million) people shall be allocated 85 (eighty-five) seats;
 - g. A province with a population above 12,000,000 (twelve million) people shall be allocated 100 (one hundred) seats.
- (3) The number of seats in each electoral district for the election of members of the Provincial DPRD as referred to in paragraph (2) shall be determined by the KPU.

Article 50

- (1) The number of seats in a Regency/City DPRD is at least 20 (twenty) and no more than 45 (forty-five).
- (2) The number of seats in the Regency/City DPRD as referred to in paragraph (1) is based on the population of the relevant regency/city, within the following conditions:
 - a. A regency/city with a population up to 100,000 (one hundred thousand) people shall be allocated 20 (twenty) seats.
 - b. A regency/city with a population above 100,000 (one hundred thousand) people but not more than 200,000 (two hundred thousand) people shall be allocated 25 (twenty) seats.

- c. A regency/city with a population above 200,000 (two hundred thousand) people but not more than 300,000 (three hundred thousand) people shall be allocated 30 (thirty) seats.
 - d. A regency/city with a population above 300,000 (three hundred thousand) people but not more than 400,000 (four hundred thousand) people shall be allocated 35 (thirty five) seats.
 - e. A regency/city with a population above 400,000 (three hundred thousand) people but not more than 500,000 (five hundred thousand) people shall be allocated 40 (forty) seats.
 - f. A regency/city with a population above 500,000 (five hundred thousand) people shall be allocated 45 (forty five) seats.
- (3) The number of seats for each electoral district for the election of members of the Regency/City DPRD as referred to in paragraph (2) shall be determined by the KPU.

Section Two

Electoral Districts and Number of Seats for Elections for the DPD

Article 51

The electoral districts for the election of members of the DPD are each of the provinces.

Article 52

The number of DPD members for each province is 4 (four) persons.

CHAPTER IV

VOTER REGISTRATION

Article 53

- (1) Voter registration shall be conducted by a voter registration officer by visiting voters' homes, and/or may be done actively by voters.
- (2) Voter registration for citizens of the Republic of Indonesia residing outside Indonesia shall be done actively by the voters, by registering themselves at the local PPLN, and/or by being registered by a voter registration officer.
- (3) Voter registration shall be conducted and finished no later than 6 (six) months prior to voting day.
- (4) The procedure for voter registration shall be determined by the KPU.

Article 54

- (1) Registration of voters shall be conducted by recording the data of voters in the voters register.
- (2) Data on voters as referred to in paragraph (1) shall be:
 - a. full name;
 - b. marital status;
 - c. date/place of birth;
 - d. gender
 - e. type of disability suffered; and
 - f. address of domicile.

Article 55

The voters register for each electoral district shall be maintained by the KPU.

Article 56

A voter whose name has been registered in the voters register as referred to in Article 53 shall be given a proof of registration, to be exchanged for a voter's card.

Article 57

- (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 58

- (1) A voter registered in the voters register as referred to in Article 54 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 59

- (1) Based on the voters register as referred to in Article 54, 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.

CHAPTER VII

NOMINATION OF DPR, DPD, PROVINCIAL DPRD AND REGENCY/CITY DPRD MEMBERS

Section One

Requirements for Candidates for the DPR, DPD, Provincial DPRD, and Regency/City DPRD

Article 60

A candidate for the DPR, DPD, Provincial DPRD and Regency/City DPRD has to meet the following requirements:

- a A citizen of the Republic of Indonesia who is 21 (twenty-one) or more years of age;
- b Have faith in God the Almighty;
- c Domiciled in the territory of the Republic of Indonesia;
- d Proficient in speaking, reading, and writing in Bahasa Indonesia;
- e Have at least a high school diploma or similar;
- f Loyal to Pancasila as the nation's ideology, the 1945 Constitution and the aims of the Proclamation of 17 August 1945;

- g Not a former member of the banned Indonesian Communist Party, including its mass organizations, or not a person who is directly or indirectly involved in the “G30S/PKI”, or any other illegal organization;
- h Not having his/her right to vote revoked by a final court decision;
- i Not currently be under a final sentence of a court for a crime punishable by imprisonment for 5 (five) or more years;
- j Of sound body and mind as shown by the results of a complete medical examination by a competent medical practitioner;
- k Registered in the voters register.

Article 61

A candidate for the DPR, DPD, Provincial DPRD and Regency/City DPRD can be nominated for only one Representative Institution within one electoral district.

Article 62

A candidate for the DPR, Provincial DPRD, and Regency/City DPRD, aside from having to meet the requirements for candidacy as referred to in Article 60, must also be registered as a member of a participating political party as evidenced by a membership card.

Article 63

A candidate for the DPD, in addition to having to fulfill the candidacy requirements as referred to in Article 60, must also meet the following qualifications:

- a. be domiciled within the relevant province for at least 3 (three) consecutive years up to the date of nomination or have been domiciled for 10 (ten) years since the age of 17 (seventeen) in the relevant province;
- b. not be currently an administrator of a political party or have been such an administrator for at least 4 (four) years prior to the date of nomination.

Article 64

A candidate for the DPD who is a member of the Civil Service, Armed Forces (TNI), and the Indonesian Police Force (PolRI), in addition to having to fulfill the requirements as referred to in Article 60 and Article 63 sub paragraph a, must resign from his/her current position as a civil servant, or member of TNI or PolRI.

Section Two

Method for Nomination of DPR, DPD, Provincial DPRD, and Regency/City DPRD candidate members

Article 65

- (1) Each participating political party may nominate candidates for the DPR, Provincial DPRD, and Regency/City DPRD, for each electoral district, giving consideration to representation of women of at least 30%.
- (2) Each participating political party may nominate a number of candidates at most 120% (one hundred and twenty percent) of the number of the seats determined as available in each electoral district.
- (3) Nomination of candidates for the DPR, Provincial DPRD, and Regency/City DPRD as referred to in paragraph (1) and paragraph (2) shall be conducted as follows:
 - a. candidates for the DPR shall be submitted to the KPU;
 - b. candidates for the Provincial DPRD shall be submitted to the relevant Provincial KPU; and
 - c. candidates for the Regency/City DPRD shall be submitted to the relevant Regency/City KPU.

Article 66

Nomination of candidates for the DPD shall be conducted as follows:

- a. candidates shall register themselves with the KPU through the Provincial KPU by stating the respective province they wish to represent;
- b. candidates shall submit the requirements as referred to in Article 60, Article 63 and Article 64 to the KPU within the time period determined by the KPU.

Article 67

- (1) Candidates for membership of the DPR, Provincial DPRD and Regency/City DPRD are nominated by a Participating Political Party using a democratic and open selection process in accordance with the internal procedures of the relevant political party.
- (2) A Participating Political Party shall submit the names of its candidates resulting from the selection process as referred to in paragraph (1), along with all the administrative requirements for their nomination, to the KPU, Provincial KPU, and Regency/City KPU, within the time period determined by the KPU.
- (3) The names in the list of candidates for DPR, Provincial DPRD, and Regency/City DPRD for each electoral district shall be compiled by the KPU, Provincial KPU, and

Regency/City KPU in their rank order, based on the numerical order determined by the Participating Political Parties.

- (4) The names on the list of DPD candidates for each electoral district shall be compiled by the KPU.
- (5) By no later than 2 (two) months prior to election day, the KPU, Provincial KPU, and Regency/City KPU shall have determined and announced the candidates for each electoral district for the DPR, DPD, Provincial DPRD and Regency/City DPRD.
- (6) The procedures and administrative format for completing and presenting the candidate list are determined by the KPU.

Article 68

- (1) A participating political party which nominates candidates for the DPR, Provincial DPRD, and Regency/City DPRD shall submit:
 - a. A letter of nomination signed by the chairperson of the political party at the relevant level;
 - b. A letter stating the candidate's willingness to be nominated as a candidate for the DPR, Provincial DPRD, or Regency/City DPRD;
 - c. A curriculum vitae for each candidate;
 - d. A statement of domicile signed by the relevant candidate;
 - e. A copy of the receipt provided by the authorized institution to each candidate for the list of assets owned by each candidate, to be given to the KPU; and
 - f. Statements as referred to in Article 60 and Article 62.
- (2) Individuals who nominate themselves to be a member of the DPD shall submit:
 - a. A letter of nomination with sufficient duty stamps signed by the relevant person;
 - b. A curriculum vitae;
 - c. A statement of domicile signed by the relevant candidate;
 - d. A copy of the receipt provided by the authorized institution to each candidate for the list of assets owned by each candidate, to be given to the KPU;
 - e. Details/data with respect to the support from registered voters as referred to in Article 11 paragraph (1) and paragraph (2); and
 - f. Statements as referred to in Article 60, Article 63 and Article 64

- (3) The format for collecting candidate data as referred to in paragraph (1) and paragraph (2) shall be determined by the KPU.
- (4) The names of the candidates, along with the attachments thereto, as referred to in paragraph (1) and paragraph (2), shall be presented to:
 - a. the KPU for candidates for DPR and DPD;
 - b. the Provincial KPU for candidates for Provincial DPRD; and
 - c. the Regency/City KPU for candidates for Regency/City DPRD.
- (5) Examination that requirements have been fulfilled and determination of the validity of the data referred to in paragraph (1) and paragraph (2) shall be conducted by:
 - a. the KPU for candidates for DPR and DPD;
 - b. the Provincial KPU for candidates for a Provincial DPRD; and
 - c. the Regency/City KPU for candidates for a Regency/City DPRD.
- (6) By no later than 7 (seven) days after the end of the examination to determine that requirements have been fulfilled and that the data relating to the candidates is valid, as referred to in Article 68 paragraph (1) and paragraph (2), the KPU, Provincial KPU, and Regency/City KPU shall submit the results of the examination to the administrators of the Participating Political Parties and individual candidates for the DPD.
- (7) If a candidate is rejected on the ground that he/she does not meet the requirements as stipulated in paragraph (1) and paragraph (2), such rejection shall be delivered in writing to the administrators of the Participating Political Party and to the individual candidate for the DPD, so that they may be given the opportunity to complete and/or rectify the errors in order to fulfil such requirements or, with respect to Participating Political Parties, submit another candidate;
- (8) Completion and/or rectification of errors so as to meet the requirements, or the submission of replacement candidates, shall be done within the 14 (fourteen) days following the date on which the notification of rejection as referred to in paragraph (7) is received.

Article 69

- (1) Names of candidates who have met the requirements as referred to in Article 60, Article 62, Article 63, Article 64, Article 67 and Article 68 shall be affirmed in a plenary session of the KPU, Provincial KPU and Regency/City KPU.
- (2) Names of candidates for the DPR, DPD, Provincial DPRD and Regency/City DPRD which have been affirmed as referred to in paragraph (1), shall be announced in the State Gazette/Regional Gazette and publicized in the mass media.

- (3) Further regulations on the procedures and timetable for the nomination of candidates for the DPR, DPD, Provincial DPRD and Regency/City DPRD shall be determined by a KPU Decree.

Article 70

The type, layout, and size of the forms used for the nomination of candidates for the DPR, DPD, Provincial DPRD and Regency/City DPRD shall be determined by the KPU.

CHAPTER VIII

CAMPAIGNS

Section One

Electoral Campaign

Article 71

- (1) During the elections, electoral campaigns may be conducted by the electoral participants.
- (2) During the elections, the people shall be free to attend electoral campaigns.
- (3) Electoral campaigns shall be held by the participating political parties for 3 (three) weeks and will end 3 (three) days prior to voting day.
- (4) Campaign materials shall consist of the programs of electoral participants.
- (5) Delivery of campaign materials shall be done in an ethical, orderly and educational manner.
- (6) Procedures and timetables for conducting campaigns shall be determined by the KPU taking into account the proposals from electoral participants.

Article 72

Electoral campaigns may be conducted in the form of:

- a. Limited meetings;
- b. dialogue;
- c. publication through printed and electronic media;
- d. broadcast on radios and/or television;
- e. dissemination of campaign materials to the public;

- f. installation of visual displays in public;
- g. general assemblies; and
- h. other activities that do not violate the applicable legislation.

Article 73

- (1) Electronic media and printed media shall provide equal opportunities to each electoral participant to deliver the theme and contents of his/her electoral campaign.
- (2) Electronic media and printed media must give equal opportunities to each electoral participant to advertise his/her electoral advertising for his/her electoral campaign.
- (3) Governments on all level shall provide equal opportunities to each electoral participant to use public facilities.
- (4) All parties attending a limited or public meeting held by an electoral participant shall only be allowed to carry or use symbols and/or things associated with the relevant electoral participant.
- (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), an electoral participant shall duly observe the ethics, aesthetics, sanitation, and appeal of the city or local area, in accordance with the applicable laws and regulations.
- (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) days prior to voting day.
- (9) Further regulations for the implementation of this article shall be determined by the KPU.

Article 74

In conducting electoral campaigns, the following actions shall be prohibited:

- a. bringing into question the Nation's Ideology of Pancasila and the Preamble of the 1945 Constitution;
- b. insulting a person, religion, ethnicity, race, group, other candidates and/or electoral participants;
- c. provoking or leading individuals or community groups into disputes;

- d. disturbing public order;
- e. threatening to commit violence or advising the use of violence against a person, community group, and/or other electoral participants;
- f. destroying and/or removing electoral participants' visual display items;
- g. using government, religious, and educational facilities;

Article 75

- (1) Electoral campaigns shall be prohibited from involving the following public officials:
 - a. Chief/Assistant Chief/Junior Chief/Justice of the Supreme Court/Justice of the Constitutional Court and judges of all judicial bodies;
 - b. Chairperson/Vice Chairperson and members of the Board of Financial Auditors (BPK);
 - c. Governor, Senior Deputy Governors and Deputy Governors of Bank Indonesia;
 - d. Officials of State Owned (BUMN) or Regional Owned Enterprises (BUMD);
 - e. Officials in structural and functional position within the civil service;
 - f. Village chiefs, or other names such officials may go by.
- (2) State officials who come from political parties, that are President/Vice-President/Ministers/Governors/Vice-Governor/Regents/Vice-Regents/Mayors/Vice-Mayors who participate in campaigns must adhere the following regulations:
 - a. must not use facilities related to their official positions;
 - b. must take unpaid leave;
 - c. the management of the length and timetable of this leave must take into account the continuing implementation of government.
- (3) Participating Political Parties and/or candidate for membership of the DPR, DPD, Provincial DPRD, and Regency/City DPRD are prohibited from soliciting the involvement of civil servants, the TNI, and Polri, as campaign participants and campaign spokespersons in the election.

Article 76

- (1) Violations of provisions regarding prohibition on the holding of electoral campaigns as referred to in Article 74 paragraph a, paragraph b, paragraph c, paragraph d, paragraph e, and paragraph 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 electoral campaigns as referred to in Article 74 paragraph d, paragraph f and paragraph g constitute violations of campaign procedures and shall be subject to the following sanctions:
 - a. a written reprimand if the organizer of the election campaign is found to have violated one of these prohibitions, even if no disturbance occurs;
 - b. termination of electoral campaign activities in the relevant electoral districts where the violation occurs or in all electoral districts if a disturbance of security which has the potential to spreading to other electoral districts occurs.
- (3) Procedures for imposing sanctions with respect to violations of campaigning provisions as referred to in paragraph (2), shall be determined by the KPU.
- (4) Violations of the prohibitions on electoral campaigns in Article 75 shall result in the KPU, Provincial KPU, or Regency/City KPU terminating campaign activities during the campaign period..

Article 77

- (1) Candidate for membership of the DPR, DPD, Provincial and Regency/City DPRD are prohibited, during the campaign period and until voting day, from promising and/or giving money or other materials with the objective of influencing voters.
- (2) Candidates who are proven to have committed a violation as referred to in paragraph (1) shall be disqualified as a candidate by the KPU, Provincial KPU, or Regency/City 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 78

- (1) Election campaign funds may be obtained by electoral participants from:
 - a. members of the relevant participating political party including candidates for the DPR, DPD, Provincial DPRD and Regency/City DPRD;
 - b. other non-binding sources including private entities, or individual persons, whether given to the participating political party or to the candidates for the DPR, DPD, Provincial DPRD and Regency/City DPRD;
- (2) Contributions to campaign funds as referred to in paragraph (1) 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).
- (3) Campaign funds as referred to in paragraph (1) in the form of a loan from an individual or a private entity shall not exceed the amount as specified in paragraph (2).
- (4) Contributions of more than Rp. 5,000,000 (five million rupiah) made to any electoral participants must be reported to the KPU, Provincial KPU, Regency/City KPU stating the form and amount of the contribution and the full identity of the contributor.
- (5) The KPU, Provincial KPU, Regency/City KPU shall publicize the contributions report referred to in paragraph (4) to the public through the mass media.

Article 79

- (1) All electoral participants' campaign fund reports, whether of income or expenditures, must be submitted to a registered public accountant no later than 60 (sixty) days following voting day.
- (2) The registered public accountant must complete an audit no later than 30 (thirty) days after acceptance of the reports as referred to in paragraph (1).
- (3) The result of the audit as referred to in paragraph (2) must be submitted to the KPU and electoral participants no later than 7 (seven) days after the completion of the audit.

Article 80

- (1) Electoral participants are prohibited from accepting contributions, or other forms of assistance for the purpose of campaigns, which come from:
 - a. foreign parties;
 - b. a contributor whose identity is not clear;
 - c. Government, State-owned enterprises (BUMN) and regional-owned enterprises (BUMD)
- (2) Electoral participants who receive 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) Electoral participants who do not meet their obligations as stipulated in paragraph (2) shall be subject to criminal sanction.

CHAPTER IX

VOTING AND VOTE COUNTING AND DETERMINATION OF ELECTION RESULT

Part One

Voting

Article 81

- (1) Elections for members of the DPR, DPD, Provincial DPRD, and Regency/City DPRD shall be conducted simultaneously.
- (2) The day, date, and time of the elections for members of the DPR, DPD, Provincial DPRD and Regency/City DPRD for all electoral districts shall be determined by the KPU.

Article 82

- (1) For the purpose of voting, ballot papers shall be produced for the election of members of the DPR, Provincial DPRD, Regency/City DPRD and ballot papers for members of the DPD.
- (2) Ballot papers for the election of members of the DPR, Provincial DPRD and Regency/City DPRD shall contain the number and symbol of the Participating Political Parties and the candidates for each electoral district.

- (3) Ballot papers for the election of members of the DPD shall contain the names and photographs of individual candidates for membership of the DPD for each electoral district
- (4) The type, layout, size, and color of the ballot papers to be used as referred to in paragraph (1), paragraph (2), and paragraph (3) shall be determined by the KPU.

Article 83

- (1) The number of ballot papers referred to in Article 82, that are to be provided in every electoral district, shall be equal to the number of registered voters in the relevant electoral district, plus 2.5% (two and a half percent).
- (2) The supplementary ballot papers as referred to in paragraph (1) shall be used as reserves at each TPS.
- (3) The use of the 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 84

- (1) Voting for the election of members of the DPR, Provincial DPRD and Regency/City DPRD members shall be done by punching one of the respective symbols of the respective participating political parties and punching one of the candidates on the ballot paper below the symbol of the participating political party.
- (2) Voting for the election of members of the DPD shall be done by punching one DPD candidate provided on the ballot.

Article 85

- (1) A voter who is blind, physically disabled or physically impaired in any way may be assisted, on request of the voter, by a KPPS officer or another person to cast his/her vote at the TPS.
- (2) The KPPS officer or person assisting the voter as referred to in paragraph (1) shall keep the voter's 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 86

Voting shall be conducted at the TPS on voting day.

Article 87

The procedures for voting shall be regulated further by the KPU.

Article 88

- (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 voters, including the physically disabled, and which will ensure that every voter shall be able to vote directly, freely and secretly.
- (3) The number, locations, form and layout of the TPS shall be determined by the KPU.

Article 89

- (1) For the purpose of voting in the election of members of the DPR, DPD, Provincial DPRD, and Regency/City DPRD, ballot boxes shall be made 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 90

- (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 election participants, 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 at least two members of the KPPS, and may be signed by witnesses representing electoral participants.

Article 91

- (1) After conducting the activities referred to in Article 90, 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 from the KPPS, and the KPPS shall provide, one time only, a replacement ballot.

Article 92

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

Article 93

- (1) Votes for the election of members of the DPR, Provincial DPRD, and Regency/City DPRD shall be considered valid if:
 - a. the ballot paper has been signed by the chairperson of the KPPS;
 - b. the punching mark is located on the symbol of a political party and a candidate for DPR, Provincial DPRD and Regency/City DPRD, in the column provided.; or
 - c. the punching mark is located on the symbol of the political party in the column provided.
- (2) The technical implementation of the rules stipulated in paragraph (1) shall be regulated further by the KPU.

Article 94

- (1) Votes for the election of members of the DPD shall be considered valid if:
 - a. the ballot has been signed by the Chairperson of the KPPS;
 - b. a punching mark is present in front of 1 (one) individual candidate;
- (2) The technical implementation of the rules stipulated in paragraph (1) shall be regulated further by the KPU.

Article 95

- (1) Citizens of the Republic of Indonesia who are overseas shall vote only for the election of the DPR, and voting shall be held at every representative office of the Republic of Indonesia at the same time as the holding of the 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.

Section Two

Vote Counting

Article 96

- (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 of 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 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 at least two members of the KPPS/KPPSLN.
- (4) Vote counting at the TPS/TPSLN shall be conducted and finished in the KPPS/KPPSLN and may be attended by witnesses representing electoral participants, election supervisors, election observers, and members of the community.
- (5) Votes obtained by Participating Political Parties which have no candidate names as stipulated in Article 67 paragraph (3), shall be deemed invalid.
- (6) Witnesses representing electoral participants must carry an authorization letter from the relevant electoral participant and present this letter to the chairperson of the KPPS/KPPSLN.
- (7) The vote counting process shall be conducted in a manner which allows witnesses representing electoral participants, election supervisors, election observers and members of the community, to clearly witness the process.
- (8) Electoral participants and members of the community may submit a complaint, through witnesses representing electoral participants present, about the KPPS/KPPSLN's vote counting procedures, should there be any matters not in accordance with the applicable legislation.

- (9) In the event that a complaint submitted by a witness representing an electoral participant or a member of the community as referred to in paragraph (8) is accepted, the KPPS/KPPSLN shall immediately rectify the matter.
- (10) Immediately following the completion of the vote counting process in the TPS/TPSLN, the KPPS/KPPSLN shall prepare an Official Report and Vote Count Result Certificate signed by the chairperson and at least two members of the KPPS/KPPSLN, which may be signed by witnesses representing electoral participants.
- (11) The KPPS/KPPSLN provides 1 (one) copy of the Official Report and Result of Vote Count Certificate to the witnesses representing electoral participants who are present.
- (12) The KPPS/KPPSLN shall submit the Official Report, Result of Vote Count Certificate, ballot papers and all administrative requirements relevant to the voting and vote counting to the PPS/PPLN, immediately following the vote counting process.

Article 97

- (1) After receiving the Official Report and Result of Vote Count Certificate, the PPS shall prepare a Report of Receipt and conduct a recapitulation of the voting result for the village/kelurahan level, which may be attended by witnesses representing electoral participants, election supervisors, election observers and members of the community.
- (2) Witnesses representing electoral participants must carry an authorization letter from the relevant electoral participant and present this letter to the chairperson of the PPS
- (3) Electoral participants and members of the community may submit a complaint, through the witnesses representing electoral participants 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 a witness representing an electoral participant or a member of the community as referred to in paragraph (3) is accepted, PPS shall immediately rectify the matter.
- (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 electoral participants.

- (6) The PPS provides 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate in the PPS to the witnesses of electoral participants who are present.
- (7) The PPS must submit 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate in the PPS to the local PPK.
- (8) The PPLN shall conduct a recapitulation of the vote count result received in accordance with the Vote Count Result Certificate from all the KPPSLN within its jurisdiction.
- (9) The PPLN shall deliver the Report, Vote Count Result Certificate, and Recapitulation of the Vote Count from all the KPPSLN within its jurisdiction to the KPU.

Article 98

- (1) After receiving the Official Report and Result of Vote Count Certificate, PPK shall prepare a Report of Receipt and conduct a recapitulation of the voting result for the kecamatan level which may be attended by witnesses representing electoral participants, election supervisors, election observers and members of the community.
- (2) Witnesses representing electoral participants must carry an authorization letter from the relevant electoral participant and present this letter to the chairperson of the PPK
- (3) Electoral participants and members of the community may submit a complaint, through witnesses representing electoral participants 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 an electoral participant as referred to in paragraph (3) is accepted, PPK shall immediately rectify the matter.
- (5) Immediately following the completion of the recapitulation of vote counts from all PPS in the kecamatan within its jurisdiction, 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 electoral participants.
- (6) The PPK provides 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate in the PPK to the witnesses representing electoral participants who are 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 99

- (1) (1) The recapitulation of votes and the affirmation of the vote count result for the election of members of the Regency/City DPRD, and the result of the vote count for the election of members of the DPR, Provincial DPRD and DPD, 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 electoral participants, election supervisors, election observers, and members of the community.
- (3) Witnesses representing electoral participants must carry an authorization letter from the relevant electoral participant 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) Electoral participants and members of the community may submit a complaint, through witnesses representing electoral participants 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 an electoral participant 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 Regency/City KPU, as well as by witnesses representing electoral participants.
- (8) The Regency/City KPU provides 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate to the witnesses representing electoral participants.
- (9) Copies of the Official Report and Recapitulation of Vote Count Result Certificate prepared by Regency/City KPU must be submitted to:
 - a. The KPU with a carbon copy to the Provincial KPU for DPR members;
 - b. The KPU with a carbon copy to the Provincial KPU for DPD members;
 - c. The Provincial KPU with a carbon copy to the KPU for Provincial DPRD members;
 - d. The Provincial KPU with a carbon copy to the KPU for Regency/City DPRD members.

Article 100

- (1) The recapitulation of votes and the affirmation of the vote count result for the election of members of the Provincial DPRD and the result of the vote count for the election of members of the DPD in the province, 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 electoral participants, election supervisors, election observers, and members of the community.
- (3) Witnesses representing electoral participants must carry an authorization letter from the relevant electoral participant and present this letter to the chairperson of Provincial KPU.
- (4) The recapitulation of the vote count results for the election of members of the Provincial DPRD and the DPD shall be conducted at a location and under such conditions which allows all present to clearly witness the process.
- (5) Electoral participants and members of the community may submit a complaint, through the witnesses representing electoral participants 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 an electoral participant 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 for the election of members of the Provincial DPRD and the DPD, signed by the chairperson and at least 2 (two) members of the Provincial KPU, as well as by witnesses representing the electoral participants.
- (8) The Official Report and Recapitulation of Vote Count Result Certificate for the members of the Provincial DPRD and the DPD prepared by the Provincial KPU must be submitted to the KPU
- (9) The Provincial KPU provides 1 (one) copy of the Official Report and Recapitulation of Vote Count Result Certificate to the witnesses representing the electoral participants

Article 101

- (1) The recapitulation of votes for the election of members of the DPR shall be conducted by the KPU on the basis of the Recapitulation of Vote Count Result Certificates submitted by the Regency/City KPUs.

- (2) The recapitulation of votes for the election of members of the DPD shall be conducted by the KPU on the basis of the Recapitulation of Vote Count Result Certificates submitted by the Provincial KPU.
- (3) The recapitulation of votes and the affirmation of the vote count result as referred to in paragraph (1) and paragraph (2) shall be conducted and affirmed in a plenary meeting of the KPU, and attended by witnesses representing electoral participants, election supervisors, election observers and members of the community.
- (4) Witnesses representing electoral participants must carry an authorization letter from the relevant electoral participant and present this letter to the chairperson of the KPU.
- (5) The recapitulation of the vote count result with respect to the election of members of the DPR and the DPD 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.
- (6) Electoral participants and members of the community may submit a complaint, through a witness representing an electoral participant present, about the KPU's vote counting procedures, should there be any matters not in accordance with the applicable legislation.
- (7) In the event that the complaint submitted by or through a witness representing an electoral participant as referred to in paragraph (6) is accepted, the KPU shall immediately rectify the matter.
- (8) The KPU shall prepare an Official Report and Recapitulation of Vote Count Result Certificate, with respect to the election of members of the DPR and the DPD, signed by the members of the KPU and witnesses representing electoral participants.
- (9) The KPU provides copies of the Official Report and the Recapitulation of Vote Count Result Certificate as referred to in paragraph (8) to witnesses representing electoral participants.

Article 102

The complaints in relation to the vote counting process, submitted by or through witnesses representing electoral participants, shall not hold up the election process.

Article 103

- (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 96, Article 97, Article 98, Article 99, Article 100 and Article 101 shall be determined by the KPU.

Section Three

Determination and Announcement of Election Result

Article 104

- (1) Determination of the result of the election for the members of the DPR, DPD, Provincial DPRD and Regency/City DPRD shall be conducted nationally by the KPU.
- (2) The announcement of the determination of the election result as referred to in paragraph (1) shall be made no later than 30 (thirty) days after voting day.

CHAPTER X

DETERMINATION OF SEAT ALLOCATION AND ELECTED CANDIDATES

Part One

Members of the DPR, Provincial DPRD, and Regency/City DPRD

Article 105

- (1) Determination of the number of seats in the DPR, Provincial DPRD, and Regency/City DPRD won by each Participating Political Party, shall be based on the total valid votes received by each Participating Political Party in a particular electoral district as referred to in Article 99 paragraph (1), Article 100 paragraph (1) and Article 101 paragraph (3).
- (2) Based on the total valid votes received by a Participating Political Party in a particular electoral district as referred to in paragraph (1), an Election Dividing Number (BPP) shall be determined by dividing the total number of valid votes received by all Participating Political Parties by the available number of seats in the DPR, and the relevant Provincial and Regency/City DPRD.
- (3) The KPU shall determine the BPP for each electoral district..

Article 106

After a BPP is determined as referred to in Article 105 paragraph (2), the number of seats allocated to each Participating Political Party in a particular electoral district shall be determined, by dividing the number of valid votes received by such Participating Political Party within a particular electoral district by the BPP, upon the following conditions:

- a. if the number of valid votes received by a Participating Political Party is equal or higher than the BPP, then a number of seats shall be allocated to such party at the first round of calculation for the number of seats, with the remaining votes being taken into account at the second round of calculation for the number of seats;
- b. if the number of valid votes received by a Participating Political Party is smaller than the BPP, then no seats shall be allocated to such party at the first round of calculation for the number of seats, and such votes shall be categorized as remaining votes which will be taken into account at the second round of calculation for the number of seats, if there are still remaining seats in the relevant electoral district;
- c. the second round of calculation for the number of seats shall be conducted if there are still remaining votes which have not been distributed in the first round of calculation for the number of seats, by distributing the number of remaining seats to Participating Political Parties in order until no more seats are left, starting from the Participating Political Party having the most remaining votes.

Article 107

- (1) In determining the distribution of seats to determine the elected candidates for the DPR, Provincial DPRD, and Regency/City DPRD as referred to in Article 105, Participating Political Parties shall not be allowed to make agreements to combine remaining votes.
- (2) Determination of elected candidates for the DPR, Provincial DPRD and Regency/City DPRD from among Participating Political Parties shall be based on the number of seats received by the Participating Political Parties in a particular Electoral District, with the following rules:
 - a. candidates obtaining the BPP number determined shall be affirmed as the elected candidates;
 - b. for candidates who do not obtain the BPP determined, elected candidates shall be determined based on their numerical order in the candidate list in the relevant electoral district.
- (3) Procedures for determining the elected candidates for the DPR, Provincial DPRD and Regency/City DPRD shall be determined by the KPU.

Article 108

- (1) Determination of the elected candidates for the DPR, Provincial DPRD or Regency/City DPRD shall be conducted in a plenary session of the KPU, Provincial KPU or Regency/City KPU, attended by Participating Political Party representatives and election supervisors.
- (2) The result of the determination of the elected candidates for the DPR, Provincial DPRD and Regency/City DPRD as referred to in article (1) shall be announced to the public by the KPU, Provincial KPU or Regency/City KPU.

Section Two

Members of the Regional Representative Council (DPD)

Article 109

- (1) Determination of the elected candidates for the DPD shall be based on the candidates who obtained the highest, second highest, third highest and fourth highest numbers of votes in the relevant province.
- (2) In the event that more than one candidate with equal numbers of votes are ranked fourth highest, then the candidate who receives voters' support spread more evenly throughout all regencies/cities of the relevant province shall be determined as the elected candidate.
- (3) Procedures for determining the candidates elected as members of the DPD members shall be determined by the KPU.

CHAPTER XI

DETERMINATION AND NOTIFICATION OF THE ELECTED CANDIDATES

Article 110

- (1) The KPU, Provincial KPU, Regency/City KPU, in accordance with their respective authorities, shall affirm the names of the elected candidates for the DPR, Provincial DPRD and Regency/City DPRD as stipulated by Article 107.
- (2) In each electoral district, the KPU shall determine the candidates ranked first to fourth elected to the DPD, and the candidates ranked fifth to eight elected as replacements for members of the DPD.

Article 111

- (1) Notification of the elected members, in accordance with their ranking, for the DPR, Provincial DPRD and Regency/City DPRD shall be presented by KPU, Provincial KPU and Regency/City KPU to the Participating Political Parties, with a carbon copy to the elected candidates.

- (2) Notification of the elected members for the DPD shall be presented by KPU to the elected DPD members receiving the first, second, third and fourth highest numbers of votes, with a carbon copy to the governor and Provincial KPU of the relevant province.

CHAPTER XII

REPLACEMENT OF ELECTED CANDIDATE

Article 112

- (1) An elected candidate can only be replaced if he/she dies or is no longer qualified to be a member of the DPR, DPD, Provincial DPRD or Regency/City DPRD.
- (2) An elected candidate for the DPR, Provincial DPRD or Regency/City DPRD as stipulated in paragraph (1) shall be replaced by replacing this candidate with a replacement candidate from the candidate list in the relevant electoral district, in accordance with the rules stipulated in Article 107.
- (3) The replacement candidate for a DPD member as referred to in paragraph (1) is the candidate who receives the next highest number of votes within the same electoral district.

Article 113

- (1) Elected candidates for the DPR and DPD shall be affirmed by the KPU.
- (2) Elected candidates for the Provincial DPRD shall be affirmed by the Provincial KPU.
- (3) Elected candidates for the Regency/City DPRD shall be affirmed by the Regency/City KPU.

Article 114

The KPU shall report the result of the affirmation of elected candidates for the DPR, DPD, Provincial DPRD, and Regency/City DPRD, as referred to in Article 113, to the President.

CHAPTER XIII
RE-VOTING AND RECOUNT OF VOTES AND
SUPPLEMENTAL VOTING

Section One

Repeat Voting and Vote Counting

Article 115

- (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 tabulation was conducted in a location which does not have sufficient lighting;
 - c) Representatives of electoral participants, the 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 should there be a discrepancy in the data on the number of votes from the TPS.
- (3) Vote counting at the PPK level may be repeated should there be 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 Regency/City KPU level, Provincial KPU level and KPU level, a recheck of the Recapitulation of the Vote Count Result Certificate is conducted at 1 (one) level below the respective level.

Article 116

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

- a. the opening of the ballot boxes and/or election and vote counting documents have not been done according to the applicable laws and regulations;
- b. KPPS personnel required the voters to make a specific mark, sign or write their names or address 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 the ballot paper which has been used by a voter, thus rendering it 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 117

Repeat voting and vote counting as stipulated in Article 115 and Article 116 shall be determined by the PPK, and conducted no later than 20 (twenty) days after voting day.

Section Two

Supplementary Election and Repeat Election

Article 118

- (1) A Supplementary Election in a particular electoral district shall be held if parts of the election implementation stages can not be conducted,
- (2) The implementation of Supplementary Election as referred to in paragraph (1) shall commence from the point at which the election was halted.
- (3) A Repeat Election in a particular electoral district shall be held if there was a failure to conduct the entire election implementation stages..
- (4) The implementation of a Repeat Election as referred to in paragraph (3) shall commence from the beginning.

Article 119

- (1) A Supplementary Election and/or Repeat Election may be conducted if, in a part of or all of an electoral district there were riots, disruption of security or a natural disaster which prevented parts of or all of the election processes being held at the specified time.
- (2) A Supplementary Election or a Repeat Election shall be held after it has been determined to postpone the election.

- (3) A national postponement of the election is determined by the President based on a proposal by the KPU, should it not be able to hold the election in 40% (forty percent) of the number of provinces, or should 50% (fifty percent) of the registered voters not be able to exercise their rights.
- (4) Postponement of the election as referred to in paragraph (1) 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) A Supplementary or Repeat Election, as referred to in paragraph (1) and paragraph (2), shall be conducted subject to a decision by the official or institution which determined the postponement of the election, as referred to in paragraph (3) and paragraph (4).
- (6) Further regulations relevant to the procedures for a Supplementary Election or a Repeat Election shall be determined by the KPU.

CHAPTER XIV

SUPERVISION, LEGAL ENFORCEMENT, AND ELECTION MONITORING

Section One

Supervision

First Paragraph

Election Supervisors

Article 120

- (1) An Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Kecamatan Election Supervisory Committee are established to supervise the election.
- (2) The Election Supervisory Committee is established by the KPU.

- (3) The Provincial Election Supervisory Committees are established by the Election Supervisory Committee.
- (4) The Regency/City Election Supervisory Committees are established by the Provincial Election Supervisory Committees.
- (5) The Kecamatan Election Supervisory Committees are established by the Regency/City Election Supervisory Committees.

Article 121

- (1) The Election Supervisory Committee is responsible to the KPU.
- (2) Provincial, Regency/City and Kecamatan Election Supervisory Committees are responsible to the Election Supervisory Committee that established them.

Article 122

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

Second Paragraph

Organization and Membership of Election Supervisory Bodies

Article 123

- (1) The Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Kecamatan Election Supervisory Committee consist of a chairperson concurrently acting as a member, assisted by a vice-chairperson concurrently acting as a member, and members.

- (2) In conducting their duties, the Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Kecamatan Election Supervisory Committee are assisted by secretariats.
- (3) The work procedures of the secretariats as referred to in paragraph (2) shall be determined by the KPU.

Article 124

- (1) There are no more than 9 (nine) members of the Election Supervisory Committee, no more than 7 (seven) members of the Provincial Election Supervisory Committees, no more than 7 (seven) members of the Regency/City Election Supervisory Committees, and no more than 5 (five) members of the Kecamatan Election Supervisory Committees, who come from elements of the state police, attorney general, institutions of higher education, public figures and the media.
- (2) In the event that in a regency/city or kecamatan there are no elements of the attorney general, institutions of higher education or media, membership as stipulated in paragraph (1) shall be filled by public figures.
- (3) The procedures for fulfilling the stipulations regarding membership contained in paragraph (1) shall be determined by the KPU, with regard to the applicable legislation.

Article 125

- (1) The chairperson and vice-chairperson of the Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Kecamatan Election Supervisory Committee are elected from and by the members.
- (2) All members of election supervisory committees have equal votes.

Article 126

The Election Supervisory Committee, Provincial Election Supervisory Committee, Regency/City Election Supervisory Committee and Kecamatan Election Supervisory Committee are established prior to the commencement of voter registration, and their duties shall end no later than 1 (one) month after all the stages of the election of members of DPR and/or DPD or Provincial or Regency/City DPRD, have finished.

Section Two

Law Enforcement

First Paragraph

Election Violation and Dispute Settlement

Article 127

- (1) Election Supervisors receive reports of violations of election laws at every stage of the conduct of the election.
- (2) Reports on violations of election law can be submitted by:
 - a. Citizens with voting rights;
 - b. Election observers; and/or
 - c. Electoral participants.
- (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 the 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 election laws.
- (5) The reporting procedure shall be regulated further by the Election Supervisory Committee.

Article 128

- (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 following 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 129

- (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) Settlement of a dispute as referred to in paragraph (1) shall be conducted no later than 14 (fourteen) days after the day when the disputing parties met.

Article 130

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

Second Paragraph

Investigation and Prosecution

Article 131

- (1) All rules for investigation and prosecution of criminal acts regulated by 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 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.

Article 132

Police procedures for State Officials as regulated in Law No 13 of 1970 on Procedures for Police Actions in relation to Members/Leaders of the Temporary MPR and

Cooperative DPR shall not be applicable to members/leaders of the MPR and DPR who commit criminal acts regulated by this law.

Third Paragraph

Examination in Court of Justice

Article 133

- (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 Supreme Court as the appellate and final level, for violations punishable with 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 receipt of the case file by the District Court and no later than 14 (fourteen) days after receipt of the case file by the Supreme Court.

Article 134

In the event of a dispute about the result of the election, as referred to in Article 104, the Constitutional Court shall investigate and decide the matter as the first and final level of court.

Section Three

Election Observation

Article 135

- (1) Observation of the election 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 the KPU.
- (4) Election observers as referred to in paragraph (2) must meet the following qualifications:
 - a. Be independent;

- b. Have a transparent source of funding;
- c. Be accredited by the KPU

Article 136

- (1) Election observers may observe the implementation of the election and submit reports on the observation results to the KPU.
- (2) Election observers must follow all applicable legislation, and 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 135 paragraph (4) shall have their rights as election observers revoked.
- (4) Procedures for becoming an election observer and procedures for election observation shall be determined by KPU.

CHAPTER XV

CRIMINAL PROVISIONS

Article 137

- (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 an 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 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 voter registration, with undue force or by using a threat of violence, obstructs a person intending to register as a voter for the 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 commits an act of fraud to mislead someone, or intimidates or promises a bribe to someone, with the intention of gaining support for the nomination of a candidate for election as a member of the DPD, 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)
- (7) 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 an electoral participant 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 138

- (1) Any person who intentionally violates the rules on prohibitions of electoral campaign activities as stipulated in Article 74 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)
- (2) Any person who intentionally violates the rules on prohibitions of electoral campaign activities as stipulated in Article 74 sub paragraph f, and sub paragraph g, 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).
- (3) Any person who intentionally conducts a campaign outside of the schedule determined by the KPU for each electoral participant, as stipulated in Article 71 paragraph (3), 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).
- (4) 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 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 makes or receives a contribution to campaign funds exceeding the specified limits as stipulated in Article 78 paragraph (2) 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)
- (6) Any person who intentionally makes or receives a contribution to campaign funds from or to prohibited parties as stipulated in Article 80 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) or maximum Rp 1,000,000,000 (one billion rupiah)
- (7) Any person who intentionally gives false information in the Election 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 139

- (1) Any person who intentionally uses undue force or a threat of violence to obstruct 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, by providing or promising money or other materials with the intention to prevent that person from exercising his/her right to vote or to cause the said person to exercise his/her right to vote in a certain manner so that the ballot paper 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 election regulated under this Law by impersonating another person, shall be punishable by imprisonment of 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 votes more than the number of times 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 election 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 employer/supervisor 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 the election intentionally assists a voter other than a voter stipulated in Article 85 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 stipulated by Article 85 paragraph (1), 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 140

- (1) Any person who commits an act which causes a person's vote to be worthless or causes an electoral participant 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 the 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 the 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 141

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

CHAPTER XVI

MISCELLANEOUS PROVISIONS

Article 142

A Participating Political Party in the 1999 Election which received 2% (two percent) or more of the number of seats in the DPR or at least 3% (three percent) of the number of seats in the Provincial DPRD or Regency/City DPRD spread throughout at least ½ (one-half) of the number of provinces and ½ (one-half) of the number of regencies/cities throughout Indonesia, shall be determined as a Participating Political Party in the election subsequent to the 1999 elections.

Article 143

- (1) A Participating Political Party in the 1999 Election which received less than 2% (two percent) of the number of seats in the DPR or less than 3% (three percent) of the number of seats in the provincial DPRD or Regency/City DPRD in at least ½ (one-half) of the number of provinces and less than 3% (three percent) of the number of seats in the Regency/City DPRD in ½ (one-half) of the number of regencies/cities throughout Indonesia, shall not be allowed to participate in subsequent elections unless it amalgamates with another political party.
- (2) Amalgamation with other political parties is conducted in accordance with the regulations stipulated in paragraph (1) by means of:
 - a. amalgamating with other political parties who participated in the 1999 Election as referred to in Article 142;
 - b. amalgamating with other political parties which do not meet the regulations as stipulated in Article 142 by using the name and symbol of one of the amalgamated parties;
 - c. amalgamating with other political parties which do not meet the regulations as stipulated in Article 142, by using a new name and symbol.

Article 144

- (1) KPU members appointed based on Law No. 4 of 2000 on Amendment of Law 3 of 1999 on General Elections shall carry out their duties until their term of office ends in March 2006, with the obligation to meet the provisions of this law within 1 (one) month of the enactment of this law.
- (2) Three months prior to the end of the KPU's term of office as referred to in paragraph (1), the President shall propose the new members of the KPU as regulated by this law.

Article 145

At the 2004 Election, members of the National Armed Forces (TNI) and the Indonesian Police Force (PoIRI) shall not exercise their right to vote.

Article 146

Candidates for the DPD at the 2004 Election shall not have been organizers of any political party for at least 3 (three) months from the time of the enactment of this law.

Article 147

For the 2004 General Election, the KPU, in conducting voters' registration, shall cooperate with the Government to conduct a population census.

Article 148

For the 2004 General Election, Election Supervisors shall be established no later than 3 (three) months from the time of the enactment of this law and their duties shall end no later than 1 (one) month from the time of the completion of all stages of the election of the members of the DPR and/or the DPD or Provincial or Regency/City DPRD.

CHAPTER XVII

CONCLUDING PROVISIONS

Article 149

With the promulgation of this Law, Law No. 3 of 1999 on General Elections (State Gazette Year 1999 No. 23 (State Gazette Supplement No. 3810) as amended by Law No. 4 of 2000 (State Gazette Year 2000 No. 71, State Gazette Supplement No. 3959) shall be declared null and void.

Article 150

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

PRESIDENT OF THE REPUBLIC OF INDONESIA

MEGAWATI SOEKARNO PUTRI

Promulgated in Jakarta

On

STATE MINISTER/STATE SECRETARY

THE REPUBLIC OF INDONESIA

BAMBANG KESOWO

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR [] NUMBER []

ELUCIDATION
ON
DRAFT LAW OF THE REPUBLIC OF INDONESIA
NUMBER ---- OF 2003
ON
GENERAL ELECTIONS OF THE MEMBERS OF THE PEOPLE’S REPRESENTATIVE
COUNCIL, THE REGIONAL REPRESENTATIVE COUNCIL, AND THE REGIONAL
PEOPLE’S REPRESENTATIVE COUNCIL

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 independence of the nation of Indonesia is constructed in a Constitution which is formulated in a Republic of Indonesia which is based on people’s sovereignty.”

The amended 1945 Constitution of the Republic of Indonesia article 2 paragraph (1) states that “sovereignty rests in the hands of the people and is enacted in accordance with the Constitution”. This amendment means sovereignty is no longer implemented fully by MPR but is implemented pursuant to the regulation by the Constitution.

Based on the amendment, all members of DPR, DPD, President and Vice President, Provincial DPRD and Regency/City DPRD are elected through a general election held directly, publicly, freely, secretly, honestly and fairly every five years. Through this general election, a democratic representative body and government will be created.

In the pluralistic State of the Republic of Indonesia with a national vision, political parties are the main outlet to struggle for the wishes of the people, the nation and the country, as well as the channel to regenerate and recruit national leaders and organizers. Therefore, participants in the election to elect members of DPR and DPRD are political parties. Moreover, to accommodate regional aspirations, DPD members, who are individuals, are elected to strengthen the Unitary State of the Republic of Indonesia.

In accordance with the mandate of reformation, a general election must be conducted with higher quality to ensure healthy competitiveness,

participation, to obtain greater representativeness, and to obtain a clearer accountability mechanism. Therefore, a new law is needed to replace Law No. 3 of 1999 on General Elections as amended by Law No. 4 of 2000 on Amendment of Law no. 3 of 1999 on General Elections.

2. Objectives

A General Election is held to elect representatives of the people and the regions, and to establish a democratic, strong and people-supported government in fulfilling the national aims as mandated in 1945 Constitution of the Republic of Indonesia.

3. Principles

In accordance with Article 22E paragraph (1) of the 1945 Constitution of the Republic of Indonesia, a General Election is held directly, publicly, freely, secretly, honestly and fairly.

The meaning of the General Election principles is:

a. Direct

People as voters have the right to cast their votes directly according to their conscience without any mediator.

b. Public

Basically, all citizens who are eligible according to this law have the right to participate in a General Election. That the Election is 'public' means that it guarantees opportunities for all citizens without discrimination on account of their ethnicity, religion, race, social group, gender, region, occupation and social status.

c. Free

Every citizen eligible to vote is free to decide his/her choice without pressure and force from anyone. In exercising his/her rights, the security of every citizen is guaranteed, so that he/she could vote according to his/her conscience and needs.

d. Secret

In casting their votes, voters are guaranteed that their votes shall not be known by any party, by any means. Voters cast their votes on ballot papers without any knowledge by anybody as to whom the votes are given.

e. Honest

In the implementation of a General Election, all General Election organizers, government apparatus, electoral participants, election supervisors, election observers, voters and all relevant parties must behave and act honestly in accordance with the applicable legislation.

f. Fair

In the implementation of the General Election, all voters and electoral participants receive equal treatment and are free from fraud committed by any party.

4. Election Organizers

In accordance with the mandate of Article 22E paragraph (5) of the 1945 Constitution of the Republic of Indonesia, "General Election is implemented by a General Election Commission which is national, permanent and independent in nature."

- a. The "national" nature means that KPU is as an organizer that covers the whole area of the Unitary State of the Republic of Indonesia.
- b. The "permanent" nature means that KPU as an institution exercises its duties continuously, although its members are limited to certain terms of office.
- c. The "independent" nature means that in organizing and implementing General Election, KPU is independent and free from influence of any parties, and exercises transparency and clear accountability in accordance with the applicable legislation.

To ensure the implementation of a transparent General Election which is accountable in accordance with the legislation, an Election Supervisor with clear authorities is needed so its supervising functions can be implemented effectively.

II. INTERPRETATION BY ARTICLES

Article 1

Clear

Article 2

Clear.

Article 3

Clear

Article 4

Clear

Article 5

Clear

Article 6

Clear

Article 7

Clear

Article 8

Clear

Article 9

Clear

Article 10

Paragraph (1)

Clear

Paragraph (2)

Attended by all Participating Political Parties means that KPU must invite all Participating Political Parties to be present at the draw to determine the numerical order of the parties. In the event that one or more Participating Political Parties cannot be present, this does not lessen the validity of the

determination of the draw for the numerical order of Participating Political Parties.

Article 11

Clear

Article 12

Clear

Article 13

Clear

Article 14

Clear

Article 15

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

Giving reports on the progressive stages of implementation means reports on the implementation of activities that have been, are, and will be implemented, including various matters in certain circumstances that require Presidential Policy.

Article 16

Clear

Article 17

Clear

Article 18

Clear

Article 19

Paragraph (1)

In proposing candidates for membership of the KPU as referred to in this article, the President conducts the recruitment with regard to the aspirations of the people.

Paragraph (2)

In proposing candidates for membership of the Provincial KPU as referred to in this article, Governors conduct the recruitment with regard to the aspirations of the people.

Paragraph (3)

In proposing candidates for membership of the Regency/City KPU as referred to in this article, Regents/Mayors conduct the recruitment with regard to the aspirations of the people.

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Article 20

Paragraph (1)

Resignation in Paragraph (1) sub paragraph b means resignation due to health reasons and/or due to mental /physical disturbance in conducting his/her duties as member of the KPU, Provincial KPU, or Regency/City KPU.

Paragraph (2)

Dismissal of KPU, Provincial KPU and Regency/City KPU members can be based on a proposal from the people, DPRD, governors or regent/mayor to the DPR or the President. The dismissal of Provincial KPU and Regency/City KPU members is reported to the KPU, accompanied by suitable reasons under this law.

Paragraph (3)

Clear

Article 21

KPU in this article means all members of the KPU, Provincial KPU, Regency/City KPU and secretariat employees.

Article 22

This regulation also applies to Provincial and Regency/City KPU

Article 23

Clear

Article 24

Clear

Article 26

Clear

Article 27

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

In this article, government means the Minister of Home Affairs.

Paragraph (4)

General Secretariat employees as referred to in this paragraph (4) includes secretariat employee of the Provincial KPU and the Regency/City KPU

Article 28

Clear

Article 29

Clear

Article 30

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

To be eligible for being appointed as Provincial KPU secretary, a person must be a civil servant who meets the requirements of rank, possesses adequate knowledge of the party system, election implementation process and system, people's representative system and has leadership capabilities.

Article 31

Clear

Article 32

Clear

Article 33

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

To be eligible for being appointed as Regency/City KPU secretary, a person must be a civil servant who meets the requirements of rank, possesses adequate knowledge of the party system, election implementation process and system, people's representative system and has leadership capabilities

Article 34

Clear

Article 35

Clear

Article 36

Clear

Article 37

Paragraph (1)

The name of 'village' in this article includes other names as stipulated in Law No. 22 of 1999 on Regional Government.

Paragraph (2)

Clear

Paragraph (3)

Clear

Paragraph (4)

Clear

Article 38
Clear

Article 39
Clear

Article 40
Clear

Article 41
Clear

Article 42
Clear

Article 43
Paragraph (1)
Clear

Paragraph (2)
Clear

Paragraph (3)
Clear

Paragraph (4)
Procedures for supply of ballot papers and all associated equipment are implemented in accordance with the applicable legislation.

Article 44
Clear

Article 45

Paragraph (1)

Clear

Paragraph (2)

In distributing ballot papers, KPU determines the transport companies which will distribute ballot papers, in accordance with the applicable legislation

Paragraph (3)

Clear

Paragraph (4)

Clear

Article 46

Clear

Article 47

In terms of new provinces or regencies/cities established after an Election, there shall be no addition to the number of DPR members from the relevant provinces.

Article 48

Paragraph (1)

Proper balance in this article means:

- a. The allocation of provincial seats is calculated based on population density, with a representation quota of a maximum of 425,000 for provinces with high population density and minimum quota of 325,000 for provinces with low population density.
- b. The number of seats allocated to each province shall not be less than the number of provincial seats in the 1999 Election.
- c. New provinces as the result of the division of a province after the 1999 Election shall be allocated at least 3 (three) seats.

Paragraph (2)

Clear

Article 49

The number of the DPRD members of Nanggroe Aceh Darussalam province and Papua province are adjusted in accordance with Law No. 18 of 2000 on the Special Autonomy for the Special Region of Aceh Province in the format of Nanggroe Aceh Darussalam Province and Law No. 21 of 2001 on the Special Autonomy for Papua Province.

Article 50

Clear

Article 51

Clear

Article 52

In terms of new provinces established after an Election, there shall be no addition to the number of DPD members from the relevant provinces.

Article 53

Paragraph (1)

Clear

Paragraph (2)

For cities abroad which have representative offices, registration is conducted by voter registration officers, whereas for cities that do not have any representative office, registration is conducted actively by voters, and the KPU is requested to plan such registration.

Paragraph (3)

Clear

Article 54

Clear

Article 55

Maintain means updating voters' data.

Article 56

The proof of registration is exchanged for a voters' card after the announcement of the Final Voters' Register

Article 57

Clear

Article 58

Clear

Article 59

Clear

Article 60

Letter a

Clear

Letter b

The inclusion of have faith in God the Almighty means conducting his/her religious obligations

Letter c

Clear

Letter d

Requirements as stipulated in Article 60 letter d are not meant to limit the political rights of physically disabled citizens who have the capacity to conduct their duties as members of the DPR, DPD, Provincial and Regency/City DPRD.

Letter e

Clear

Letter f

Loyal as referred to in letter f shall be substantiated by a written statement from the relevant candidates for the DPR and DPRD, with acknowledgement from the leaders at the relevant levels of the relevant political parties, whereas for candidates for the DPD it is with a written statement from the relevant individuals.

Letter g

Clear

Letter h

Clear

Letter i

Clear

Letter j

The determination of sound of mind and body shall be substantiated by the results of a general check up.

Letter k

Clear

Article 61

Clear

Article 62

Clear

Article 63

Clear

Article 64

Clear

Article 65

Clear

Article 66

Clear

Article 67

Clear

Article 68

Paragraph (1)

Letter a

The meaning of political party leaders in accordance with their respective levels is General Chairpersons and General Secretaries for central level, chairperson and secretary for provincial and regency/city level, or any leadership positions in accordance with the authority as defined in the basic regulations/rules of association of the relevant political party.

Letter b

Clear

Letter c

Clear

Letter d

Clear

Letter e

Clear

Letter f

Clear

Paragraph (2)

Clear

Paragraph (3)

Clear

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Paragraph (7)

Clear

Paragraph (8)

Clear

Article 69

Clear

Article 70

Clear

Article 71

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

The period of 3 (three) days prior to voting day is a period of silence, and it is prohibited to conduct activities that can be classified as campaign activities.

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Article 72

Clear

Article 73

Paragraph (1)

Clear

Paragraph (2)

Electoral participants must not use an unused advertising opportunity of other electoral participants, to advertise their own advertisements.

Paragraph (3)

Clear

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Paragraph (7)

Clear

Paragraph (8)

Clear

Paragraph (9)

Clear

Article 74

Letter a

Clear

Letter b

Clear

Letter c

Clear

Letter d

Public order means a condition that enables the implementation of governance, public service, and that activities of the community can be conducted as usual.

Letter e

Clear

Letter f

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 75

Clear

Article 76

Clear

Article 77

Paragraph (1)

Promising and/or giving means that the initiatives come from the electoral participants and they are meant to influence voters.

Paragraph (2)

Proven in this article means proven with a final court decision.

Paragraph (3)

Clear

Article 78

Paragraph (1)

Clear

Paragraph (2)

Electoral Campaign Funds are funds in the forms of cash, goods, services and/or items that can be equivalent to or valued with money.

Paragraph (3)

Clear

Paragraph (4)

Clear

Paragraph (5)

Clear

Article 79

Paragraph (1)

Standardization of the audit is determined further by the KPU in accordance with Indonesian Accounting Standards.

Paragraph (2)

Clear

Paragraph (3)

Clear

Article 80

Clear

Article 81

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Article 82

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Article 83

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Article 84

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Article 85

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Article 86
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Article 87
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Article 88
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Article 89
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Article 90
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Article 91
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Article 92
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Article 93
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Article 94
Clear

Article 95
Clear

Article 96

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

Supplementary ballot papers are ballot papers that are 2.5% (two and a half percent) of the numbers of voters as stipulated in Article 83 paragraph (1)

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Authorization letter from the relevant political party of the electoral participants means authorization letter signed by the leaders of the political party at the relevant level.

Paragraph (7)

Clear

Paragraph (8)

In the event that there is no witness from an electoral participant in the TPS, complaints from members of the community can be submitted directly to the Chairperson of the KPPS

Paragraph (9)

Clear

Paragraph (10)

Clear

Paragraph (11)

Electoral participants can have a copy of the Official Reports and the Vote Count Result Certificate from the PPS, within no later than 14 (fourteen) days.

Paragraph (12)

Immediately means all activities are conducted at the first opportunity, whereas the ballot papers and all administrative requirements relevant to voting and vote counting are submitted to the PPK to be kept in regency/city.

Article 97

Paragraph (1)

Clear

Paragraph (2)

Authorization letter from the relevant political party of the electoral participants means authorization letter signed by the leaders of the political party at the relevant level.

Paragraph (3)

Clear

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Paragraph (7)

Clear

Paragraph (8)

Clear

Paragraph (9)

To expedite vote counting, PPLN sends the official reports, vote counting result certificates and recapitulation of the vote counting results via facsimile/*pos-el* to the KPU.

Article 98

Paragraph (1)

Clear

Paragraph (2)

Authorization letter from the relevant political party of the electoral participants means authorization letter signed by the leaders of the political party at the relevant level.

Paragraph (3)

Clear

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Paragraph (7)

Clear

Article 99

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

Authorization letter from the relevant political party of the electoral participants means authorization letter signed by the leaders of the political party at the relevant level.

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Paragraph (7)

Clear

Paragraph (8)

Clear

Paragraph (9)

Clear

Article 100

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

Authorization letter from the relevant political party of the electoral participants means authorization letter signed by the leaders of the political party at the relevant level.

Paragraph (4)

Clear

Paragraph (5)

Clear

Paragraph (6)

Clear

Paragraph (7)

Clear

Paragraph (8)

Clear

Paragraph (9)

Clear

Article 101

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

Clear

Paragraph (4)

Authorization letter from the relevant political party of the electoral participants means authorization letter signed by the leaders of the political party at the relevant level

Paragraph (5)

Clear

Paragraph (6)

Clear

Paragraph (7)

Clear

Paragraph (8)

Clear

Paragraph (9)

Clear

Article 102

Clear

Article 103

Clear

Article 104

Clear

Article 105

Clear

Article 106
Clear

Article 107
Clear

Article 108
Paragraph (1)

The determination of elected candidates in a plenary meeting of the KPU, Provincial KPU, Regency/City KPU as referred to in this paragraph is conducted in accordance with the provisions regulated by this law.

Paragraph (2)
Clear

Article 109
Clear

Article 110
Clear

Article 111
Clear

Article 112
Clear

Article 113
Clear

Article 114
Clear

Article 115

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

In the event that there is a discrepancy in data on the number of ballot papers between the PPS level and the PPK level, there shall be an administrative examination prior to recounting the ballot papers.

Paragraph (4)

Clear

Article 116

Clear

Article 117

Clear

Article 118

Clear

Article 119

Paragraph (1)

Clear

Paragraph (2)

Clear

Paragraph (3)

Clear

Paragraph (4)

The KPU, Provincial KPU, Regency/City KPU determines the postponement of an election after coordinating with the Minister of Home Affairs, governors or regents/mayors.

Paragraph (5)

The KPU, Provincial KPU, Regency/City KPU determines the implementation of a supplementary or repeat election after coordinating with the Minister of Home Affairs, governors or regents/mayors.

Article 120

Clear

Article 121

Clear

Article 122

Clear

Article 123

Clear

Article 124

Clear

Article 125

Clear

Article 126

Clear

Article 127

Clear

Article 128
Clear

Article 129
Clear

Article 130
Administrative violation means violations of provisions and requirements as defined in this law.

Article 131
Clear

Article 132
Clear

Article 133
Clear

Article 134
Clear

Article 135
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Article 136
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Article 137
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Article 138
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Article 139
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Article 140
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Article 141
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Article 142
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Article 144
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Article 145
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Article 146
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Article 147
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Article 148
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Article 149
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Article 150
Clear

STATE GAZETTE SUPPLEMENT OF THE REPUBLIC OF INDONESIA NUMBER

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