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By: THE PRESIDENT OF THE REPUBLIC OF INDONESIA
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Date: AUGUST 12, 1999 (JAKARTA)
Title: ARBITRATION AND ALTERNATIVE DISPUTE SETTLEMENT

BY THE GRACE OF THE ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. whereas based on the applicable laws and regulations, in addition to filing to a public court, civil dispute can also be settled through arbitration and alternative dispute settlement;
- b. whereas the laws and regulations that are currently applicable for the settlement of dispute through arbitration are no longer appropriate with the development of the business community and laws in general;
- c. whereas based on the consideration as intended in letters a and b, it is necessary to establish a Law regarding Arbitration and Alternative Dispute Settlement;

In view of:

1. Article 5 paragraph (1) and Article 20 paragraph (1) of the 1945 Constitution;
2. Law Number 14 Year 1970 regarding Principal Provisions regarding Judicial Authority (State Gazette of the Republic of Indonesia Year 1970 Number 74, Supplement to State Gazette Number 2951);

With approval of

THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

To stipulate: THE LAW REGARDING ARBITRATION AND ALTERNATIVE DISPUTE SETTLEMENT.

CHAPTER I GENERAL PROVISIONS

Article 1

Referred to in this Law as:

1. Arbitration shall be the procedure for settlement of a civil dispute outside a public

court pursuant to arbitration agreement made in writing by the parties in dispute.

2. Parties shall be the legal subject either pursuant to civil law as well as public law.
3. Arbitration agreement shall be an agreement in the form of arbitration clause as stated in a written agreement made by the parties before the dispute, or certain independent arbitration agreement made by the parties after the dispute took place.
4. District Court shall be the District Court which jurisdiction covers the domicile of the defendant.
5. Plaintiff shall be the party that files the request for the settlement of dispute through arbitration.
6. Defendant shall be the opposing party of the Plaintiff in the settlement of dispute through arbitration.
7. Arbiter shall be one or more persons appointed by the parties in dispute or appointed by the District Court or by an arbitration body, to provide a decision regarding certain dispute which is settled through arbitration.
8. Arbitration Body shall be the body appointed by the parties in dispute to grant decision regarding certain dispute; such body may also give binding opinion regarding certain legal relation in the event the dispute has not took place.
9. International Arbitration Decision shall be the decision imposed by certain arbitration body or individual arbiter outside the jurisdiction of the Republic of Indonesia, or a decision of the arbitration body or individual arbiter that pursuant to the provision of laws in the Republic of Indonesia is deemed as international arbitration decision.
10. Alternative Dispute Settlement shall be the body for the settlement of a dispute or disagreement through the procedures agreed by the parties, namely settlement outside the court through consultation, negotiation, mediation, conciliation or expert assessment.

Article 2

This Law shall regulate the settlement of dispute or disagreement between the parties in certain legal relation who have executed an arbitration agreement, which expressly states that all disputes or disagreement arising out of or might arise out of the legal relation shall be settled through arbitration procedure or alternative dispute settlement.

Article 3

The District Court shall have no authority to prosecute a dispute of parties who have been bound in the arbitration agreement.

Article 4

- (1) In the event the parties have agreed that the dispute between them is to be settled through arbitration and the parties have granted the authority, then the authorized arbiter shall pronounce in its decision the rights and obligations of the parties if such subject is not regulated in their agreement.

- (2) The agreement for settling a dispute through arbitration as intended in paragraph (1) shall be incorporated in a document signed by the parties.
- (3) In the event it is agreed by the parties that the settlement of dispute through arbitration is to be done by way of correspondence, the delivery of telex, facsimile, e-mail or other type of communication facilities must be supported with a proof of receipt by the parties.

Article 5

- (1) A dispute that can be settled through arbitration shall only be the dispute in trade sector and related to the rights, which pursuant to the laws and regulation, are fully governed by the party in dispute.
- (2) A dispute that cannot be settled through arbitration shall be the dispute that pursuant to laws and regulation cannot be reconciled.

CHAPTER II ALTERNATIVE DISPUTE SETTLEMENT

Article 6

- (1) A civil dispute or disagreement can be settled by the parties thru alternative dispute settlement that is based on good faith to waive the litigation settlement through the District Court.
- (2) The settlement of dispute or disagreement thru the alternative dispute settlement as intended in paragraph (1) can be conducted through direct meeting of the parties no later than 14 (fourteen) days and its result shall be incorporated in a written agreement.
- (3) In the event the dispute or disagreement as intended in paragraph (2) cannot be settled, then based on the written agreement of the parties, the dispute or disagreement shall be settled with the assistance of one or more expert advisers as well as through a mediator.
- (4) If the said parties within the period of 14 (fourteen) days with the assistance of one or more expert advisors as well as through a mediator fail to reach an agreement, or the mediator unsuccessfully mediate the parties, then the parties may contact certain arbitration body or alternative dispute settlement body to appoint a mediator.
- (5) No later than 7 (seven) days after the appointment of a mediator by the arbitration body or alternative dispute settlement body, the mediation effort must already be started.
- (6) The effort for the settlement of a dispute or disagreement through the mediator as intended in paragraph (5) shall observe confidentiality, and within the maximum period of 30 (thirty) days the agreement must already been achieved and formulated in writing by the related parties.
- (7) The written agreement for the settlement of a dispute or disagreement shall be final and shall bind the parties to perform it in good faith as well as must be

registered to the District Court within the period of 30 (thirty) days as of its signing.

- (8) The agreement on the settlement of a dispute or disagreement as intended in paragraph (7) must be concluded within the period of 30 (thirty) days as of its registration.
- (9) If the reconciliation effort as intended in paragraph (1) up to paragraph (6) cannot be achieved, then the parties based on the written agreement may file their settlement effort through the arbitration body or the ad-hoc arbitration.

CHAPTER III ARBITRATION REQUIREMENTS, APPOINTMENT OF ARBITER, AND RIGHT OF OBJECTION

Part One Arbitration Requirements

Article 7

The parties may agree that certain dispute that took place or shall take place between them shall be settled through arbitration.

Article 8

- (1) In the event of a dispute, the plaintiff must send a notice through registered mail, telegram, telex, facsimile, e-mail or with expedition book to the defendant that the arbitration requirements prepared by the plaintiff or the defendant are applicable.
- (2) The written notice to organize arbitration as intended in paragraph (1) shall clearly incorporate:
 - a. name and address of the parties;
 - b. reference to the clause or arbitration agreement applicable;
 - c. agreement or problems that cause the dispute;
 - d. basis of claim and total damages claimed, if any;
 - e. settlement method preferred; and
 - f. agreement to be executed by the parties regarding number of arbiter or if there is no such an agreement, the plaintiff may propose the number of arbiters required in an uneven number.

Article 9

- (1) In the event the parties select the settlement of dispute through arbitration after the dispute took place, the agreement in relation to such matter must be entered into in a written agreement signed by the parties.
- (2) In the event the parties cannot sign the written agreement as intended in paragraph (1), the said written agreement must be made in the form of notary deed.
- (3) The written agreement as intended in paragraph (1) must incorporate:
 - a. disputed issues;
 - b. complete name and residential address of the parties;

- c. complete name and residential address of the arbiter or arbitration council;
 - d. place of arbitration where the arbiter or arbitration council shall pronounce the decision;
 - e. complete name of the secretary;
 - f. period of settlement of dispute;
 - g. approval statement from the arbiter; and
 - h. approval statement from the disputed party to bear all expenses required for the settlement of the dispute through arbitration.
- (4) A written agreement, which does not state the matters as intended in paragraph (3), shall be deemed null and void.

Article 10

An arbitration agreement shall not be voided due to the conditions as stipulated hereunder:

- a. death of one of the parties;
- b. bankruptcy of one of the parties;
- c. novation;
- d. insolvency of one of the parties;
- e. inheritance;
- f. application of terms of annulment of the principal agreement;
- g. if the implementation of the agreement is assigned to a third party with approval of the party that executes the said arbitration agreement; or
- h. expiry or termination of the principal agreement.

Article 11

- (1) The existence of a written arbitration agreement shall not annul the right of the parties to file the settlement of dispute or disagreement as incorporated in their agreement to the District Court.
- (2) The District Court must reject or refuse to be involved in certain settlement of dispute that has been decided through arbitration, with the exception of certain matters that are stipulated in this Law.

Part Two Requirements to Appoint an Arbiter

Article 12

- (1) Those who can be assigned or appointed as arbiter must fulfill these requirements:
 - a. able to perform legal action;
 - b. at least 35 years old;
 - c. does not have any blood relation or in-law relations up to the second level with one of the parties in dispute;
 - d. does not have financial interest or other interest towards the arbitration decision; and
 - e. has experience as well as actively involved in his/her field for at least 15 years.
- (2) A judge, prosecutor, registrar and other court officials cannot be appointed or assigned as arbiter.

Article 13

- (1) In the event the parties cannot achieve any agreement regarding the selection of the arbiter or there are no provisions made regarding the appointment of the arbiter, the Chief of the District Court shall appoint the arbiter or arbitration council.
- (2) In certain ad-hoc arbitration for every disagreement in appointing one or more arbiters, the parties may file an application to the Chief of the District Court to appoint one arbiter or more in relation to the settlement of dispute for the parties.

Article 14

- (1) In the event the parties have agreed that the dispute shall be investigated and decided by a single arbiter, the parties must agree on the appointment of the single arbiter.
- (2) The plaintiff by virtue of a registered mail, telegram, telex, facsimile, e-mail or by using expedition book must propose to the defendant the name of the person who can be appointed as the single arbiter.
- (3) If within the period of 14 (fourteen) days as of the defendant accepted the proposal of the plaintiff as intended in paragraph (2) the parties fail to decide upon the single arbiter, then based on the request of one of the parties, the Chief of the District Court may appoint the single arbiter.
- (4) The Chief of the District Court shall appoint the single arbiter based on the list of names submitted by the parties, or obtained from the organization or the arbitration body as intended in Article 34, by observing both the recommendation as well as the objection filed by the parties towards the relevant person.

Article 15

- (1) The appointment of two arbiters by the parties shall grant authority to the said two arbiters to select and appoint a third arbiter.
- (2) The third arbiter as intended in paragraph (1) shall be appointed as the chairman of the arbitration council.
- (3) If within the period of 30 (thirty) days after the notice is received by the defendant as intended in Article 8 paragraph (1), and one of the parties fails to appoint anyone who shall become member of the arbitration council, the arbiter appointed by other party shall act as the single arbiter and his/her decision shall bind both parties.
- (4) In the event both arbiters appointed by each party as intended in paragraph (1) fail to appoint a third arbiter within the period of 14 (fourteen) days after the appointment of the last arbiter, based on the application of one of the parties, the Chief of the District Court may appoint the third arbiter.
- (5) The appointment of the arbiter conducted by the Chief of the District Court as intended in paragraph (4) cannot be filed for annulment.

Article 16

- (1) The appointed or assigned arbiter may accept or reject such appointment or assignment.
- (2) The acceptance or rejection as intended in paragraph (1) must be informed in writing to the parties no later than 14 (fourteen) days as of the date of appointment or assignment.

Article 17

- (1) With the appointment of an arbiter or several arbiters by the parties in writing and the acceptance of the relevant appointment by an arbiter or several arbiters in writing, then between the parties who appoint and the arbiter who receives the appointment a civil agreement has been entered into.
- (2) The appointment as intended in paragraph (1) shall result that the arbiter or the arbiters shall grant a decision in honest, fair manner and in accordance with the applicable provisions and the parties shall receive his/her final and binding decision as jointly agreed.

Article 18

- (1) A prospective arbiter who is requested by one of the parties to sit in the arbitration council must inform the parties regarding the matter that might affect the freedom or cause partiality of a decision to be made.
- (2) A person who receives the appointment as an arbiter, as intended in paragraph (1), must inform his appointment to the parties.

Article 19

- (1) In the event an arbiter has declared to accept the appointment or assignment as intended in Article 16, then the relevant party cannot resign, unless based on the approval of the parties.
- (2) In the event the arbiter as intended in paragraph (1) who has accepted the appointment or assignment files resignation, then the relevant party must submit a written resignation to the parties.
- (3) In the event the parties may approve on the resignation as intended in paragraph (2), then the relevant party may be acquitted from his duties as an arbiter.
- (4) In the event the application for resignation is not approved by the parties, the discharge from the arbiter's duties shall be decided by the Chief of the District Court.

Article 20

In the event the arbiter or arbitration council without valid reason fails to grant a decision within the stipulated period, the arbiter may be penalized to compensate the expenses and damages for such delay to the parties.

Article 21

The arbiter or arbitration council cannot be charged with legal responsibilities whatsoever for the action taken during the session process for performing the function of the arbiter or arbitration council, unless evidences can be provided that such action is performed not in good faith.

Part Three Right of Objection

Article 22

- (1) An objection petition may be filed to the arbiter if there are enough reasons and authentic proofs that cause doubt that the arbiter does not perform his duties freely and might not be impartial in taking a decision.
- (2) The objection petition towards an arbiter may also be filed if the arbiter is proven to have family, financial, or work relation with one of the parties or its representative.

Article 23

- (1) The right of objection towards an arbiter appointed by the Chief of the District Court shall be filed to the relevant District Court.
- (2) The right of objection towards a single arbiter shall be filed to the relevant arbiter.
- (3) The right of objection towards a member of the arbitration council can be filed to the relevant arbitration council.

Article 24

- (1) An arbiter who is appointed without the court decision can only be objected based on a new reason known by the party who exercises his right of objection after the assignment of the relevant arbiter.
- (2) The arbiter appointed with a court decision can only be objected based on the reasons he identifies after the receipt of the said court decision.
- (3) The parties, who object towards the appointment of an arbiter conducted by the other party, must file objection petition within a period of 14 (fourteen) days as of the assignment.
- (4) In the event the reason as intended in Article 22 paragraphs (1) and (2) is known at later date, the objection petition shall be submitted within a period of 14 (fourteen) days as of the matter is known.
- (5) The objection petition must be submitted in writing, both to the other party as well as the relevant arbiter by stating the reason for his petition.
- (6) In the event the objection petition filed by one of the parties is approved by the other party, the relevant arbiter must resign and a substitute arbiter shall be appointed pursuant to the procedure as stipulated in this Law.

Article 25

- (1) In the event the other party rejects the objection petition filed by one of the

parties and the relevant arbiter refuses to resign, the interested party may file a case to the Chief of the District Court whose decision binds both parties and no appeal can be filed.

- (2) In the event the Chief of the District Court has decided that the claim as intended in paragraph (1) has valid reason, the substitute arbiter must be appointed in accordance with the procedure applicable for the assignment of the substitute arbiter.
- (3) In the event the Chief of the District Court rejects the objection petition, the arbiter shall resume his duties.

Article 26

- (1) The authority of the arbiter cannot be annulled with the death of the arbiter and the said authority shall then be continued by his substitute that will then be appointed pursuant to this Law.
- (2) An arbiter may be released from duty if any evidence shows his partiality or disgraceful conduct which must be proven through a legal channel.
- (3) In the event during the investigation of a dispute the arbiter passes away, is incapable, or resigns, thus preventing him to perform his obligations, the substitute arbiter shall be appointed based on the procedure applicable for the assignment of the relevant arbiter.
- (4) In the event a single arbiter or the chairman of the arbitration council is substituted, then the investigation, which has been conducted, must be repeated.
- (5) In the event a member of the council is substituted, the investigation of a dispute can only be repeated in an orderly manner between the arbiters.

CHAPTER IV PROCEDURE APPLICABLE IN FRONT OF THE ARBITRATION COUNCIL

Part One Arbitration Procedure

Article 27

All investigation of a dispute by the arbiter or arbitration council shall be held privately.

Article 28

The language to be used in all arbitration process shall be the Indonesian language, unless based on the approval of the arbiter or arbitration council, the parties may select other language to be used.

Article 29

- (1) The parties in dispute shall have equal rights and opportunities to bring forward their respective opinion.

- (2) The parties in dispute may be represented by their attorney by virtue of a special power of attorney.

Article 30

The third party outside the arbitration agreement may participate and join in the process of settlement of dispute through arbitration, if there is relation of interest and his participation is approved by the parties in dispute as well as approved by the arbiter or arbitration council that examines the relevant dispute.

Article 31

- (1) The parties in certain firm written agreement shall be free to determine the arbitration procedure to be engaged in the investigation of the dispute as long as it does not contravene with the provision in this Law.
- (2) In the event the parties do not decide by themselves the arbitration procedure to be engaged in the investigation, and the arbiter or the arbitration council has been established pursuant to Article 12, Article 13, and Article 14, all disputes which settlement is surrendered to the arbiter or arbitration council shall be examined and decided pursuant to the provisions in this Law.
- (3) In the event the parties have selected the arbitration procedure as intended in paragraph (1), the place of arbitration and duration must be agreed and if the place of arbitration and duration are not decided, the arbiter or arbitration council may decide it.

Article 32

- (1) Based on the application of one of the parties, the arbiter or arbitration council may take provisional decision or other provisional decision to regulate the order of the investigation of the dispute including the decision on confiscation of collateral, order the deposit of goods to a third party or disposal of goods, which are easily damaged.
- (2) The period for performing the provisional decision or other decision as intended in paragraph (1) shall not be calculated within the period as intended in Article 48.

Article 33

The arbiter or arbitration council shall have authority to extend the term of duties if:

- a. one of the parties files an application regarding certain special issue;
- b. due to the stipulation of a provisional decision or other provisional decision; or
- c. it is deemed necessary by the arbiter or arbitration council for the purpose of investigation.

Article 34

- (1) The settlement of dispute through arbitration can be done by engaging a national or international arbitration body pursuant to the agreement of the parties.
- (2) Settlement of dispute through the arbitration body as intended in paragraph (1)

shall be conducted pursuant to the regulation and procedures from the selected body unless decided otherwise by the parties.

Article 35

The arbiter or arbitration council may order that each document or evidence supported with translation in the language as decided by the arbiter or arbitration council.

Article 36

- (1) The investigation of a dispute in arbitration must be conducted in writing.
- (2) Oral investigation may be done if it is agreed by the parties or deemed necessary by the arbiter or the arbitration council.

Article 37

- (1) The place of arbitration shall be decided by the arbiter or arbitration council, unless decided by the parties themselves.
- (2) The arbiter or arbitration council may hear information of a witness or convene a meeting if deemed necessary in certain places outside the place where the arbitration is being conducted.
- (3) The investigation of a witness and expert witness in front of the arbiter or arbitration council shall be done pursuant to the provisions of the civil procedural law.
- (4) The arbiter or arbitration council may conduct local investigation towards the disputed goods or other matter related to the dispute, which is being examined, and in the event it is deemed necessary, the parties shall be legally summoned to be present during the investigation.

Article 38

- (1) Within the period stipulated by the arbiter or arbitration council, the plaintiff must submit its petition letter to the arbiter or arbitration council.
- (2) Such petition letter must at least contain the:
 - a. complete name and residential address or domicile of the parties;
 - b. brief description regarding the dispute supported with evidences as attachment; and
 - c. clear description of the petition.

Article 39

After receiving the petition letter from the plaintiff, the arbiter or the chairman of the arbitration council shall deliver the copy of such petition to the defendant supported with an order that the defendant must respond and give written answer no later than 14 (fourteen) days as of the receipt of the copy of the petition by the defendant.

Article 40

- (1) Immediately after receiving the response from the defendant on the order of the arbiter or chairman of the arbitration council, the copy of the response shall be

submitted to the plaintiff.

- (2) Simultaneously, the arbiter or the chairman of the arbitration council shall order the parties or their attorney to be present in the arbitration hearing which is decided no later than 14 (fourteen) days as of the day such order is issued.

Article 41

In the event the defendant does not give response after 14 (fourteen) days as intended in Article 39, the defendant shall be summoned pursuant to the provision as intended in Article 40 paragraph (2).

Article 42

- (1) In its response or no later than on the first hearing, the defendant may file a counter petition and the plaintiff shall be given opportunity to give response on the counter petition.
- (2) The counter petition as intended in paragraph (1) shall be examined and decided by the arbiter or arbitration council jointly with the basis of the dispute.

Article 43

If on the stipulated day as intended in Article 40 paragraph (2) the plaintiff without valid reason is not present, while he has been properly notified, his petition letter shall be deemed ineligible and the duty of the arbiter or arbitration council shall be deemed to have been concluded.

Article 44

- (1) If on the stipulated day as intended in Article 40 paragraph (2), the defendant without valid reason is not present, while the defendant has been properly notified, the arbiter or arbitration council shall immediately deliver another summon.
- (2) If no later than 10 (ten) days after the second summon is received the defendant without any valid reason is also not present in the hearing, the investigation shall be continued without the presence of the defendant and the claim of the plaintiff shall be totally granted, unless if the claim is unfounded or is not based on law.

Article 45

- (1) In the event the parties appear on the stipulated day, the arbiter or arbitration council shall firstly establish reconciliation between the parties in dispute.
- (2) In the event the reconciliation as intended in paragraph (1) is achieved, then the arbiter or arbitration council shall execute a reconciliation deed, which is final, and shall bind the parties and order the parties to comply with the said reconciliation provision.

Article 46

- (1) Investigation towards the basis of dispute shall be continued if the reconciliation effort as intended in Article 45 paragraph (1) is unsuccessful.

- (2) The parties shall be given final opportunity to describe in writing their respective opinion as well as present evidences, which are deemed necessary to confirm their opinion within the period as decided by the arbiter or arbitration council.
- (3) The arbiter or arbitration council shall have the right to request to the parties to present additional written information, documents and other evidences deemed necessary within the period stipulated by the arbiter or arbitration council.

Article 47

- (1) Before any response is given by the defendant, the plaintiff may revoke the application letter for the settlement of the dispute through arbitration.
- (2) In the event the response from the defendant has been given, any amendment or addition to the petition letter is only permitted with approval of the defendant and as long as such amendment or addition is related to the matters that are factual and not related to a legal basis which is the foundation of the application.

Article 48

- (1) Investigation on a dispute must be settled no later than 180 (one hundred eighty) days as of the arbiter or arbitration council is established.
- (2) With approval of the parties and if required pursuant to the provision in Article 33, the term as intended in paragraph (1) may be extended.

Part Two Witness and Expert Witness

Article 49

- (1) Based on the order of the arbiter or arbitration council or upon request of the parties, one or more witnesses or one or more expert witnesses may be summoned to hear his/her information.
- (2) The travel expenses for summoning a witness or expert witness shall be imposed to the party who invites them.
- (3) Before giving any information, the witness or expert witness must take a vow.

Article 50

- (1) The arbiter or arbitration council may request assistance of one or more expert witnesses to give written information regarding special issues related to the subject of the dispute.
- (2) The parties must give all information required by the expert witnesses.
- (3) The arbiter or arbitration council shall forward the copy of information of the said expert witness to the parties in order that the parties in dispute can give their written response.
- (4) If an issue is unclear, based on the request of the interested parties, the information of relevant expert witness may be heard in the arbitration session to be attended by the parties or their attorney.

Article 51

A secretary shall prepare the official report on the investigation and arbitration session.

CHAPTER V
OPINION AND ARBITRATION DECISION

Article 52

The parties in an agreement shall have the right to request binding opinion from the arbitration body on certain legal relation in the agreement.

Article 53

No appeal through whatsoever legal remedies could be filed towards the binding opinion as intended in Article 52.

Article 54

- (1) The arbitration decision must contain:
 - a. the heading of the decision that sounds "IN THE NAME OF JUSTICE FOR THE SAKE OF GOD THE ALMIGHTY";
 - b. complete name and address of the parties;
 - c. brief description of the dispute;
 - d. opinion of the parties;
 - e. complete name and address of the arbiter;
 - f. considerations and conclusion of the arbiter or arbitration council regarding the dispute in general;
 - g. opinion of each arbiter in the event of different opinion in the arbitration council;
 - h. decision dictum;
 - i. place and date of the decision; and
 - j. signature of the arbiter or arbitration council.
- (2) If one of the arbiters does not sign the arbitration decision due to the reason that he is ill or passed away, it shall not have any effect upon the power of enforcement of the decision.
- (3) The reasons for the non-existence of the signature as intended in paragraph (2) must be stated in the decision.
- (4) In a decision, the term for execution of the decision must be stipulated.

Article 55

If an investigation of a dispute has been concluded, the investigation shall be immediately ended and the session day shall be decided for declaring the arbitration decision.

Article 56

- (1) The arbiter or arbitration council shall make decision pursuant to the provisions of laws, or based on fairness and justice.

- (2) The parties shall have the right to decide the choice of law that shall be applicable for the settlement of the dispute, which may take place or has taken place between the parties.

Article 57

The decision shall be declared no later than 30 (thirty) days after the investigation is concluded.

Article 58

No later than 14 (fourteen) days as of the receipt of the decision, the parties may file application to the arbiter or arbitration council for correcting administrative error or to add or eliminate certain issue in the decision.

CHAPTER VI ENFORCEMENT OF ARBITRATION DECISION

Part One National Arbitration

Article 59

- (1) No later than 30 (thirty) days as of the date the decision is declared, the original or the original excerpt of the arbitration decision should be delivered and registered by the arbiter or his attorney to the Registrar of the District Court.
- (2) The delivery and registration as intended in paragraph (1) shall be conducted by registering and signing the final page or the margin of the decision by the Registrar of the District Court and arbiter or his attorney who delivers, and such note shall be regarded as registration deed.
- (3) The arbiter or his attorney must deliver the decision and original sheet of the assignment as the arbiter or its authentic excerpt to the Registrar of the District Court.
- (4) Failure to observe the provisions as intended in paragraph (1) shall result to the inability to enforce the arbitration decision.
- (5) All expenses related to the drawing up of the registration deed shall be borne by the parties.

Article 60

The arbitration decision shall be final and have a permanent jurisdiction and shall bind the parties.

Article 61

In the event the parties do not voluntarily comply with the arbitration decision, the decision can be enforced based on the order of the Chief of the District Court pursuant to the application of one of the parties in dispute.

Article 62

- (1) The order as intended in Article 61 shall be granted no later than 30 (thirty) days after the execution application is registered to the Registrar of the District Court.
- (2) Before issuing the execution order, the Chief of the District Court as intended in paragraph (1) shall firstly check whether the arbitration decision fulfills the provision in Article 4 and Article 5, as well as it does not contravene with the norm and public order.
- (3) In the event the arbitration decision has not fulfilled the provision as intended in paragraph (2), the Chief of the District Court shall refuse the application for the execution and for the said decision of the Chief of the District Court no legal remedy whatsoever shall be available.
- (4) The Chief of the District Court shall not examine the reasons or considerations of the arbitration decision.

Article 63

The order of the Chief of the District Court shall be written in the original sheet and the authentic copy of the arbitration decision shall be issued.

Article 64

The arbitration decision, which has been added with order from the Chief of the District Court, shall be executed pursuant to the provision for the execution of a decision in a civil case, which has a permanent jurisdiction.

Part Two International Arbitration

Article 65

The District Court of Central Jakarta shall have the authority to administer the acknowledgement and execution of the International Arbitration Decision.

Article 66

The International Arbitration Decision may only be acknowledged as well as executed within the jurisdiction of the Republic of Indonesia, if it fulfills the requirements as follows:

- a. The International Arbitration Decision is imposed by the arbiter or arbitration council in certain country, which is bound in an agreement with the Republic of Indonesia, both bilaterally as well as multilaterally, regarding the acknowledgement and the execution of the International Arbitration Decision;
- b. The International Arbitration Decision as intended in letter a is limited to the decision which based on the provision of the Indonesian law is included in the scope of trade laws;
- c. The International Arbitration Decision as intended in letter a that can only be executed in Indonesia is limited to the decision which does not contravene with public order;

- d. The International Arbitration Decision can be executed in Indonesia after obtaining executory order from the Chief of the District Court of Central Jakarta; and
- e. The International Arbitration Decision, as intended in letter a, related to the State of the Republic of Indonesia as one of the parties in the dispute can only be executed after obtaining the executory order from the Supreme Court of the Republic of Indonesia, which is then delegated to the District Court of Central Jakarta.

Article 67

- (1) The application for the execution of the International Arbitration Decision shall be conducted after the said decision is submitted and registered by the arbiter or his attorney to the Registrar of the District Court of Central Jakarta.
- (2) The delivery of the application documents as intended in paragraph (1) shall be supported with the:
 - a. original sheet or authentic copy of the International Arbitration Decision, based on the provisions regarding the authentication of foreign documents and the official translated documents in Indonesian language;
 - b. original sheet or authentic copy of the agreement which is the basis of the International Arbitration Decision pursuant to the provisions regarding the authentication of foreign documents and its official translated document in Indonesian language; and
 - c. information from the consulate of the Republic of Indonesia in the country where the said International Arbitration Decision is decided, stipulating that the plaintiff's country is bound with the agreement, both bilateral as well as multilateral, with the Republic of Indonesia regarding the acknowledgement and the execution of the International Arbitration Decision.

Article 68

- (1) No appeal can be filed towards the decision of the Chief of the District Court of Central Jakarta as intended in Article 66 letter d that acknowledges and executes the International Arbitration Decision.
- (2) An appeal can be filed for the decision of Chief of the District Court of Central Jakarta as intended in Article 66 letter d who rejects to acknowledge and execute certain International Arbitration Decision.
- (3) No later than 90 (ninety) days as of the appeal is received by the Supreme Court, the Supreme Court may consider as well as decide each appeal filed to the Supreme Court as intended in paragraph (2).
- (4) No appeal could be filed against the decision of the Supreme Court as intended in Article 66 letter e.

Article 69

- (1) After the Chief of the District Court of Central Jakarta issues the execution order as intended in Article 64, then further execution shall be delegated to the Chief of the District Court, who is relatively authorized to perform it.
- (2) Confiscation can be conducted towards the assets as well as the properties owned by the executed defendant.
- (3) The procedure for seizing as well as executing the decision shall follow the procedures as stipulated in the Civil Procedural Law.

CHAPTER VII ANNULMENT OF ARBITRATION DECISION

Article 70

The parties may file application for the annulment of an arbitration decision if the said decision contains the elements as follows:

- a. after the decision is made, the letter or documents submitted in the investigation are found to be falsified or declared fake;
- b. after the decision is made, the undisclosed documents which are deciding are found; or
- c. the decision is taken from the result of forgery by one of the parties when examining the dispute.

Article 71

The application for the annulment of arbitration decision must be submitted in writing no later than 30 (thirty) days as of the date of delivery and registration of the arbitration decision to the Registrar of the District Court.

Article 72

- (1) The application for the annulment of arbitration decision must be submitted to the Chief of the District Court.
- (2) If the application as intended in paragraph (1) is approved, the Chief of the District Court shall decide further on the consequence of the partial or entire annulment of the arbitration decision.
- (3) The decision on the application for annulment shall be decided by the Chief of the District Court no later than 30 (thirty) days as of the application as intended in paragraph (1) is received.
- (4) In relation to the decision of the District Court, an appeal to the Supreme Court that decides for the first and final degree may be filed.
- (5) The Supreme Court shall consider as well as decide on the appeal as intended in paragraph (4) within 30 (thirty) days as of the said application for appeal is received by the Supreme Court.

CHAPTER VIII TERMINATION OF DUTIES OF ARBITER

Article 73

The duties of the arbiter shall be terminated due to the following reasons:

- a. a decision related to the dispute has been decided;
- b. the period stipulated in the arbitration agreement or its extension agreed by the parties has elapsed; or
- c. the parties agree to withdraw the appointment of the arbiter.

Article 74

- (1) The death of one of the parties shall not result in the termination of the duties assigned to the arbiter.
- (2) The term of office of the arbiter as intended in Article 48 may be postponed to a maximum of 60 (sixty) days as of the death of one of the parties.

Article 75

- (1) In the event of death, for granting the objection petition or dismissal of one or more arbiters, the parties must appoint a substitute arbiter.
- (2) If within the period of 30 (thirty) days the parties fail to reach an agreement on the appointment of the substitute arbiter as intended in paragraph (1), then the Chief of the District Court, based on the request of the interested party, may appoint one or more substitute arbiters.
- (3) The substitute arbiter shall have the duty to continue the settlement of the dispute based on a final conclusion made.

CHAPTER IX ARBITRATION EXPENSES

Article 76

- (1) The arbiter shall decide upon the arbitration expenses.
- (2) The expenses as intended in paragraph (1) shall include:
 - a. honorarium of the arbiter;
 - b. traveling expenses and other expenses incurred by the arbiter;
 - c. expenses of the witness and or expert witness required in the investigation of the dispute; and
 - d. administrative expenses.

Article 77

- (1) The arbitration expenses shall be imposed to the unsuccessful party.
- (2) In the event the case is only partially granted, the arbitration expenses shall be imposed to the parties proportionately.

CHAPTER X TRANSITIONAL PROVISION

Article 78

As this Law comes into effect, a dispute that has been filed to the arbiter or the arbitration body but has not been examined, its settlement process shall be conducted pursuant to this Law.

Article 79

A dispute, which at the time this Law comes into effect has been examined but no decision has been decided, shall be examined and decided pursuant to the provisions of the previous laws and regulations.

Article 80

A dispute, which at the time this Law comes into effect, has been decided and its decision has obtained a permanent jurisdiction, its execution shall be performed pursuant to this Law.

CHAPTER XI CLOSING PROVISIONS

Article 81

As this Law comes into effect, the provisions regarding arbitration as intended in Article 615 up to Article 651 of the Civil Procedural Code (Reglement op de Rechtsvordering, Staatsblad 1847:52) and Article 377 of the Revised Code of Indonesia (Het Herziene Indonesisch Reglement, Staatsblad 1941:44) and Article 705 of the Code of Procedure for Regions outside Java and Madura (Rechtsreglement Buitengewesten, Staatsblad 1927:227), are hereby declared null and void.

Article 82

This Law shall come into effect as from the date of its promulgation.

For public cognizance, hereby ordering the promulgation of this Law by publishing it in the State Gazette of the Republic of Indonesia.

Stipulated in: Jakarta
on August 12, 1999
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,
signed
BACHARUDDIN JUSUF HABIBIE

Promulgated in Jakarta
on August 12, 1999
THE STATE MINISTER/STATE SECRETARY
OF THE REPUBLIC OF INDONESIA,
signed

MULADI

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 1999 NUMBER 138

ELUCIDATION
ON
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 30 YEAR 1999
REGARDING
ARBITRATION AND ALTERNATIVE DISPUTE SETTLEMENT

GENERAL

The exercise of judicial power is delegated to a judicial body based on Law Number 14 Year 1970 regarding Principal Provisions of Judicial Power. The said matter is the master and framework in deciding the basis and principles of judicial administration as well as guideline for public court, religious court, military court, and state administrative court that are regulated respectively in a separate Law.

In the elucidation of Article 3 paragraph (1) of Law Number 14 Year 1970 it is stated among others that the settlement of case outside the court based on amicable settlement or through arbitration is still allowed, but the arbitration decision has only executory power after obtaining execution permit or order from the court.

Until presently, the bases used for examining the arbitration in Indonesia are Article 615 up to Article 651 of the Civil Procedural Code (Reglement op de Rechtsvordering, Staatsblad 1847:52) and Article 377 of the Revised Code of Indonesia (Het Herzien Indonesisch Reglement, Staatsblad 1941:44) and Article 705 of the Code of Procedure for Regions outside Java and Madura (Rechtsreglement Buitengewesten, Staatsblad 1927:227).

Principally the arbitration body has advantages compared to a judicial body. The said advantages among others are:

- a. the confidentiality of the parties in dispute is guaranteed;
- b. the delay due to the procedural and administrative matters can be prevented;
- c. the parties may select the arbiter who, based on their belief, has knowledge, experiences as well as sufficient background regarding the disputed issue, is honest and fair;
- d. the parties may select the choice of law to settle the problems as well as the process and place to conduct the arbitration; and
- e. the arbitration decision is a decision that binds the parties and by way of simple procedure or can be immediately done.

In reality what are stated above are not all accurate, as in certain countries the judicial process can be more efficient than the arbitration process. The only advantage of the arbitration compared with the court process is its confidentiality as its decision is not published. However, the settlement of dispute through arbitration is preferred rather than the litigation process, especially for international business contract.

With the development of business community and the development of trade traffic both domestically and internationally as well as the judicial development in general, hence the regulation incorporated in the Civil Procedural Code (Reglement op de Rechtsvordering) applied as guideline for arbitration is no longer appropriate thus it must be adjusted as the international trade regulations is the *conditio sine qua non* while such matter is not regulated in the Civil Procedural Code (Reglement op de Rechtsvordering). Based on this condition, the principal amendment towards the Civil Procedural Code

(Reglement op de Rechtvordering) both philosophically as well as substantively must be conducted immediately.

The arbitration that is regulated in this Law is the procedure for settling a dispute outside the public court based on the written agreement of the party in dispute. The fact is, not all disputes can be settled through arbitration, but only the dispute regarding rights, which pursuant to law are fully regulated by the parties in dispute based on their agreement.

In addition thereto, the provision that prohibits women to become arbiter as intended in Article 617 paragraph (2) of the Civil Procedural Code (Reglement op de Rechtvordering) is no longer appropriate with the current development and it cannot be maintained in the present era of freedom which fully acknowledges equal rights between men and women. Due to the above reason, this Law does not state that women cannot be appointed as arbiter. All these are regulated in Chapter I regarding General Provisions.

Chapter II regulates the alternative dispute settlement through amicable settlement of the parties in dispute. The alternative dispute settlement (Alternative Dispute Resolution or ADR) is the body for the settlement of dispute or disagreement through the procedures agreed by the parties, namely settlement outside the court through consultation, negotiation, mediation, reconciliation and assessment by expert.

Chapter III provides special summary on the requirements that must be fulfilled for arbitration and requirement for the appointment of arbiter as well as in regulating the right of objection from the parties in dispute.

While Chapter IV regulates the procedure to be involved in the arbitration council and the possibility for an arbiter to decide upon provisional decision or other provisional decision including to stipulate the confiscation of collateral, deposit of goods or disposal of damaged goods or for hearing information from witness and expert witness.

Similar to a court decision, the arbitration decision also has a preamble that states "**IN THE NAME OF JUSTICE FOR THE SAKE OF GOD THE ALMIGHTY**".

In addition thereto, Chapter V also states other applicable requirements regarding arbitration decision.

Also this Chapter regulates the possibility of dispute regarding the authority of arbiter, enforcement of national and international arbitration decision as well as refusal to the application for the execution order of arbitration decision by the Chief of the District Court at first and final level, and the Chief of the District Court does not examine the reasons or considerations of the arbitration decision.

This is intended to ensure that the settlement of dispute through arbitration is not protracted. Unlike the process in district court where an appeal can be filed, the process of settlement of dispute through arbitration does not give legal remedy in the form of appeal as well as judicial review.

In formulating a complete formal law, hence this Law also incorporates the provision on the conduct of national as well as international arbitration duties.

Chapter VI describes the implementing regulation of the decision in one package to ensure that this Law can be operated up to the execution of the decision, either related to national or international arbitration issues as well as pursuant to the legal system that is permitted.

Chapter VII regulates the annulment of arbitration decision. This is permitted due to several issues, namely:

- a. after the decision is made, the letter or documents submitted in the investigation are found to be falsified or declared fake;
- b. after the decision is administered, the undisclosed documents, which are deciding, are found; or
- c. the decision is taken based on the result of forgery by one of the parties in examining the dispute.

The application for the annulment of an arbitration decision is filed to the Chief of the District Court and an appeal to the Supreme Court can only be filed towards the decision of the said District Court for a decision of the Supreme Court at first and final level.

Further Chapter VIII regulates the termination of the duties of the arbiter, in which it is stated among other that the duties of arbiter shall be terminated due to the end of term of office or both parties agree to withdraw the appointment of the arbiter. The death of one of the parties shall not result in the termination of the duties assigned to the said arbiter.

Chapter IX of this Law regulates the arbitration expenses decided by the arbiter.

Chapter X of this Law regulates the transitional provisions towards the dispute which has been filed but not processed, the dispute which is in the process or which has been made and has a permanent legal force.

While in Chapter XI it is stipulated that as this Law comes into effect Article 615 up to Article 651 of Civil Procedural Code (Reglement op de Rechtsvordering, Staatsblad 1847:52) and Article 377 of the Revised Code of Indonesia (Het Herziene Indonesisch Reglement, Staatsblad 1941:44) and Article 705 of the Code of Procedure for Regions outside Java and Madura (Rechtsreglement Buitengewesten, Staatsblad 1927:227), are declared null and void.

ARTICLE BY ARTICLE

Article 1
Self-explanatory

Article 2
Self-explanatory

Article 3
Self-explanatory

Article 4
Self-explanatory

Article 5
Self-explanatory

Article 6
Self-explanatory

Article 7
Self-explanatory

Article 8

Self-explanatory

Article 9

Self-explanatory

Article 10

Letter a

Self-explanatory

Letter b

Self-explanatory

Letter c

Referred to as 'novation' is the renewal of debt.

Letter d

Referred to as 'insolvency' is the condition of incapability to pay.

Letter e

Self-explanatory

Letter f

Self-explanatory

Letter g

Self-explanatory

Letter h

Self-explanatory

Article 11

Self-explanatory

Article 12

Paragraph (1)

Self-explanatory

Paragraph (2)

The official stated in this paragraph is not permitted to become an arbiter to ensure that the investigation as well as the granting of decision by the arbiter or arbitration council is always objective.

Article 13

Paragraph (1)

With this provision, any deadlock is prevented in practice if the parties that file for the arbitration fail to properly and thoroughly regulate the procedure to be done in assigning the arbiter.

Paragraph (2)

Self-explanatory

Article 14

Self-explanatory

Article 15
Self-explanatory

Article 16
Self-explanatory

Article 17
Self-explanatory

Article 18
Self-explanatory

Article 19
Self-explanatory

Article 20
Self-explanatory

Article 21
Self-explanatory

Article 22
Self-explanatory

Article 23
Self-explanatory

Article 24
Paragraph (1)

Before the appointment of an arbiter, the parties have already estimated the possible reason for exercising the right of objection. However, if the parties continue to appoint the said arbiter, then the parties are considered to have agreed for not exercising the right of objection based on the facts which they are already aware of when appointing the said arbiter. However this does not overrule any possible presentation of new facts previously undisclosed, thus granting the right to the parties to exercise the right of objection pursuant to the said new facts.

Paragraph (2)
Self-explanatory

Paragraph (3)
This paragraph regulates the filing of objection petition and its term.
This term is considered necessary to ensure that it cannot be hindered at any time with the objection petition.

Paragraph (4)
Self-explanatory

Paragraph (5)
Self-explanatory

Paragraph (6)
Self-explanatory

Article 25

Paragraph (1)

The decision of the Chief of the District Court in relation to the objection petition binds both parties and the said decision is final and no appeal shall be filed.

Paragraph (2)

Self-explanatory

Paragraph (3)

Self-explanatory

Article 26

Paragraph (1)

Self-explanatory

Paragraph (2)

Self-explanatory

Paragraph (3)

Self-explanatory

Paragraph (4)

Self-explanatory

Paragraph (5)

If only one arbiter is substituted, the investigation can be continued based on the official report and the available letter by the existing arbiters only.

Article 27

The provision that the investigation is privately held is a deviation from the provisions of the civil procedure applicable in the District Court which principally is open for public. This confirms the confidentiality of the arbitration settlement.

Article 28

Self-explanatory

Article 29

Paragraph (1)

Self-explanatory

Paragraph (2)

Pursuant to the General Provisions regarding civil procedure, opportunity is given to the parties to appoint their attorney by virtue of a special power of attorney.

Article 30

Self-explanatory

Article 31

Paragraph (1)

Self-explanatory

Paragraph (2)

Self-explanatory

Paragraph (3)

The parties by themselves may agree the place and duration of arbitration they wish. If they do not make any provision regarding this matter, then the arbiter or arbitration council shall decide about it.

Article 32

Self-explanatory

Article 33

Letter a

Referred to as "certain special issue" for example due to interim or incidental case outside the subject of a dispute like guarantee demand as intended in the Civil Procedural Law.

Letter b

Self-explanatory

Letter c

Self-explanatory

Article 34

Paragraph (1)

Self-explanatory

Paragraph (2)

This paragraph provides freedom to the parties to choose the regulations and procedures that shall be used in the settlement of dispute among them, without the obligation to use the regulation and procedure from the appointed arbitration body.

Article 35

Self-explanatory

Article 36

Paragraph (1)

Self-explanatory

Paragraph (2)

Principally, the arbitration procedure is done in writing. If the parties agree, investigation can be done orally.

In addition thereto, information from the expert witness as intended in Article 50 can be provided orally if it is deemed necessary by the arbiter or arbitration council.

Article 37

Paragraph (1)

The provision regarding the place of arbitration is important particularly if there is an element of foreign law and the dispute becomes an international civil legal dispute. As usually done the place where the arbitration is conducted also affects the law that governs the investigation of the said dispute if the parties do not decide among themselves, thus the arbiter may decide the place of arbitration.

Paragraph (2)

Paragraph (2) of this article provides opportunity for witness hearing in places other than the place where the arbitration is being conducted, among others related to the residential address of the relevant witness.

Paragraph (3)
Self-explanatory

Paragraph (4)
Self-explanatory

Article 38
Paragraph (1)
Self-explanatory

Paragraph (2)
Letter a
Self-explanatory

Letter b
The copy of the arbitration agreement must also be submitted as attachment.

Letter c
The content of the claim must be clear and if the content of the claim is in the form of money, its fixed amount must be stated.

Article 39
Self-explanatory

Article 40
Self-explanatory

Article 41
Self-explanatory

Article 42
Paragraph (1)
This Article regulates the reconvention case filed by a defending party.

Paragraph (2)
Self-explanatory

Article 43
In accordance with the civil procedural law, the dispute is ineligible if the plaintiff is not present on the first day of investigation.

Article 44
Self-explanatory

Article 45
Self-explanatory

Article 46
Self-explanatory

Article 47
Self-explanatory

Article 48

Paragraph (1)

The stipulation of the period of 180 (one hundred eighty) days as the period for the arbiter to settle through arbitration is for guaranteeing certainty of the duration for the completion of the arbitration investigation.

Paragraph (2)

Self-explanatory

Article 49

Self-explanatory

Article 50

Self-explanatory

Article 51

Self-explanatory

Article 52

Even though there is no dispute, the arbitration body may accept a request filed by the parties in certain agreement, to give a binding opinion regarding certain issues related to the said agreement. For example regarding the interpretation of unclear provisions, addition or amendment to the provisions related to the rise of new conditions etc. With the opinion provided by the relevant arbitration body, both parties are bound to it and if one of the parties acts in contrary with the said opinion, it shall be deemed to violate the agreement.

Article 53

Self-explanatory

Article 54

Self-explanatory

Article 55

Self-explanatory

Article 56

Paragraph (1)

Basically the parties may establish an agreement for deciding that an arbiter must base its decision on the provision of laws or based on fairness and reasonableness (*ex aequo et bono*).

In the event an arbiter is given freedom to grant a decision based on fairness and reasonableness, then the laws and regulation can be waived. However in certain event, law (*dwingende regels*) must be enforced and cannot be violated by the arbiter.

In the event an arbiter is not granted with authority to grant a decision based on fairness and reasonableness, then the arbiter can only grant a decision based on the material of legal principles as done by judges.

Paragraph (2)

The parties in dispute are given freedom to decide which law is to be applied in the arbitration process. If the parties do not stipulate otherwise, then the law applied is the law at the place where the arbitration is being conducted.

Article 57
Self-explanatory

Article 58
Referred to as "correction towards administrative error" is the correction towards all matters such as typographical error or mistake in writing name, address of the parties or arbiter etc, which do not change the content of the decision.

Referred to as "add or eliminate a claim" is that one of the parties may file their objection towards a decision if the decision, among others, is about:

- a. approval on some issues not claimed by the opponent party;
- b. does not contain one or more issues required to be decided; or
- c. contain a binding provision which contravenes one another.

Article 59
Self-explanatory

Article 60
The arbitration decision is a final decision and therefore, an appeal or judicial review could not be filed.

Article 61
Self-explanatory

Article 62
Paragraph (1)
Self-explanatory

Paragraph (2)
Self-explanatory

Paragraph (3)
Self-explanatory

Paragraph (4)
The reasons or considerations for arbitration decision shall not be examined by the Chief of the District Court in ensuring that the said arbitration decision is really independent, final and binding.

Article 63
Self-explanatory

Article 64
Self-explanatory

Article 65
Self-explanatory

Article 66
Letter a
Self-explanatory

Letter b
Referred to as "scope of trade law" are the activities among others in the following sectors:

- trading;
- banking;
- finance;
- capital investment;
- industry;
- intellectual property right.

Letter c

Self-explanatory

Letter d

An International Arbitration Decision can only be executed with a decision of the Chief of the District Court of Central Jakarta in the form of executory order.

Letter e

Self-explanatory

Article 67

Self-explanatory

Article 68

Self-explanatory

Article 69

Self-explanatory

Article 70

An application for annulment could only be filed towards the arbitration decision that has been registered in the court. The reasons for the application for annulment as stated in this article must be proven with a court decision. If the court states that the said reasons are acceptable or unfounded, then this court decision can be used as basis for consideration of the judge to approve or reject the application.

Article 71

Self-explanatory

Article 72

Paragraph (1)

Self-explanatory

Paragraph (2)

The chief of the District Court is authorized to examine the petition for annulment if requested by the parties, and regulate the consequences of the annulment of the whole or part of the relevant arbitration decision.

The chief of the District Court may decide that after the pronouncement of the annulment, the same arbiter or other arbiter shall re-examine the relevant dispute or decide that the dispute cannot be settled through arbitration.

Paragraph (3)

Self-explanatory

Paragraph (4)

Referred to as "appeal" is only applicable for the annulment of arbitration decision as intended in Article 70.

Paragraph (5)
Self-explanatory

Article 73
Self-explanatory

Article 74
Self-explanatory

Article 75
Self-explanatory

Article 76
Self-explanatory

Article 77
Self-explanatory

Article 78
Self-explanatory

Article 79
Self-explanatory

Article 80
Self-explanatory

Article 81
Self-explanatory

Article 82
Self-explanatory

SUPPLEMENT TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA
NUMBER 3872

Note

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