

## Annex 5

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**Annex 5**

**LAW OF THE REPUBLIC OF INDONESIA**

**NO. 3 OF 1999**

**ON GENERAL ELECTIONS**

**LAW OF THE REPUBLIC OF INDONESIA**  
**NO. 3 OF 1999**  
**ON**  
**GENERAL ELECTIONS**

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

**Having Considered:**  
**Mindful of :**

**With the Agreement of**

PARLIAMENT OF THE  
REPUBLIC OF INDONESIA

**DECIDES**

**To establish:**  
THE LAW ON GENERAL ELECTIONS.

**CHAPTER I**  
**GENERAL STIPULATIONS**

**Article 1**

(1) General Elections are a means to implement the sovereignty of the people in the Unitary State of the Republic of Indonesia based on the Pancasila and the 1945 Constitution.

- (2) General Elections are held in a democratic, transparent, honest and just manner with the direct giving and collection of votes, in public, directly and confidentially.
- (3) General Elections are held once every 5 (five) years on a holiday or a day designated as a holiday, simultaneously throughout the entire territory of the Unitary State of the Republic of Indonesia
- (4) General Elections are held to elect members of Parliament, members of the Regional Parliament of Level I area, and the Regional Parliament of Level II area, which henceforth will be called the DPR, the DPRD I, and DPRD II, except for DPR, DPRD I and DPRD II members belonging to the Indonesian Armed Forces (ABRI).
- (5) General Elections as mentioned in subsection (4) are also to elect members of the People's Consultative Congress, henceforth called the MPR.
- (6) Voting in the General Elections is a right of every citizen who has fulfilled the conditions for election.
- (7) General Elections are held utilizing the proportional system that is based on the list method.

## **CHAPTER VII**

### **CONDITIONS OF PARTICIPATION IN THE GENERAL ELECTIONS**

#### **Article 39**

- (1) A Political Party may participate in the General Elections when it has fulfilled the following conditions:
  - a. its existence is recognized by the Law on Political Parties;
  - b. has offices in more than ½ (half) of Indonesia's provinces;
  - c. has offices in more than ½ (half) of the total number of kabupatens/townships in the province as mentioned in point b.
  - d. has submitted the name and emblem of the Political Party.
- (2) A Political Party that has been registered, but does not fulfill the conditions mentioned in subsection (1) can not participate in the General Elections, but its existence is still recognized as long as the party fulfils its responsibilities as regulated in the Law on Political Parties.
- (3) In order to be able to participate in the next General Elections, a Political Party must have 2% (two percent) of the total number of seats in Parliament or at least 3% (three percent) of total seats in DPRD I or DPRD II dispersed in at least ½ (half) the number of provinces and in ½ (half) the total number of kabupaten/townships of the whole of Indonesia, based on results from the General Elections.

- (4) A Political Party participating in the General Elections that does not meet stipulations mentioned in subsection (3), may not participate in the next General Elections, unless it joins another Political Party.
- (5) The registration of a Political Party as participant in the General Elections, will be further regulated in the Decision on the Commission for the General Elections (KPU).