



**CONSTITUTIONAL COURT
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION
FOR CASE NUMBER 17/PUU-XX/2022**

Concerning

**Minimum Wage for Freelance Workers or Workers
Who Do Not Work for the Company**

- Petitioner** : **Muhammad Reynaldi Ariananda Arkiang**
- Type of Case** : Examination of Law Number 13 of 2003 concerning Manpower (Law 13/2003) against the 1945 Constitution of the Republic of Indonesia (UUD 1945)
- Subject Matter** : Examination of Article 90 paragraph (1), Article 91 paragraph (1) and paragraph (2) of Law 13/2003 against the 1945 Constitution
- Stipulation Verdict** : 1. To grant the withdrawal of the Petitioner's petition;
2. To declare that the Petition Number 17/PUU-XX/2022 concerning Petition for Judicial Review of Law Number 13 of 2003 concerning Manpower (State Gazette of the Republic of Indonesia of 2003 Number 298, Supplement to the State Gazette of the Republic of Indonesia Number 6755) against the 1945 Constitution of the Republic of Indonesia is withdrawn;
3. To declare that the Petitioner cannot resubmit the *a quo* petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of the Petition Number 17/PUU-XX/2022 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and to return a copy of the petition file to the Petitioner.

Date of Stipulation : Tuesday, March 29, 2022

Overview of Stipulation :

Whereas the Petitioner is an individual Indonesian citizen who is a worker that does not work for the company. According to the Petitioner, the *a quo* article only protect the workers/laborers who work for the company.

Whereas the Petitioner submitted a petition to the Constitutional Court on January 20, 2022 based on the Deed of Submission of the Petitioner's Petition Number 9/PUU/PAN.MK/AP3/01/2022, dated January 24, 2022 and it has been recorded in the Electronic Constitutional Case Registration Book (e-BRPK) on February 8, 2022 under the Number 17/PUU-XX/2022 concerning the Review of Law Number 13 of 2003 concerning Manpower against the 1945 Constitution of the Republic of Indonesia;

Whereas the Petitioner stated that he had withdrawn his application in the Examination Trial with the agenda of receiving the Revision of the Petitioner's Petition, on March 21, 2022.

Whereas regarding the withdrawal of the Petitioner's petition, Article 35 paragraph (1) of the Constitutional Court Law states, "The Petitioner may withdraw the Petition before or during the examination of the Constitutional Court" and Article 35 paragraph (2) of the Constitutional Court Law states that the withdrawal will result in the petition *a quo* cannot be resubmitted;

Whereas the Deliberative Meeting of Judges on March 22, 2022 has concluded that the revocation or withdrawal of petition Number 17/PUU-XX/2022 is legally justifiable and the Petitioner cannot re-submit the *a quo* Petition as well as ordering the Registrar of the Constitutional Court to record the revocation or withdrawal of the Petitioner's petition in the Electronic Constitutional Case Registration Book (e-BRPK) and to return a copy of the petition file to the Petitioner.

Accordingly, the Court further stipulates the following stipulations:

1. To grant the withdrawal of the Petitioner's petition;
2. To declare that the Petition Number 17/PUU-XX/2022 concerning Petition for Judicial Review of Law Number 13 of 2003 concerning Manpower (State Gazette of the Republic of Indonesia of 2003 Number 298, Supplement to the State Gazette of the Republic of Indonesia Number 6755) against the 1945 Constitution of the Republic of Indonesia is withdrawn;
3. To declare that the Petitioner cannot resubmit the *a quo* petition;
4. To order the Registrar of the Constitutional Court to record the withdrawal of the Petition Number 17/PUU-XX/2022 in the Electronic Constitutional Case Registration Book (*Buku Registrasi Perkara Konstitusi Elektronik* or e-BRPK) and to return a copy of the petition file to the Petitioner.