



**CHAIRMAN OF THE SUPREME COURT
OF THE REPUBLIC OF INDONESIA**

REGULATION OF THE SUPREME
COURT OF THE REPUBLIC OF
INDONESIA NUMBER 3 OF
2023

ABOUT
PROCEDURE FOR APPOINTMENT OF ARBITRATORS BY THE
COURT, RIGHT OF CHALLENGE, EXAMINATION OF PETITIONS
FOR ENFORCEMENT AND ANNULMENT OF ARBITRAL
AWARDS

BY THE GRACE OF ALMIGHTY GOD THE
CHAIRMAN OF THE SUPREME COURT OF THE
REPUBLIC OF INDONESIA,

- Considering : a. that effectively resolving disputes through arbitration will encourage the realization of ease of doing business for the improvement of the national economy;
- b. that the court has the function of realizing the objectives as referred to in letter a;
- c. that the Supreme Court needs to further regulate the provisions of Chapter III, Chapter VI, and Chapter VII of Law Number 30 Year 1999 on Arbitration and Alternative Dispute Resolution;
- d. that based on the considerations as referred to in letters a, b, and c, it is necessary to stipulate a Supreme Court Regulation on the Procedure for the Appointment of Arbitrators by the Court, the Right of Recusal, Examination of Requests for Implementation and Annulment of Arbitral Awards;
- Remembering 1. Law Number 14 of 1985 Concerning the Supreme Court (State Gazette of the Republic of Indonesia of 1985 Number 73, Supplement to State Gazette of the Republic of Indonesia Number 3316) as amended several times lastly by Law Number 3 of 2009 Concerning the Second Amendment to Law Number 14 of 1985 Concerning the Supreme Court (State Gazette of the Republic of Indonesia of 2009 Number 3, Supplement to State Gazette of the Republic of Indonesia Number 4958);
2. Law Number 2 of 1986 Concerning General Courts (State Gazette of the Republic of Indonesia of 1986 Number 20, Supplement to State Gazette of the Republic of Indonesia Number 3327) as amended several times, most recently by Law Number 49 of 2009 Concerning the Second Amendment to the General Courts Law.

- Law No. 2 of 1986 on General Courts (State Gazette of the Republic of Indonesia Year 2009 Number 158, Supplement to State Gazette of the Republic of Indonesia Number 5077);
3. Law Number 7 of 1989 concerning Religious Courts (State Gazette of the Republic of Indonesia of 1989 Number 49, Supplement to the State Gazette of the Republic of Indonesia Number 3400) as amended several times lastly by Law Number 50 of 2009 concerning the Second Amendment to Law Number 7 of 1989 concerning Religious Courts (State Gazette of the Republic of Indonesia of 2009 Number 1U9, Supplement to the State Gazette of the Republic of Indonesia Number 5078);
 4. Law No. 30/1999 on Arbitration and Alternative Dispute Resolution (State Gazette of the Republic of Indonesia Year 1999 Number 138, Supplement to State Gazette of the Republic of Indonesia Number 3872);
 5. Law Number 48 of 2009 concerning Judicial Power (State Gazette of the Republic of Indonesia Year 2009 Number 157, Supplement to State Gazette of the Republic of Indonesia Number 5076);
- b Presidential Regulation Number 13 of 2005 concerning Secretariat of the Supreme Court of the Republic of Indonesia;
7. Presidential Regulation Number 14 of 2005 concerning the Registrar of the Supreme Court of the Republic of Indonesia as amended by Presidential Regulation Number 123 of 2022 concerning Amendments to Presidential Regulation Number 14 of 200a concerning the Registrar of the Supreme Court of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2022 Number 204);
 8. Supreme Court Regulation Number 1 of 1990 concerning Procedures for Implementing Foreign Arbitral Awards;
 9. Supreme Court Regulation Number 7 Year 2015 on the Organization and Work Procedure of the Registrar and Secretariat of the Judiciary (State Gazette of the Republic of Indonesia Year 2015 Number 1532) as amended several times lastly by Supreme Court Regulation Number 9 Year 2022 on the Fifth Amendment to Supreme Court Regulation Number 7 Year 2015 on the Organization and Work Procedure of the Registrar and Secretariat of the Judiciary (State Gazette of the Republic of Indonesia Year 2022 Number 1229);
 10. Supreme Court Regulation Number 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases (State Gazette of the Republic of Indonesia 2016 Number 2059);
 11. Supreme Court Regulation Number 1 of 2019 concerning Electronic Case Administration and Court Proceedings (State Gazette of the Republic of Indonesia Year 2019 Number 894) as amended by Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 concerning Case Administration and Court Proceedings.

(State Gazette of the Republic of Indonesia Year 2022 Number 1039);

12. Supreme Court Order Number 6 Year 2022 on Electronic Administration of Legal Remedies and Trial of Cassation and Judicial Review at the Supreme Court (State Gazette of the Republic of Indonesia Year 2022 Number 995);

DECIDE:

To establish the REGULATIONS OF THE SUPREME COURT ON THE APPOINTMENT OF ARBITRATORS BY THE COURT, RIGHTS OF INTEREST, EXECUTION REQUEST AND VOIDING OF ARBITRASE DECISIONS.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Supreme Court Regulation, what is meant by:

1. Arbitration is a way of resolving a civil dispute outside the court based on an arbitration agreement made in writing by the parties to the dispute.
2. Arbitration Agreement is an agreement in the form of an Arbitration clause contained in an arbitration agreement. written agreement made by the parties before the dispute arises, or a separate Arbitration agreement made by the parties after the dispute arises.
3. Sharia Arbitration is a way of resolving a civil dispute outside the court based on a Sharia Arbitration Agreement made in writing by the parties to the dispute.
4. Sharia Arbitration Agreement is an agreement in the form of a Sharia Arbitration clause contained in a written agreement made by the parties before a dispute arises, or a separate Sharia Arbitration Agreement made by the parties after a dispute arises.
5. Applicant is the party who submits the application implementation or annulment of the Arbitration or Sharia Arbitration award to the court.
6. The Respondent is the opposing party of the Claimant who submits a request for enforcement or annulment of the Arbitration or Sharia Arbitration award to the court.
7. Arbitrator is one or more persons chosen by the parties to the dispute or appointed by the court or by the Arbitration institution, to render a decision on a particular dispute submitted for settlement through Arbitration.
8. Arbitration Institution / Sharia Arbitration Institution is a body chosen by the parties to the dispute.
In addition to ruling on a particular dispute, the institution can also provide a binding opinion on a particular legal relationship in the event that no dispute has arisen.

9. Public Order is everything that is the basic joints required for the running of the legal system, economic system and social system of the Indonesian society and nation.
10. Scope of Trade is an activity that covers, among others, the fields of commerce, banking, finance, investment, industry and intellectual property rights, including those based on sharia principles.
11. Courts are district courts and religious courts/syar'iyah courts.
12. Court clerks are clerks at district courts and religious courts/shar'iyah courts.
13. National Arbitration Award/National Sharia Arbitration Award is a decision rendered by an Arbitration Institution/Sharia Arbitration Institution or individual Arbitrator within the jurisdiction of the Republic of Indonesia.
14. International Arbitration Award/International Sharia Arbitration Award is an award rendered by an Arbitration Institution/Sharia Arbitration Institution or individual Arbitrator in the jurisdiction of the Republic of Indonesia, or an award of an Arbitration Institution/Sharia Arbitration Institution or individual Arbitrator which according to the provisions of the laws of the Republic of Indonesia is considered as an International Arbitration Award.
15. Court Information System, hereinafter abbreviated as SIP, is the entire information system provided by the Supreme Court to provide services to justice seekers which includes administration, case services, and electronic trials.
16. A day is a calendar day.

CHAPTER II SCOPE AND AUTHORITY

Article 2

- (1) The district court is authorized to hear requests for annulment of Arbitration awards and to enforce Arbitration awards.
- (2) The religious court/sharia court is authorized to hear requests for annulment of Sharia Arbitration awards and to enforce Sharia Arbitration awards.

Article 3

- (1) The civil registrar is authorized to receive registration of requests for enforcement and annulment of Arbitral awards in the district court.
- (2) The lawsuit registry is authorized to receive registration of requests for enforcement and annulment of Sharia Arbitration Awards in religious courts/sharia courts.
- (3) The panel of judges is authorized to hear requests for annulment of Arbitration awards/Sharia Arbitration decisions in the Court.

CHAPTER III
APPOINTMENT OF ARBITRATORS AND RIGHT OF CHALLENGE

Article 4

- (1) In the event that the parties do not reach an agreement on the selection of the Arbitrator, the parties or one of the parties may submit a request to the chairman of the Court to appoint an Arbitrator or Arbitration panel.
- (2) Against the application as referred to in paragraph (1) the President of the Court hears the parties along with the reasons for the disagreement and the Arbitrator's or Arbitral tribunal's proposal.
- (3) The President of the Court appoints the Arbitrator or tribunal Arbitration as referred to in paragraph (1) shall be no later than 14 (fourteen) days after the application is submitted in the form of a determination.
- (4) Against the determination as referred to in paragraph (3) a right of challenge may be filed no later than 14 (fourteen) Days after the determination if there are sufficient reasons and sufficient authentic evidence that raises doubts that the Arbitrator will not perform his/her duties freely and will take sides in making an award.
- (5) The right of recusal against an Arbitrator may be exercised if there is evidence of a familial, financial or employment relationship with a party or its attorney.
- (6) Against the right of renunciation as referred to in paragraph (4), the President of the Court shall conduct an examination by hearing the Applicant and the Respondent's response.
- (7) The President of the Court shall issue a ruling on the application for the right of annulment no later than 14 (fourteen) days after receipt of the application.

Article 5

- (1) In the event of a right of renunciation filed by one of the following party is not agreed by the other party and the Arbitrator concerned is not willing to resign, the parties may file a claim in the form of a petition to the president of the Court.
- (2) Upon the request as referred to in paragraph (1), the President of the Court shall hear the parties together with the reasons for the disagreement.
- (3) The President of the Court shall give a decision on the application as referred to in paragraph (1) no later than 14 (fourteen) days after receipt of the application.
- (4) No legal proceedings may be filed against the decision as referred to in paragraph (3).

CHAPTER IV
REGISTRATION OF ARBITRAL AWARDS

Kesato Section
Registration of National Arbitration Award/Ruling
National Sharia Arbitration

Article 6

- (1) No later than 30 (thirty) days as from the date of the award, the original copy of the authentic copy of the National Arbitration Award/National Sharia Arbitration Award shall be submitted and registered by the Arbitrator or his/her proxy to the Court Registrar.
- (2) Submission and registration as referred to in paragraph (1), shall be carried out by recording and signing at the end of the award by the Court Clerk and the Arbitrator or his/her proxy, and such record shall constitute a deed of registration.
- (3) Registration as referred to in paragraph (2) can be done electronically through SIP.
- (4) Registration as referred to in paragraph (2) and paragraph (3) shall be carried out by the Court Registrar no later than 3 (three) days from the receipt of the National Arbitration Award/National Sharia Arbitration Award.
- (5) In the event that the Arbitrator in paragraph (1) is an Arbitrator appointed by the Arbitration Institution/Sharia Arbitration Institution, registration Decision National Arbitration Award/National Sharia Arbitration Award shall be carried out by the management of the Arbitration Institution/Sharia Arbitration Institution or its proxy.
- (6) The National Arbitration Award/National Sharia Arbitration Award registered as referred to in paragraph (1), must be accompanied by a document of delivery of notification of the award to the parties.
- (7) The exceeding of the period as referred to in paragraph (1) shall result in the National Arbitration Award/National Sharia Arbitration Award not being registered at the Court.

Second Part

Registration of International Arbitration
Award/International Sharia Arbitration Decision

Article 7

- (1) The International Arbitration Award shall be submitted and registered by the Arbitrator or his attorney to the Registrar of the Central Jakarta District Court.
- (2) The International Sharia Arbitration Award shall be submitted and registered by the Arbitrator or his attorney to the Registrar of the Central Jakarta Religious Court.
- (3) International Arbitration Award/International Sharia Arbitration Award is registered with:
 - a. original sheet or authentic copy of International Arbitration Award/ Award Arbitration Award International Sharia Arbitration Award, in accordance with the provisions regarding

- authentication of foreign documents, and their official translation into Bahasa Indonesia;
- b. the original or an authentic copy of the agreement on which it is based
 basis Putosan
 International Arbitration/ Award
 Arbitration Sharia
 International documents in accordance with the provisions regarding the authentication of foreign documents, and their official translation in Indonesian; and
- c. a statement from the diplomatic representative of the Republik Indonesia in the country where the International Arbitration Award/ Award is made
 Arbitration Award
 International Sharia
 Arbitration Award, stating that the Applicant country is bound by an agreement, either bilaterally or multilaterally with the Republic of Indonesia regarding the recognition and enforcement of the International Arbitration Award/International Sharia Arbitration Award.
 Putosan
 International Arbitration
 Award/International Arbitration Decision
 International Sharia
 Arbitration Decision.
- (4) Registration as referred to in paragraph (1) and paragraph (2) shall be carried out by the Court Clerk no later than 14 (fourteen) days after the registration file is complete.
- (5) Registration as referred to in paragraph (1) and paragraph (2) can be done electronically through SIP.
- (6) In the event that the Arbitrators as referred to in paragraph (1) and paragraph (2) are Arbitrators appointed by the Arbitration Institution/Sharia Arbitration Institution, the registration of the International Arbitration Award/International Sharia Arbitration Award shall be carried out by the management of the Arbitration Institution/Sharia Arbitration Institution upon its proxy.
- (7) The provisions regarding the period for registration of National Arbitration Award/National Sharia Arbitration Award as stipulated in Article 6 paragraph (1) shall not apply to registration Award
 International Arbitration Award/International Sharia Arbitration Award in the Court.

CHAPTER V ENFORCEMENT OF ARBITRAL AWARDS

Part One Implementation of National Arbitration Award/Ruling National Sharia Arbitration

Article 8

- (1) In the event that the parties do not implement the National Arbitration Award or the National Sharia Arbitration Award voluntarily, the Arbitration Award that has been registered as referred to in Article 6 shall be implemented based on the order of the Court at the request of one of the disputing parties.
- (2) A request for enforcement of the National Arbitration Award/National Sharia Arbitration Award may be filed for part of the National Arbitration Award / National Sharia Arbitration Award.

- (3) The application as referred to in paragraph (1) may be made electronically through SIP.

Article 9

The order of the president of the Court as referred to in Article 8 paragraph (1) shall be written on the original sheet and authentic copy of the National Arbitration Award/National Sharia Arbitration Award, as long as the award meets the requirements of Article 4 and Article 5 of Law Number 30 Year 1999 on Arbitration and Alternative Dispute Resolution, and is considered not contrary to decency and/or Public Order.

Article 10

The assessment as referred to in Article 9 shall be conducted on the basis of:

- a. the Applicant's application; and
- b. National Arbitration Award/Sharia Arbitration Award National.

Article 11

In the event that the President of the Court is of the opinion that the National Arbitration Award/National Sharia Arbitration Award is contrary to decency and or Public Order and does not fulfill the provisions of Article 4 and Article 5 of Law Number 30 Year 1999 on Arbitration and Alternative Dispute Resolution, the President of the Court shall reject the application as referred to in Article 8 paragraph (1) through a stipulation.

Article 12

- (1) The determination as referred to in Article 11 is final and there is no legal remedy.
- (2) In the event that the parties file a legal appeal against the decision as referred to in paragraph (1), the case file is not sent to the Supreme Court, the Court Clerk shall make a statement that the filing of the legal appeal does not fulfill the requirements and then the President of the Court shall make a decision.

Article 13

The order as referred to in Article 8 paragraph (1) and the stipulation as referred to in Article 11 shall be given to the parties no later than 30 (thirty) days after the application for enforcement of the judgment is registered at the Court.

Article 14

National Arbitration Award/National Sharia Arbitration Award for which there is a written order note from the chairman of the Court on the original sheet and authentic copy of the Arbitration Award, shall be executed in accordance with the procedures for the execution of civil judgments.

Article 15

In the case of there is application
annulment National Arbitration Award/ National
Sharia Arbitration Award and

application implementation Potusan National Arbitration Award/National Sharia Arbitration Award filed simultaneously, the president of the Court shall monitor the implementation of the award, until the issuance of a first instance decision on the petition to annul the Arbitration award stating that it is rejected or inadmissible.

Second Part
Implementation of International Arbitration
Award/International Sharia Arbitration Award

Article 16

- (1) In the event that a party does not execute the International Arbitration Award/International Sharia Arbitration Award voluntarily, one of the parties shall submit an application to the Chairman of the Central Jakarta District Court/ Chairman of the Central Jakarta Religious Court for enforcement.
- (2) The application as referred to in paragraph (1) may be made electronically through SIP.
- (3) A request for partial enforcement of the International Arbitration Award/International Sharia Arbitration Award may be filed.
- (4) The Chairperson of the Central Jakarta District Court/Chairperson of the Central Jakarta Religious Court shall no later than 14 (fourteen) days after the request for enforcement is registered, examine the request as referred to in paragraph (1), decide whether to refuse to recognize or grant enforcement by assessing and guided by the provisions of Article 66 of Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution.
- (5) In the event that the Chairman of the Central Jakarta District Court/Chairman of the Central Jakarta Religious Court grants the execution, the Chairman of the Central Jakarta District Court/Chairman of the Central Jakarta Religious Court shall write the execution on the original sheet and the authentic copy of the International Arbitration Award/International Sharia Arbitration Award issued.
- (6) In the event that the Chairman of the Central Jakarta District Court/ Chairman
If the Jakarta Religious Court refuses to recognize and enforce an International Arbitration Award/International Sharia Arbitration Award, a cassation may be filed.

Article 17

In the event that the President of the Court is of the opinion that the International Arbitration Award/International Sharia Arbitration Award is not within the Scope of Trade and/or contrary to Public Order, the President of the Court shall reject the petition as referred to in Article 16 by judgment.

Article 18

- (1) International Arbitration Award/International Sharia Arbitration Award that includes the Republic of Indonesia as a party to the dispute, can only be executed after obtaining execution from the Supreme Court which is then delegated to the Central Jakarta District Court/Central Jakarta Religious Court.
- (2) Execution is granted by the Chief Justice of the Supreme Court or the Deputy Chief Justice of the Supreme Court for Judicial Affairs or the Chairman of the Civil Chamber/Chairman of the Religious Chamber authorized by the Chief Justice of the Supreme Court or the Deputy Chief Justice of the Supreme Court for Judicial Affairs.
- (3) An application for the enforcement of an International Arbitration Award/International Sharia Arbitration Award can only be made after it has been registered at the Registrar's Office. Court District Court Central Jakarta/the Registrar of the Central Jakarta Religious Court, in accordance with the procedures applicable under Law Number 30 Year 1999 on Arbitration and Alternative Dispute Resolution.
- (4) The Chairman of the Central Jakarta District Court/Chairman of the Central Jakarta Religious Court as referred to in paragraph (1) shall send the application file for the implementation of the International Arbitration Award/International Sharia Arbitration Award to the Registrar of the Supreme Court for execution.
- (5) The submission of the application file as referred to in paragraph (4) must be accompanied by:
 - a. original award or toronari of International Arbitration Award / Award Arbitration Decision International Sharia Arbitration Award that has been authenticated in accordance with the provisions regarding the authentication of foreign documents, as well as its official translation, in accordance with the provisions of applicable law in Indonesia;
 - b. the original agreement or derivative of the agreement on which the International Arbitration Award/International Sharia Arbitration Award is based that has been authenticated in accordance with the provisions regarding authentication of foreign documents, as well as its official translation, in accordance with the provisions of applicable law in Indonesia; and
 - c. a statement from the diplomatic representative of the Republic Indonesia in the country where the International Arbitration Award/ Award is made. Arbitration Decision International Sharia Arbitration Award, which states that the applicant country is bound by an agreement, either bilaterally or multilaterally with the Republic of Indonesia regarding the recognition and enforcement of the International Sharia Arbitration Award. Judgment International Arbitration Award/International Arbitration Award International Sharia Arbitration Award.
- (6) The Chairman of the Central Jakarta District Court/Chairman of the Central Jakarta Religious Court shall, no later than 7 (seven) days after the application is registered, send the application file to the Registrar of the Supreme Court.

- (7) No later than 14 (fourteen) days after receiving the application as referred to in paragraph (6), the Court of Appeal shall refuse to recognize or grant the award by assessing and guided by the provisions of Article 66 of Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution.
- (8) No later than 7 (seven) days after the Supreme Court refuses to recognize or grants to grant execution, the Supreme Court Registrar sends the execution request file to the Central Jakarta District Court / Jakarta Pnsat Religious Court.
- (9) No later than 7 (seven) days after the Central Jakarta District Court/Central Jakarta Religious Court receives the file of the request for execution that recognizes and executes the International Arbitration Award/International Sharia Arbitration Award, the Chairman of the Central Jakarta District Court/Chairman of the Central Jakarta Religious Court shall execute the Arbitration Award in accordance with the procedures for the execution of civil awards.

Article 19

The assessment as referred to in Article 16 paragraph (4) and Article 18 paragraph (7) shall be conducted on the basis of:

- a. the Applicant's application; and
- b. Putosan Arbitration International / Putosan International Sharia Arbitration.

Article 20

- (1) The decision to recognize and enforce the International Arbitration Award/International Sharia Arbitration Award is final and there is no legal remedy.
- (2) In the event that the parties file a legal appeal against the decision as referred to in paragraph (1), the case file is not sent to the Supreme Court, the court clerk shall make a letter stating that the filing of the legal appeal is ineligible and then the President of the Court shall make a determination.

Article 21

A decision refusing to recognize and enforce an International Arbitration Award/International Sharia Arbitration Award, may only be appealed in cassation.

Article 22

The judgment as referred to in Article 20 paragraph (1) and Article 21 shall be rendered no later than 30 (thirty) days after the application for enforcement of the judgment is registered at the Court.

Article 23

The implementation of the International Arbitration Award/International Sharia Arbitration Award as referred to in Article 18 paragraph (9), shall be carried out in accordance with the data on how to implement civil awards.

CHAPTER VI
REGISTRATION OF APPLICATION FOR ANNULMENT OF
SHARIA ARBITRATION/ARBITRATION AWARD

Article 24

- (1) A request for annulment of an Arbitration/Arbitration Sharia award must be submitted in writing, either directly or electronically, no later than 30 (three puluh) Days as of the Day of submission and registration of the Arbitration/Arbitration Sharia award to the Court Registrar.
- (2) The application as referred to in paragraph (1) shall be notified to the parties to the dispute no later than 3 (three) days after registration.
- (3) A petition filed beyond the time limit as referred to in paragraph (1) shall be declared as not fulfilling the formal requirements through the certificate of the Court Clerk and thereafter the President of the Court shall make a determination.
- (4) The request for annulment as referred to in paragraph (1), shall be submitted if the Arbitration/Sharia Arbitration decision is suspected of containing one of the following elements:
 - a. letters or documents submitted in the examination, after the verdict is rendered, are recognized as false or declared to be false;
 - b. after the decision was made, documents were found that is *meneritokari*, which is concealed by the opposing party; or
 - c. the decision is made as a result of a *tipi moslihat* conducted by one of the parties to the dispute.
- (5) Elements application annulment Arbitration/Arbitration Sharia decision is submitted as referred to in paragraph (4), contained in the application by attaching related documents/evidence.
- (6) In the event that a petition for annulment of an Arbitration/Sharia Arbitration award is filed, the Arbitrator and/or the Arbitration Institution/Sharia Arbitration Institution shall not be a party.

CHAPTER VII
EXAMINATION OF REQUESTS FOR ANNULMENT OF
ARBITRATION / SHARIA ARBITRATION DECISIONS

Part One Court hearings

Article 25

- (1) The annulment of an Arbitration award shall be submitted to the district court in the form of a petition.
- (2) The annulment of the Sharia Arbitration decision shall be submitted to the religious court/*mahkamah syar'iyah* in the form of a petition.
- (3) The applications as referred to in paragraphs (1) and (2) may be submitted in person or electronically.

- (4) Case numbering as referred to in paragraph (1) and paragraph (2):
 - a. Court State by Number. / Pdt.Sus-Arb/ 20... / PN...; or
 - b. Court Religious with Number. / Pdt.G-Arb/20.../PA/MS...
- (5) The President of the Court shall appoint a panel of judges to hear the petition for annulment as referred to in paragraph (3).
- (6) Against application annulment Arbitration/Arbitration Sharia decision, the Respondent can only submit a response.
- (7) The trial process as referred to in paragraph (5) and paragraph (6) shall be conducted in a simple, speedy and cost-effective manner.
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Article 26

- (i) Decision application cancellation Arbitration/Arbitration Sharia decision shall be pronounced no later than 30 (thirty) days after the petition is read out in a live or electronic trial.
- (2) The stages of the hearing to examine the application for annulment of the Arbitration / Sharia Arbitration decision consist of:
 - a. first hearing for the reading of the petition;
 - b. second hearing for responses;
 - c. interim judgment if any);
 - d. trial with evidentiary proceedings; and
 - e. verdict reading session.
- (3) In the event that the Applicant after being legally and properly summoned does not appear on the first hearing day without a valid reason, the application shall be declared void.
- (4) In the event that the Respondent after being legally and properly summoned does not appear without valid reasons at the first hearing, the hearing will continue with the agenda of reading the Petitioner's request.
- (5) If the Respondent fails to appear with valid reasons at the first hearing, the Respondent will be summoned once again with an attachment to the request to give the Respondent the right to submit a response at the second hearing.
- (6) In the event that the Respondent after being summoned does not attend the second hearing as referred to in paragraph (5), the Respondent shall be deemed not to have exercised its right to submit a response to the Applicant's request.
- (7) The hearing with evidence was given 1 (one) opportunity to the Petitioner and Respondent.
- (8) In the event that neither the Applicant nor the Respondent The party who does not submit evidence in the trial that has been determined, the party who does not submit evidence is considered not to exercise its rights in the evidentiary process.
- (9) The reading of the judgment can only be postponed for 1 (one) hearing with due observance of the time period as referred to in paragraph (1).

- (10) The decision on the petition for annulment of the Arbitration/Sharia Arbitration award may only be granted in the circumstances as referred to in Article 24 paragraph (4).
- (11) The panel of judges may consider the reasons referred to in paragraph (10), in the absence of an underlying court decision.

Second Part
Legal Remedies

Article 27

- (1) Against the decision of the Court granting the petition for annulment of the Arbitration/Sharia Arbitration decision, an appeal may be filed to the Supreme Court which decides at the first and final level.
- (2) The appeal as referred to in paragraph (1) may be submitted in person or electronically.
- (3) Against the Court's decision that rejects the request for annulment of the Arbitration / Sharia Arbitration decision, no legal action can be filed.
- (4) An appeal to the Supreme Court shall be submitted in writing no later than 14 (fourteen) days after the verdict is pronounced or notified to the parties.
- (5) Appeal as referred to in paragraph (4) is received and recorded in the register book and must be filed together with the memorandum of appeal.
- (6) The application filed as referred to in paragraph (3) and/or the application filed beyond the grace period as referred to in paragraph (4) and/or paragraph (5) shall be declared as not fulfilling the formal requirements through a certificate from the Court Clerk.
- (7) For applications that do not meet the formal requirements as referred to in paragraph (6), the President of the Court shall issue a determination and the determination shall be sent to the Supreme Court without the case file and to the parties.
- (8) No later than 3 (three) days after the appeal is recorded, the Court shall notify the Respondent of the appeal.
- (9) No later than 7 (seven) days from the date of notification to the Respondent of the appeal, the Respondent of the appeal may file a counter-appeal memorandum with the registrar of the Court.
- (10) At the latest 7 (seven) days after the grace period as referred to in paragraph (9) has elapsed, the Court Clerk shall notify the parties to check the completeness of the file (*inxage*).
- (11) The parties conduct the operation no later than 3 (three) days from the date of *the* notice of *age*.
- (12) The appeal file is sent to the Supreme Court no later than 25 (twenty five) days after the appeal is registered.

Article 28

- (1) Court The Supreme Court shall consider and decide the appeal as referred to in Article 27 no later than 30 (thirty) days after the appeal is registered by the Supreme Court.
- (2) The decision of the Supreme Court as referred to in paragraph (1) is final and there is no legal remedy.

CHAPTER
VIII
CONFISCAT
ION

Article 29

- (1) In the event that the Arbitrator issues a bail confiscation order during the Arbitration hearing process, the Arbitrator/ panel of Arbitrators shall register the confiscation order with the Court.
- (2) Application for the implementation of bail confiscation as referred to in paragraph (1) shall be submitted to the Court.
- (3) The Applicant for confiscation may apply to the Court to execute the confiscation that has been registered as referred to in paragraph (1) to the Respondent for confiscation.
- (4) At the latest 2 (two) days after the implementation of the bail confiscation, the minutes of the implementation of the bail confiscation shall be sent by the Court to the Arbitrator/ Arbitration Institution/ Sharia Arbitration Institution.
- (5) The provisions and procedures for implementing confiscation follow the provisions of the applicable civil procedural law.
- (6) All costs incurred as a result of confiscation as referred to in this chapter shall be borne by the confiscation applicant.

CHAPTER IX
TRANSITIONAL
PROVISIONS

Article 30

With the enactment of this Supreme Court Regulation, all Supreme Court regulations and policies related to Arbitration are declared to remain in effect, as long as they do not conflict with this Supreme Court Regulation.

CHAPTER X
CLOSING PROVISIONS

Article 31

This Supreme Court Regulation shall come into force on the date of promulgation.

In order that every person may know it, this Supreme Court Regulation is ordered to be published in the State Gazette of the Republic of Indonesia.

Established in Jakarta
on October U, 2023

CHAIRMAN OF THE SUPREME
COURT OF THE REPUBLIC OF
INDONESIA,

MUHAMMAD SYARIFUDDIN

Promulgated in Jakarta
on October 17, 2023

DIRECTOR GENERAL
LAWS AND REGULATIONS OF THE MINISTRY OF LAW
AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

ASEP N. MULYANA

STATE NEWS OF THE REPUBLIC OF INDONESIA YEAR 2023 NUMBER 827

COPY IN ACCORDANCE WITH THE

ORIGINAL HEAD OF LAW AND

PUBLIC RELATIONS BUREAU
-BADAN URUSAN ADMINISTRASI
MAHKAMAH AGUNG
REPUBLIK INDONESIA,

