Reconstruction of Regional Regulation Supervision of Realizing Regional Autonomy

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Abstract: **Provincial, regency, and city governments have a strategic position as the main party in charge to plan and realize public welfare. By the principle of the regional authority, the provincial, regency, and city governments have the flexibility to plan and manage natural and human resources they have and to solve their problems. However, in local government, many regulations overlap, whether with the previous regulations or with more superior regulations. The method used in this research is descriptive-analytical, while the main approach is juridical normative. The descriptive-analytical method is a method to describe the object of research through qualitative analysis critically. Because the scope of the study is within the legal science, the normative approaches were also included, namely legal principles, synchronization of laws and regulations, and law formation efforts (rechtsvorming). The data used in this study is a secondary data which were obtained through a literature review. The secondary data includes primary legal materials, secondary legal materials, and tertiary legal materials. The research on the construction of regional government supervision shows the existence of preventive and repressive supervision. Preventive supervision is temporary prevention which prevents an authority from being placed on the officials, while repressive supervision is supervision concerning the formation of a regional regulation (Perda) which is based on the formal requirements for the formation and ratification, as well as the formation of a regional regulation legally and formally. The reconstruction of Regional regulations requires government supervision in the form of tests carried out by so-called executive review through evaluation, clarification, and cancellation mechanism. The implementation of the cancellation of regional regulations does not follow the Law No. 23/2014 because it uses legal instruments to cancel problematic regional regulations**

Keywords: **Reconstruction, regional regulations, autonomy.**

I. INTRODUCTION

The pattern of community regulation in the framework of achieving the goal of the state by forming statutory rules is a characteristic of countries adhering to the *written law* system. The objectives of Indonesian as a state, which are regulated in the preamble of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), should be based on both formal and material law. All problems of the state and society in Indonesia are generally resolved through laws and regulations.

The need for harmonious and integrated laws and regulations is an indispensable need to create order, to ensure legal certainty and protection [1]. The main principle that must be adhered to in every constitutional state is that lower statutory regulations must not conflict with higher statutory regulations [2]. Lower statutory regulations may not deviate or override or conflict with laws of a higher level. Furthermore, from the side of the lawmakers, the higher lawmakers give an authority they have to the lower lawmakers to form the law [1].

The implementation of regional autonomy with an emphasis on autonomy in the regency/city demands readiness of resources, funding, responsibility, accountability, and social institutions of each regency/city government so that they can receive greater rights, powers, and responsibilities from the central government and/or provincial governments [3]. The authority of this autonomous region is different from the authority exercised during the highly centralized New Order regime. During the New Order era, the central government often acted unfairly in distributing income and wealth in the regions. The relationship between central and regional finance is seen to be very decisive in the independence of regional autonomy [3].

Thus, the understanding of the demands for the right to manage the regency/city is very reasonable because the centralized government system that has been happening so far has depleted the wealth and natural resources owned by the region. On the other hand, the autonomous authority possessed by regency/city governments after the New Order provided space for regional governments to sectorally manage the potential and sources of regional wealth, even in extreme contradictions with national policies. [4]

Various regional regulations are made without any consideration, without coordination with the regional government, central government, or institutions related to the regulations made by the regional government. Regional regulations and policies, which in their formulation are intended to optimize regional revenues, are not conducive to investment and economic growth [5]. On the other hand, the policies made by the regional government are not populist and tend to burden the community.

The further implication of the emergence of various overlapping regional regulations, between existing regional regulations, between regional regulations and the laws and regulations above it and contradicting other related regulations, ultimately raises controversy and problems in the implementation. The level of public knowledge about the enforcement of a statutory rule is still minimal, while legal fiction requires all people to know the written rules that have

been promulgated. The principle of justice requires that the law be known to the public first before the law is enforced by law enforcement officials and applied in court.4

The law itself aims to create discipline, order, peace, tranquillity, and justice, i.e., "the guide." Thus, the law aims to create humane social conditions to allow social processes to take place naturally in which every human being can fairly get the widest possible opportunity to develop all of his human potential as a whole. Justice can be realized if there is an order [6]. On the other hand, the order is only possible if it is rooted in the tranquillity of society [7]. Therefore, the law must also create rules about the procedure for regulating behavior and implementing them and maintaining effective legal rules.

The statutory provisions have determined the hierarchy of statutory regulations, ranging from the written constitution, namely the 1945 Constitution of the Republic of Indonesia, the MPRS Stipulation, Acts/Government Regulation in Lieu of Acts (*Perppu*), Government Regulations (PP), Presidential Regulations, to Provincial and Regency/City Regulations as contained in Law No. 15 of 2019 concerning the Formation of Legislative Regulations (UU P4). Besides, some many other laws and regulations are part of the hierarchy which are implied in nature, for example, Ministerial Regulations, People's Representative Council Code of Conduct, Constitutional Court Regulations (*Permako*), Supreme Court Regulations and Regional Head Regulations, and other state institution regulations which are applied internally. Not to mention the rules in the form of policy regulations such as Leaflet, Appeal, or Regional Head Decree. However, there is still a disposition in its placement in the hierarchy. In the end, this limitation is intended to revitalize all statutory rules and the statutory hierarchy to run harmoniously.

The regulation stems from the harmonization of statutory rules as stipulated in Law No. 15 of 2019 concerning the Formation of Legislative Regulations (UU P4), namely in Article 7 paragraph (1) of Law P4, which regulates the hierarchy of statutory regulations and Article 8 paragraph (1) of Law P4 which regulates types of statutory regulations other than those regulated in Article 7 paragraph (1).

In the relationship between the center and the regions, there are various forms of statutory regulations that cannot be separated from the harmonization process with two objectives, namely: 1) statutory regulations, 2) central supervision of the regions [8]. The focus is, of course, the provisions related to central and regional relations which need to be underlined in Article 8 paragraph (1) of the P4 Law, namely regarding other types of laws and regulations established by the Minister, agency, institution, or commission at the same level as established by Law or the Government on the behest of the law, the Provincial Regional People's Representative Council, the Governor, the Regency/City Regional People's Representative Council, the Regent/Mayor, the Village Headman or the like. If the types of statutory regulations established by the above institutions are related to central and regional relations, it is mandatory to discuss Law Number 23 of 2014 concerning the Regional Government (UU Pemda).

In the constitutional relationship between the Central Government and Regional Governments, "supervision" has an important and strategic role in maintaining the unity of governance within the framework of the Unitary State of the Republic of Indonesia. "Supervision" is a "binder" between the Central Government and Regional Governments to make sure that the movement of the pendulum of autonomy that gives freedom to the regional governments in managing the region does not move far beyond the path that may threaten the order of unity in the management of the State.

Oppenheim stated that "the freedom of the parts of the state must not at all end in the destruction of the state" [9]. In the highest supervision, there is a guarantee that there is always harmony between the freedom of the Regional Governments and the freedom of the Central Government. Van Kempen stated "..... that autonomy has another meaning than sovereignty (*souvreiniteit*), where autonomy is an attribute of the State and not the attributes of the parts of the State such as the Gemeente State, Provincie, etc." [10]

These parts of the State can only have rights that come from the State to be able to stand alone (*zelfstandig*) but still cannot be considered independent (*onafhankelijk*), apart from or equal to the State [10]. Therefore, the performance of supervision always moves dynamically, seeking the right balance of the relationship between "the freedom given to the regions through autonomy" and "the limits set by the center in maintaining the integrity and unity of governance within the framework of the Unitary State of the Republic of Indonesia."

The stringent supervision by the Central Government can certainly reduce freedom in the context of implementing autonomy. Regional governments will feel shackled and limited to work optimally in empowering regional stakeholders in managing their potential to serve and meet community needs. Meanwhile, if supervision is not carried out appropriately and proportionally by the Central Government, the regions can move beyond their limits of authority so that they have the potential to threaten governance within the framework of the Unitary State system. For this reason, this supervisory workspace must have clear boundaries, in the form of the objectives and scope of supervision, the form, and type of supervision, the procedure for carrying out supervision, and the official or agency authorized to carry out supervision.

Lotulung revealed that supervision or control could be differentiated into the internal and external control [11]. Internal control here means that the supervision is carried out by an agency that is organizationally/structurally still included in the Government itself. This form of control can be classified as technical-administrative or also called built-in control [12]. The external control is exercised indirectly through judicial control when there is a dispute with the Government.

The nature and forms of the implementation of such supervision have also made the authority of the autonomous regions to regulate government affairs to be very dependent on the officials so that the discretion and independence of the regions to form regional regulations in the framework of regional autonomy do not exist. In other words, regional autonomy does not reside in the regions, but the authorized officials.

The cooperative relationship with the concept of "mutual supervision" aiming to create harmony and coordination in the realization of a plan forms a regional regulation that is centered on one governmental objective whose responsibility lies with the government. Therefore, based on Law Number 23 of 2014 in the framework of coaching, the government facilitates the regions by providing guidelines, guidance, training, direction, and supervision so that there are no deviations or mistakes and negligence in implementing regional autonomy.

This government facilitation has an element of direction in the form of providing instructions or guidelines to carry out an activity and the practice of implementing supervision of regional regulations based on Law Number 5 of 1974. Even though Law Number 23 of 2014 does not strictly regulate preventive supervision, from the nature and forms of supervision of the regions practiced so far, the absence of the implementation of supervision of regional regulations might violate statutory regulations.

II. METHODS

This research used a *descriptive-analytical* method with *normative juridical* as the main approach. The descriptive-analytical method is a method to describe the object of research through qualitative analysis critically. Because this study is within the scope of legal science, normative approaches were also used, ranging from legal principles, synchronization of statutory regulations, and law formation efforts (*rechtsvorming*) [13].

This legal research used a statutory approach and a conceptual approach. The use of a statutory approach is determined. It is said to be certain because, in legal logic, normative legal research is based on existing legal materials [14]. A conceptual approach is used to bring up objects that are interesting from a practical and conceptual point of view [14].

The approaches used in this research were the statutory approach, the case approach, and the conceptual approach. The data in this study were secondary data in the form of primary, secondary, and tertiary legal materials. The data were collected through a literature review, and analysis them by using the qualitative normative method..

III. RESULTS AND DISCUSSION

Before Law Number 32 of 2004 was repealed and replaced by Law Number 23 of 2014 concerning Regional Regulations, there are many regulations concerning regional regulations such as Government Regulation No. 79 of 2005 and Minister of Home Affairs Regulation (*Permendagri*) No. 53 of 2011, putting the juridical potential of testing the legitimacy of regional regulations fully under the authority of the executive (government) through an *executive review* mechanism [15].

Based on Article 24 A paragraph (1) of the 1945 Constitution of the Republic of Indonesia in conjunction with Law No. 5 of 2004 in conjunction with Law No. 48 of 2009 in conjunction with Law No.3 of 2009, the Supreme Court as a judicial institution has an absolute juridical potential to conduct legality testing of a regional regulation deemed problematic through the judicial review mechanism. In the context of the *executive review*, there is a close and significant relationship between the testing of regional regulations and the central supervision system for regional legal products. The reality shows that examining regional regulations is an implication of the preventive and repressive supervision system adopted by Law Number 23 of 2014 in the spectrum of the current era of reform and regional autonomy.

The Central Government has the authority to examine and cancel regulations established by Regional Governments. Testing of a Regional Regulation conducted by the Central Government is in monitoring and fostering Regional Government [10]. The examination of the Regional Regulations as the implication of the repressive and preventive supervision system still leaves some fundamental problems. A large number of regional government units, ranging from the provincial to the regency and city level that are scattered throughout Indonesia becomes a separate obstacle for the implementation of the intended repressive and preventive supervision.

So far, it turns out that there has been no construction delegating the authority to cancel the Regional Regulation to the Governor as the representative of the central government in the regions. If the Governor is given the authority to cut problematic regional regulations, it can at least shorten the *span of control*, especially the bureaucratic mechanism in resolving conflicts over regional regulations that arise. The disobedience of the regional governments in submitting their own Regional Regulations or Regional Regulations Draft, which is categorized as special to the central government, will further complicate the repressive and preventive supervision process. Moreover, so far, there have been no clear and firm sanctions for the regional government [16].

The ambivalence of setting up the *executive review* mechanism shows that policymakers at the central level, especially in the executive line, seem unstable and act sporadically in implementing the instructions for Law Number 23 of 2014. In principle, the legal aspects of testing regional regulations according to Law Number 23 of 2014 and its derivative regulations are carried out by the government through the Minister of Home Affairs by taking into account the considerations of other related ministers and the considerations of the Governor as the representative of the

government in the regions according to their respective procedures.

According to the researcher, the follow-up construction of the process of clarifying each regional regulation and the limited evaluation process of the regional regulation draft (*Ranperda*), especially the regional regulation on APBD, APBD changes, regional taxes, regional levies, and regional spatial planning, is to ascertain whether or not the regional regulation is contradicting with the public interest and higher laws and regulations.

Cancellation of a regional regulation for it is contrasting with the public interest and/or higher laws and regulations is possible by using three legal instruments, namely Presidential Regulation, Minister of Home Affairs Regulation, and Governor Regulation following their respective levels, although *de facto*, the cancellation of the regional regulation so far uses the Decree of the Minister of Home Affairs [17].

Law Number 23 of 2014 in no way regulates the legal aspects of the judicial review of Regional Regulations by the Supreme Court through the *Judicial review* mechanism as interpreted so far. The legal objections that can be directed by the regional government to the Supreme Court regarding the cancellation of a regional regulation is not an attempt to examine regional regulations, but a form of testing of legal instruments in the form of Presidential Regulations, Ministerial Regulations, and Governor Regulations.

The authority for legality testing along with the *judicial review* procedure for the Regional Regulation is regulated in detail in Article 20 of Law No. 48 of 2009 in conjunction with Article 31 of Law No. 5 of 2004 in conjunction with Article 31A of Law Number 3 of 2009 and the Supreme Court Regulation (*Perma*) Number 1 of 2011. The examination of regional regulations by the government still leaves several legal problems such as inconsistencies and disparities in the use of legal instruments for the cancellation of Regional Regulation. If we refer to Law Number 23 of 2014 in conjunction with Government Regulation (*PP*) No. 79 of 2005 and the Minister of Home Affairs Regulation No. 53 of 2011, the cancellation of a regional regulation *de jure* uses the Presidential Regulation (*Perpres*), the Minister of Home Affairs Regulation (*Permendagri*) and Governor Regulations according to their respective levels. But the *de facto* cancellation of regional regulations so far uses the Minister of Home Affairs Decree (*Kepmendagri*), which has no legal basis at all.

The cancellation of the regional regulation by using the Minister of Home Affairs Decree (*Kepmendagri*) precisely does not allow the regional government to file a legal objection to the Supreme Court because the legal product canceling a Regional Regulation that can be an object of dispute in the Supreme Court is only Presidential Regulation (*Perpres*), The Minister of Home Affairs Regulation (*Permendagri*), or Governor Regulation. The Minister of Home Affairs Decree (*Kepmendagri*) cannot be an object of dispute in the Supreme Court because it is not regulated in Law Number 23 of 2014 in conjunction with Government Regulation (*PP*) Number 79 of 2005 and The Minister of Home Affairs Regulation (*Permendagri*) 53 of 2011 as well as in Law No. 23 of 2014.

The cancellation of a regional regulation that only uses the Minister of Home Affairs Decree (*Kepmendagri*) practically implies polarization and shift of the locus of authority to cancel Regional Regulation. This is contrary to the statutory provisions, as in the point above.

Act No. 23 of 2014 and its derivative legal products do not regulate juridical sanctions for the government (executive) if they do not follow up on the Supreme Court's decision regarding revoking the legal product of the cancellation of regional regulation. If the legal objection filed by the regional government to the Supreme Court is granted, but the government (the executive) remains in its stance not to implement the Supreme Court's decision, then the legal efforts taken by the regional government can be said to be futile and useless. Thus, in examining the Regional Regulation, only a material aspect of the substance of the Regional Regulation is taken into account. The formal aspects or procedures for forming a Regional Regulation are not taken into account at all. The standard for testing a Regional Regulation by the government is different from the standard for testing a Regional Regulation used by the Supreme Court. The reconstruction of the inclusion of material elements in the form of "public interest" as a normative standard in examining regional regulations by the government has created a separate legal problem. Until now, the benchmarks for the public interest are still very vague because they are not clearly defined in the provisions of Law No. 23 of 2014 and its derivative regulations. It is, in fact, not uncommon that the interpretation of the public interest represents much more the interests of the authorities than the real interests of the people.

On the other hand, the regulation on the examination of Regional Regulation by the Supreme Court also still creates several problems. There are inconsistencies or contradictions in regulations related to normative judicial review standards by the Supreme Court, namely between Law Number 5 of 2004 in conjunction with Article 31 A paragraph (2) of Law Number 3 of 2009 and the Supreme Court Regulation Number 1 of 2004 as well as the Supreme Court Regulation Number 1 of 2011. The presence of the Supreme Court Regulation Number 1 of 2011 as a *lex specialist* precisely rules out formal requirements as one of the normative standards in the examination of the Regional Regulation. This is normatively in contrast with the two laws above, which emphasize that in addition to material requirements, formal requirements must also be used as benchmarks in testing a Regional Regulation.

Regarding legal remedies in the *judicial review*, there are also contradictions in the regulations. Law No. 3 of 2009 recognizes two models of *judicial review* mechanisms: examining a lawsuit or through direct objection requests to the

Supreme Court. Ironically, the Supreme Court Regulation No. 1 of 2004 annulled the procedure or mechanism for "*judicial review* lawsuit" against statutory regulations under the law, so that what is regulated is only attempts to appeal to the Supreme Court.

In the Supreme Court Regulation No.1 of 2011, it is not stipulated that there is a time limitation needed in the process of determining the start of the trial time, or the appointment of a panel of supreme judges and how long the panel makes the decision of supreme judges in deciding the case. In the case of a request for a *judicial review* of the Regional Regulation, it is impossible to have a remote trial, as known in the trial at the Constitutional Court. In this case, the remote trial mechanism can make it easier for the parties and especially the regional government to file an objection to the *judicial review* against the Regional Regulation.

To synchronize regulations at both the Central and Regional Governments, Law Number 12 of 2011 concerning the Formation of Laws and Regulations is formed to be the main basis for all the formulation of government legal products, both at the Central and Regional level, so there are no longer legal rules regarding regional regulations that are out of synchrony because it is regulated in the two laws.

The authority to form regional regulations is emphasized in Law Number 23 of 2014 concerning Regional Government, namely in Article 236 paragraph (2), which states that the Regional People's Representative Council forms regional Regulations with the approval of the Regional Head. Thus, the authority to formulate regional regulations of a province rests on the Regional People's Representative Council of the province with the approval of the Governor, the authority to formulate Regional Regulations of a regency rests on the Regional People's Representative Council of the regency with the approval of the Regent, while the authority to formulate regional regulations of a city rests on the Regional People's Representative Council of the city with the approval of the Mayor.

Regional Regulation that can support Regional Autonomy is the construction of a regional regulation that must pay attention to and start from planning, discussion, drafting techniques, formulation, discussion, approval, promulgation, and dissemination. In preparing the discussion and ratification of the regional regulation draft to become a regional regulation, it must be guided by statutory regulations. Many problematic regional regulations mean overlapping authorities still color the formation of regional regulations in the framework of regional autonomy among both government institutions and prevailing regulations.

Another factor is the interests of local elites who try to take advantage of regional autonomy as momentum to achieve their political interests by mobilizing the masses and developing regional sentiment. Regional regulations will be more operational if in their formation, they are not only bound by the principle of legality as referred to in the provisions of Articles 136 to 147 of Law Number 23 of 2014 but also be complemented with in-depth research results on the legal subject and objects they want to regulate as well as preceded by the formation of academic papers which is disseminated to the public for feedback. The content of the regional regulation should be following the legal needs of the community, and accommodate the aspirations of the community so that it is expected to be following the spirit of regional autonomy.

Considering Hans Kelsen's statutory theory that the formation of statutory regulations must be based on the principle of forming good laws and regulations, regional regulation has a unique position because although its position is under the Law, there is no agreement among experts regarding who actually has the authority to test it: either the Central Government through an *executive review* mechanism or the judiciary institutions such as Supreme Court and Constitutional Court with a *judicial review* mechanism.

Law Number 23 of 2014 concerning the Regional Government reconstructs and affirms that a regional regulation is prohibited from contravening public interest and/or higher laws and regulations. If a regional regulation is contrary to the public interest and/or higher statutory regulations, the government can cancel it. As a result, no later than seven days after the cancellation decision, the regional regulation is not implemented any longer by the regional head and then revoked by the Regional People's Representative Councils together with the regional head. However, the cancellation of regional regulations by the central government cannot be made arbitrarily.

Considering that regional regulation is included in the *regeling* clump, which is cancelled by a decision that is included in the *beschikking* clump, the existence of the Minister of Home Affairs Decree, which can cancel Regional Regulation is an improper use of authority (*ultra vires*). The cancellation of regional regulations still uses the ministerial decree, which is a legal mistake. The strange thing is that the regional government whose regional regulation was cancelled by using the Minister of Home Affairs Decree does not take it into question. If a Regional Regulation was cancelled by using the Minister of Home Affairs Decree, the Regional Government could disobey the cancellation because it contradicts Article 145 paragraph (3) of Law 23/2014.

The researchers argue that not many regions use legal mechanisms to oppose the cancellation of regional regulations by the central government even though they have been legally given the authority to take legal remedies to the Supreme Court of the Republic of Indonesia. This fact proves that the judiciary must not only exist, has the necessary facilities, or be able to resolve incoming cases, but also be a clean and authoritative institution in upholding law and justice. The regional government's reluctance to file a legal objection has finally reduced the authority of the Supreme Court of the Republic of Indonesia.

The Constitutional Court Decree No. 137/PUU-XIII/2015 determines which institution has the most right to cancel regional regulations. So far, the cancellation of regional regulations has always been brought into the debate between entering into the law or regional government. The legislative domain sees regional regulation as a legislative product so that the examination must be carried out through a *judicial review*. Meanwhile, the regional government sees regional regulation as a legal product formed by regional governments as part of the power of the government so that the government can cancel the regional regulation through an *executive review*. Apart from ending the debate, this decision also had a big influence on regulatory structuring policies, the mechanism for supervising regional regulations by the government, and the structuring of the implementation of judicial reviews in the Supreme Court. As a consequence, several institutions must improve in carrying out their functions after this Constitutional Court decision. This decision is final and binding, so it must be respected and implemented.

Cancellation of regional regulation is an instrument of the government in carrying out deregulation to remove problematic regional regulations that hinder investment. Although the *judicial review* process is different from the *executive review*, *judicial reviews are* conducted based on requests from parties, either from community groups or individuals. However, the Supreme Court still has to improve in regulating the implementation of the *judicial review* trial. Now the Supreme Court is the only institution authorized to cancel regency/city regulations. It should also be borne in mind that the Supreme Court's authority to carry out a *judicial review* is not only on regional regulations but also on all statutory regulations. One of the improvements that need to be done is by changing the *judicial review* procedure. Moreover, the Supreme Court needs to consider other policies in handling *judicial review* cases by looking at the potential increase of *judicial review* cases after the Constitutional Court decision compared to the number of supreme judges in the state administrative chamber who will handle them. Regional regulation as a regional legislative product guaranteed in the 1945 Constitution of the Republic of Indonesia will continue to grow so that the quality of regional regulations still has the potential to become a problem in the statutory system which can have an impact on the development sector, which is regulated by the regional regulations. Therefore, the competent institutions, especially the executive and the judiciary, which have a role in improving and maintaining the quality of regional regulations, need to improve the implementation of their respective functions. There are no choices other than obeying and implementing the Constitutional Court's decision regarding abolishing the Minister of Home Affairs and the governor norms for cancelling regional regulations of regency/ city. This Constitutional Court decision is good momentum in improving the system of preventive supervision of Regional Regulation and supervision of Regional Regulation through judicial review, which has not been running effectively so far. Efforts to improve this system are very much needed to support the creation of regional regulations that can support better changes in the public interest, both from social and economic aspects.

IV. CONCLUSIONS

Reconstruction of the supervision system for the formation of Regional Regulations in the context of realizing regional autonomy requires the government supervision actualized in the form of tests carried out by the government called an executive review. The test is carried out by evaluating and clarifying and then cancelling the regional regulations, which are considered contrary to the public interest as well as to higher regulations and/or morality. Government supervision of regional regulation is carried out to make sure that the policies made by the Regional Government do not conflict. If the Regional Government cannot accept the cancellation of a regional regulation by the Central Government, they can file an objection to the Supreme Court. In practice, the implementation of the cancellation of the regional regulation is not following Law No. 23 of 2014 because it uses legal instruments not allowed by the law. The cancellation of the regional regulation was carried out by the Minister of Home Affairs based on Article 251 paragraph (1) & (2). Following the Constitutional Court Decision No. 137/PUU-XIII/2015 and 56/PUUXIV/2016, the cancellation of regional regulation must go through a judicial review at the Supreme Court. This means that repressive supervision through executive review can no longer be carried out. Therefore, the cancellation of the regional regulations can only be carried out through a judicial review at the Supreme Court.

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