



LAW OF THE REPUBLIC OF INDONESIA

NUMBER 37 OF 2008

ON

OMBUDSMAN OF THE REPUBLIC OF INDONESIA

THE HOUSE OF PEOPLE'S REPRESENTATIVES

OF THE REPUBLIC OF INDONESIA

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NUMBER 37 OF 2008

ON

OMBUDSMAN OF THE REPUBLIC OF INDONESIA

BY THE GRACE OF THE ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

- a. That the services to the community and the enforcement of law as conducted in the framework of administering the state and the government constitute an inseparable part of the efforts for realising an efficient, clean, and good governance to improve the welfare and realising justice and legal certainty for all citizens as stipulated in the 1945 Constitution of the Republic of Indonesia.
- b. That the supervision of services as administered by the state organ and the public officials constitutes an important element in the efforts of realising an efficient, good, clean and efficient government and simultaneously constitutes the implementation of principle of democracy that needs to be developed and applied to prevent and eliminate the abuse of power by the state organ and public officials.

- c. That in observing the aspiration as developed in the community so as to realise the state organ and public officials which are free from corruption, collusion, and nepotism; transparent; clean; fair; effective and efficient, it is necessary to establish an Ombudsman institution of the Republic of Indonesia
- d. That based on the consideration as referred to in points a, b, c, it is necessary to establish an Ombudsman institution of the Republic of Indonesia.

In view of:

1. Article 20 and Article 21 of the 1945 Constitution of the Republic of Indonesia.
2. Law Number 28 of 1999 regarding State Apparatuses which are clean and free from Corruption, Collusion, and Nepotism (State Gazette of the Republic of Indonesia of 1999 Number 75, Supplement to State Gazette of the Republic of Indonesia Number 3851.
3. Law Number 32 of 2004 regarding Regional Government (State Gazette of the Republic of Indonesia of 2004 Number 125 , Supplement to State Gazette of the Republic of Indonesia Number 4437) as has amended for several times, currently by Law Number 12 of 2008 regarding Second Amendment to Law Number 32 of 2004 regarding Regional Government (State Gazette of the

Republic of Indonesia of 2008 Number 59, Supplement to  
State Gazette of the Republic of Indonesia Number  
4844);

With Joint Approval of  
THE HOUSE OF PEOPLE'S REPRESENTATIVES  
OF THE REPUBLIC OF INDONESIA

And

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAVE RESOLVED:

To adopt: LAW REGARDING OMBUDSMAN OF THE REPUBLIC  
OF INDONESIA

#### CHAPTER I

#### GENERAL PROVISIONS

#### ARTICLE 1

In this Law what is meant by:

1. Ombudsman of the Republic of Indonesia, hereinafter is referred to as Ombudsman is a state organ which has the authority to supervise the administration of public services, both as administered by State Officials and Public Officials including those as

organized by the State Owned Enterprises, Regional Government Enterprises , and State Owned Legal Person as well as private sector entity or persons which is assigned to administer public services which the part or whole funds have the sources from the state budget and/or regional government budget.

2. State Officials are officials who run the function of public services which main duty is related to government administration according to the provisions of laws and regulations.
3. Maladministration is the behavior or act against the law, exceeding the authority, using power for purposes other than those which become the objective of such power, including ignorance or negligence of legal obligation in administering public services as conducted by the State Officials and Public Officials which affect damage to the community and/or individual, both materially and immaterially.
4. Grievance is submission of fact which is disposed or followed up by the Ombudsman as submitted in writing or orally by anyone who has become the victim of maladministration.
5. Complainant is Indonesian citizen or resident who files the grievance to the Ombudsman.

6. The Party Complained is State Officials and Public officials who have conducted maladministration as reported to the Ombudsman.
7. Recommendation is a conclusion, opinion, and suggestion as made based on the result of investigation of the Ombudsman to the superior of the Party Complained for further implementation and/or follow up in the framework of improvement of the managerial quality of good public administration.

## CHAPTER II

### CHARACTER, PRINCIPLE AND OBJECTIVE

#### ARTICLE 2

Ombudsman is a state organ which has independent in character, does not have organic relationship with other State organ and public agencies, and in executing its duties and power it is free from intervention of other authorities.

#### ARTICLE 3

The Ombudsman in executing out its duties and authority has the principles of:

- a. appropriateness;
- b. justice;

- c. non-discrimination;
- d. impartiality;
- e. accountability;
- f. balance;
- g. transparency; and
- h. confidentiality;

#### ARTICLE 4

The Ombudsman has the objectives as follows:

- a. To realise a state based on the rule of law that is democratic, just and wealthy in characters;
- b. To encourage government and public administration which is free from corruption, collusion, nepotism; clean, open, fair, effective and efficient;
- c. To improve the quality of state government service in all sectors so as every citizen and resident gets justice, security, and welfare which are getting better;
- d. To help realising and improving the efforts for the eradication and prevention of practices of maladministration, discrimination, collusion, corruption, and nepotism;
- e. To improve the legal culture of the nation, the law awareness of the public, and the supremacy of law, the essence of which are truthfulness and justice.

## CHAPTER III

### LOCATION

#### Article 5

- (1) The location of the Ombudsman is in the capital city of the Republic of Indonesia having geographical jurisdiction all over the territory of the Republic of Indonesia.
- (2) The Ombudsman may establish its representative offices in the province, and/or in the regency/municipality.
- (3) Further provisions on the establishment, composition, and operating procedure of the representative offices as specified under paragraph (2) shall be stipulated by Government Regulation.

## CHAPTER IV

### FUNCTION, DUTIES AND JURISDICTION

#### Part One

#### Function and Duties

#### Article 6

Ombudsman has the function to supervise the administration of public services which are executed by the State Officials and public officials, both in central and



regional government including those as executed by the State Owned Enterprise and Regional Government Enterprise and State Owned Legal Person as well as private sector or individual entity which are assigned to administer certain public services.

#### Article 7

The Ombudsman has the functions:

- a. to receive grievance on presumption of maladministration in administering public services;
- b. to conduct substantial investigation of the grievance;
- c. to follow up the grievance which is under the jurisdiction of Ombudsman;
- d. to conduct own motion investigation to the presumption of maladministration in administering public services;
- e. to conduct coordination and cooperation with other state organs or public agencies as well as non-governmental organizations and individuals;
- f. to develop networks;
- g. to conduct the prevention of maladministration in administering public services; and
- h. to conduct other assignments as mandated by the law.

Part Two  
Jurisdiction

Article 8

- (1) In performing the function and duties as specified under articles 6 and 7, the Ombudsman has jurisdiction:
- a. to request information orally and/or in writing from the Complainant, the Party Complained, or other parties related to the Complaint as filed to the Ombudsman;
  - b. to investigate the decision, correspondence or other documents from the Complainant or the Party Complained to obtain the truth of the grievance;
  - c. to request for clarification and/or copy or photocopy of documents as required from any agencies and the Party Complained for the investigation of the grievance;
  - d. to summon the Complainant, the Party Complained, and other parties related to the grievance;
  - e. to dispose the grievance through mediation and conciliation at the request of the parties;
  - f. to make recommendation on the disposition of the grievance, including the recommendation for the

- payment of compensation and/or rehabilitation which is given to the party damaged;
- g. for the interest of public to reveal the result of finding, conclusion, and recommendation.
- (2) Other than the jurisdiction as specified under in paragraph (1) the Ombudsman is authorized:
- a. to submit recommendation to the President, Head of Region, or other high ranking officials for the rectification and improvement of the organisation and/or the procedure of public services;
- b. to submit suggestion to the House of Representatives and/or the President, Regional House of Representatives and/or Head of Region so as to make amendments to other laws and regulations to prevent maladministration.

#### Article 9

In executing its jurisdiction, the Ombudsman shall not be allowed to interfere with the independence of judiciary in delivering judgements.

Article 10

In executing its duties and jurisdiction the Ombudsman shall not be arrested, detained, interrogated, prosecuted, or sued before the court.

CHAPTER V

COMPOSITION AND MEMBERS OF OMBUDSMAN

Part One

Composition

Article 11

- (1) The Ombudsman shall consist of:
  - a. 1 (one) Chief of Ombudsman concurrently Member of Ombudsman;
  - b. 1 (one) Deputy Chief of Ombudsman concurrently Member of Ombudsman;
  - c. 7 (seven) Members of Ombudsman.
- (2) In the event that the Chief of Ombudsman is impeded, the Deputy Chief shall execute the duties and authorities of the Chief of Ombudsman.

Article 12

- (1) In executing its duties and jurisdiction, the Ombudsman aided by Ombudsman assistants.

- (2) Ombudsman assistants shall be appointed and removal by the Chief of Ombudsman based on the resolution of Ombudsman plenary.
- (3) Further provisions on the qualifications and appointment and removal procedure as well as the duties and responsibility of Ombudsman assistants shall be stipulated by Ombudsman Regulation.

#### Article 13

- (1) The Ombudsman shall be aided by a secretariat led by a Secretary General.
- (2) The Secretary General shall be appointed and discharged by the President.
- (3) The qualifications and the appointment and removal procedure of the Secretary General shall be implemented pursuant to the provisions of personnel laws and regulation.
- (4) Further provisions on the status, organizational composition, function, duties, jurisdiction and responsibility of the Secretary General shall be stipulated by Presidential Regulation.
- (5) The provisions on the managerial system of human resources of the Ombudsman shall be stipulated by Government Regulation.

Part Two  
MEMBERS OF OMBUDSMAN

Article 14

The Chief, Deputy Chief and Member of Ombudsman shall be elected by the House of Representatives based on the candidates as nominated by the President.

Article 15

- (1) Prior to the submission of the list of Members of Ombudsman candidates to the House of Representatives, the President shall commission a selection committee of Members of Ombudsman candidates.
- (2) The selection committee as specified under paragraph (1) shall consist of governmental elements, law practitioners, academicians, representative of the community.
- (3) The selection committee has the following function:
  - a. to make announcement for application as members of Ombudsman candidates;
  - b. to conduct the registration of Members of Ombudsman candidates within the period of 15 (fifteen) working days;

- c. to conduct the administrative selection of Members of Ombudsman candidates within the period of 10 (ten) working days effective as of the expiry date of the announcement;
  - d. to announce the lists of candidate names for public review;
  - e. to conduct quality and integrity selection of Members of Ombudsman candidates within the period of 60 (sixty) working days effective as of the date of administrative selection;
  - f. to determine and submit the names of Members of Ombudsman candidates amounting to 18 (eighteen) persons to the President within the period of 30 (thirty) working days at the latest effective as of the expiry date of quality and integrity selection
- (4) In executing the duties as specified under paragraph (3), the selection committee shall work transparently by considering the community participation.

#### Article 16

- (1) Within the period of 15 (fifteen) working days as of the receipt of names of candidates from the selection committee, the President shall submit 18 (eighteen) names of Members of Ombudsman candidates as specified

- under article 15 paragraph (3) point f to the House of Representatives .
- (2) The House of Representatives shall elect 9 (nine) candidates consisting of Chief, Deputy Chief, and Members of Ombudsman within the period of 30 (thirty) working days of the latest effective as of the date of receipt of the Presidential nomination.
  - (3) The candidates for Chief, Deputy Chief and Members of Ombudsman as elected shall be submitted by the House of Representatives at the latest within 15 (fifteen) working days as of the expiry date of election for the Presidential endorsement.
  - (4) The President shall endorse the appointment of elected candidates as specified under paragraph(3) at the latest within 14 (fourteen) working days effective as of the date of receipt of letter from the House of Representatives.

#### Article 17

The elected Chief, Vice Chief and Member of Ombudsman shall take office for the period of 5 (five) years and they can be reelected only for another 1 (one) terms of office.



#### Article 18

The Chief, Deputy Chief and Members of Ombudsman are entitled to income, compensation and other rights as stipulated in the Government Regulation.

#### Article 19

The qualification for being appointed as Chief, Deputy Chief and Members of Ombudsman are:

- a. Indonesian Citizen;
- b. Be devout to the Almighty God;
- c. Physically and mentally healthy;
- d. Bachelor's degree graduate in laws or other discipline which having expertise and experience for at least 15 (fifteen) years in the discipline of laws or public administration relating to the administration of public services;
- e. Having age at least 40 (forty) years and 60 (sixty) years at the most;
- f. Capable, honest, possessing high moral standard, and having good reputation;
- g. Having knowledge on ombudsmanship;

- h. Never be convicted in criminal proceedings having final judgement for committing criminal offense punishable for 5 (five) years or more;
- i. Never conducting any misbehaviour acts;
- j. Not in the position as member of executive board of any political party.

#### Article 20

The Chief, Deputy Chief, and Member of Ombudsman shall not concurrently become:

- a. State officer or State official according to the laws and regulations;
- b. Entrepreneur;
- c. Management or state owned enterprise or regional government enterprise;
- d. Civil servant;
- e. Executive board of political party; or
- f. Other professions.

#### Article 21

- (1) Prior to assuming office, the Chief, Deputy Chief and Members of Ombudsman shall take oath according to his/her religion or pledge before the President of the Republic of Indonesia.

(2) The content of oath/pledge as specified under paragraph 1 (one) is as follows:

"I swear/affirm that I, to obtain disposition, directly or indirectly by using my name or any other means whatsoever, will not give or promise to give something to anybody."

"I swear/affirm to comply with my obligation as Chief of Ombudsman/Deputy Chief of Ombudsman/ Member of Ombudsman to the best of my efforts and as fairly as possible."

"I swear/affirm that I, for conducting or not conducting something in this position will never receive directly or indirectly from whomsoever any promise or gift."

"I swear/affirm that I will firmly devote to Pancasila and 1945 Constitution of the Republic of Indonesia and the prevailing laws and regulations."

"I swear/affirm that I will maintain the confidentiality of any matters I know during the fulfillment of my obligation."

#### Article 22

(1) The Chief, Deputy Chief and Member of Ombudsman shall leave His/Her position due to:

- a. his/her terms of office expired;
  - b. Resignation;
  - c. Demise.
- (2) The Chief, Deputy Chief and Member of Ombudsman shall be removed from his/her position due to:
- a. Residing outside the territory of the Unitary Republic of Indonesia;
  - b. No longer qualified for the position as specified under Article 19;
  - c. Pronounced to violate his/her oath/pledge;
  - d. Abusing his/her power as Member of Ombudsman based on the final court judgment;
  - e. Subject to the prohibition of concurrent position as specified under Article 20;
  - f. Subject to criminal punishment based on the final court judgment;
  - g. Permanent impediment or continuously for 3 (three) months unable to execute His/Her assignment.
- (3) In the event that the Chief of Ombudsman resigned or be removed, then the Deputy Chief of Ombudsman shall take over the duties and jurisdiction of the Chief Ombudsman up to the terms of office concludes.
- (4) The removal of Chief, Deputy Chief, and Member of Ombudsman from his/her position based on the provisions

specified under paragraph (2) shall be instituted by the President.

## CHAPTER VI COMPLAINT

### Article 23

- (1) Any Indonesian citizen or resident shall be entitled to file grievance to the Ombudsman
- (2) The filing of grievance as specified under paragraph (1) shall be free of charge or of compensation in any form whatsoever

### Article 24

- (1) The grievance as specified under Article 23 paragraph (1) has to comply with the requirements as follows:
  - a. mention name, place and date of birth, marital status, occupation, and complete address of the Complainant ;
  - b. mention the description of event, action or decision complaint in details; and
  - c. Already filed the grievance directly to the Party Complainant or his/her superior, but such grievance has not got any disposition properly.

- (2) Under particular circumstances, the name and identity of the Complainant may not be disclosed.
- (3) The event, action or decision as complained or filed as specified under paragraph (1) has not exceeded two (2) years since the occurrence of the event, action or decision.
- (4) Under particular circumstance, the filing of grievance may be executed by other party with power of attorney.

## CHAPTER VII

### PROCEDURE OF INVESTIGATION AND SETTLEMENT

#### Article 25

- (1) The Ombudsman shall investigate the grievance as specified under Article 24.
- (2) In the event that the file as specified under paragraph (1) is incomplete, the Ombudsman shall notify in writing to the Complainant to complete the file.
- (3) The Complainant within the period of 30 (thirty) days effective as of the date of the written notification, the complainant shall complete the file.
- (4) In the event that the file has not been completed within the period as specified under paragraph 3, the

Complainant shall be considered to have withdrawn his/her grievance.

#### Article 26

- (1) In the event that the dossier of the grievance as specified under Article 25 is declared complete, the Ombudsman shall immediately conduct a substantive investigation.
- (2) Based on the result of the substantive investigation as specified under paragraph (1), the Ombudsman may rule that the Ombudsman:
  - a. is not authorized to conduct further investigation,
  - or
  - b. is authorized to conduct further investigation.

#### Article 27

- (1) In the event that the Ombudsman is not authorized to conduct further investigation as specified under Article 26 paragraph 2 point a, the Ombudsman shall notify in writing to the Complainant within the period of 7 (seven) days effective as of the date of investigation result as signed by the Chief of Ombudsman.

- (2) The notification as specified under paragraph (1) may contain suggestion to the Complainant for filing his/her grievance to other authorized agency.

#### Article 28

- (1) In the event that the Ombudsman is authorized to conduct further investigation as specified under Article (26) paragraph (2) point b, the Ombudsman in conducting its investigation may:
  - a. summon in writing the Party Complained, witness, expert and/or interpreter for requesting further information;
  - b. request for information to the Party Complained, and/or conducting on the spot investigation.
- (2) The Ombudsman in conducting substantive investigation as specified under paragraph (1) may inspect the original document and request for copy of document related to the investigation.

#### Article 29

- (1) In investigating the grievance, the Ombudsman shall be guided by the principle of independency, non-discrimination, impartiality and not charge a fee.



(2) Other than the principle as specified under paragraph (1), the Ombudsman shall listen to and consider the opinion of the parties as well as facilitate the Complainant in delivering his/her explanation.

#### Article 30

(1) The Ombudsman in conducting the investigation shall maintain the confidentiality, except in the interest of public.

(2) The obligation to maintain the confidentiality as specified under paragraph (1) shall remain effective after the Ombudsman has resigned or has left his/her position.

#### Article 31

In the event that the Party Complained and the witness as specified under Article 28 paragraph (1) point a upon having been summoned for 3 (three) times consecutively, failed to comply without good reason, the Ombudsman may ask for the aid of the National Police of the Republic of Indonesia to compel the relevant person brought to the Ombudsman.

## Article 32

- (1) The Ombudsman may order the witness, the expert and the interpreter to take oath or pledge prior to giving the testimony and/or performing their duty.
- (2) The content of oath and pledge as taken by the witness as specified under paragraph (1) shall be as follows:  
"In the name of Allah/God, I swear/affirm that I will tell really the truth nothing but the truth for every and all my testimony.
- (3) The content of oath and pledge as taken by the expert and the interpreter as specified under paragraph (1) shall be as follows:  
"In the name of Allah/God, I swear/affirm that I will perform my duty impartially and that I will perform my duty professionally and as fair as possible."

## Article 33

- (1) In the event that the Ombudsman requests for explanation in writing to the Party Complained as specified under Article 28 paragraph (1) points b, the Party Complained shall give explanation within the period of 14 (fourteen) days at the latest effective as the date of request for explanation.

- (2) In the event that within the period of 14 (fourteen) at the latest as specified under paragraph (1) the Party Complained fails to give the written explanation, the Ombudsman shall request for the second time in writing to the Party Complained.
- (3) In the event that the request for explanation in writing as specified under paragraph (2) within the period of 14 (fourteen) days at the latest has not been complied with, the Party Complained shall be considered of waving the right to response.

#### Article 34

In executing on the spot investigation as specified under Article 28 paragraph (1) point b, the Ombudsman may inspect the object of public service without advance notice to the official or agency complained in accordance with the provisions of laws and regulations, orders, and morality.

#### Article 35

The findings of Ombudsman's investigation may be in the form of:

- (a) Rejection to the grievance; or
- (b) Acceptance to the grievance and issuing recommendation.

Article 36

- (1) The Ombudsman shall reject the Grievance as specified under Article 35 point a in the event of:
  - a. The Complainant has never filed such objection, both orally and in writing, to the Party Complained;
  - b. The substance of Grievance is currently under and has become the object of judicial proceedings, except such Grievance is related to maladministration in the process of court administration;
  - c. Such grievance is under the process of disposition by the Agency Complained and according to the Ombudsman its process of disposition is under proper period of time;
  - d. The Complainant has got the disposition from the agency complained;
  - e. The substance complained is not under the Ombudsman jurisdiction;
  - f. The substance complained has been disposed by way of Ombudsman mediation and conciliation under mutual agreement of the parties; or
  - g. Not finding any maladministration.
- (2) The rejection as specified under paragraph (1) shall be notified in writing to the Complainant and the Party

Complained within the period of 14 (fourteen) days effective as of the date of the investigation findings signed by the Chief of Ombudsman.

#### Article 37

- (1) The Ombudsman shall receive the grievance and issue the Recommendation as specified under Article 35 point b in the event of finding any Maladministration.
- (2) The Recommendation as specified under paragraph (1) shall contain at least:
  - a. Description of the Grievance as filed to the Ombudsman;
  - b. Description on the investigation findings;
  - c. Classification of Maladministration; and
  - d. Conclusion and suggestion of the Ombudsman on the matters that needs to be executed by the Party Complained and his/her superior.
- (3) The Recommendation as specified under paragraph (2) shall be submitted to the Complainant, the Party Complained and the superior of the party complained within the period of 14 (fourteen) days at the latest effective as of the date of issuing the recommendation signed by Chief of Ombudsman.

### Article 38

- (1) The Party Complained and the superior of the Party Complained shall comply to perform the Recommendation of the Ombudsman.
- (2) The superior of the Party Complained shall report to the Ombudsman on the compliance of the Recommendation as has been conducted within the period of 60 (sixty) days of the latest effective as the date of receipt of the Recommendation.
- (3) The Ombudsman may request to the Party Complained and/or his/her superior and conducting on the spot investigation to ensure the implementation of the Recommendation.
- (4) In the event that the Party Complained and the superior of the Party Complained fails to comply the Recommendation or have only complied to some parts of the Recommendation without good reason, the Ombudsman may publish the superior of the Party Complained and submit the Report to the House of Representatives and the President.

### Article 39

The Party Complained and the superior of the Party Complained violating the provisions as specified under

Article 38 paragraphs (1),(2) or paragraph (4) are subject to the administrative sanction pursuant to the provisions of laws and regulations.

#### Article 40

The Chief, Deputy Chief and member of Ombudsman shall be prohibited to investigate grievance or information which in effect will raise conflict of interest.

#### Article 41

Further provisions concerning the procedure of Investigation and disposition shall be stipulated under Ombudsman Regulation.

### CHAPTER VIII

#### PERIODICAL REPORT AND ANNUAL REPORT

#### Article 42

- (1) The Ombudsman shall submit periodical report and annual report to the House of Representatives and the President.
- (2) The periodical report shall be submitted quarterly and the annual report shall be submitted in the first month of the following year.

- (3) The Ombudsman may submit special report to the House of Representatives and the President, other than the periodical report and annual report as specified under paragraph (2).
- (4) The annual report as specified under paragraph (1) shall be published after it is submitted to the House of Representatives and the President.
- (5) The annual Report as specified under paragraph (4) shall at least contain the following:
  - a. Number and classification of grievance as received and handled during the period of 1 (one) year;
  - b. Official or agency which is unwilling to comply with the request and/or to perform the recommendation;
  - c. Official or agency which is unwilling or fails to conduct investigation to the official complained, not taking any administrative measures or other legal action to the official who has been proven guilty;
  - d. Defence or denial from the superior of the official complained or from the party complained;
  - e. Number and classification of grievance which is rejected for investigation because it does not comply with the requirements as specified under



Article 24 paragraph (1) and Article 36 paragraph (1);

- f. Financial report; and
- g. Activities which have been executed or not and other matters should be necessarily to be reported.

## CHAPTER IX REGIONAL OMBUDSMAN REPRESENTATIVE

### Article 43

- (1) If deemed necessary, the Ombudsman may establish Ombudsman representative office in the province or in the regency/municipality.
- (2) The Ombudsman representative office as specified under paragraph (1) shall have hierarchical relationship with the Ombudsman and it will have a chief of the representative office
- (3) The chief of the representative office as specified under paragraph (2) shall be aided by Ombudsman assistants.
- (4) The provisions on the function, duty and authority of Ombudsman shall be *mutatis mutandis* applicable to the representative office.

CHAPTER X  
CRIMINAL PROVISIONS

Article 44

Whoever obstructs the Ombudsman in conducting the investigation as specified under Article 28 is punishable of imprisonment the maximum of which is 2 (two) years or of fine the maximum of which is Rp.1,000,000,000.00 (One Billion Rupiah).

CHAPTER XI  
TRANSITIONAL PROVISIONS

Article 45

By the time this Law takes effect:

- a. The National Ombudsman Commission as established pursuant to Presidential Decree Number 44 of 2000 on the National Ombudsman Commission is regarded as Ombudsman according to this Law;
- b. The Chief Commissioner, Deputy Chief Commissioner and Commissioners of the National Ombudsman Commission as established pursuant to Presidential Decree Number 44 of 2000 on the National Ombudsman Commission shall remain in executing function, duty and authority

according to this Law up to the appointment of the new members of Ombudsman;

- c. All grievances which are under investigation by the National Ombudsman Commission shall be continued for their disposition according to this Law;
- d. Within the period of 1 (one) year at the most as of the date of enactment of this Law, the composition of organization, membership, duties and authority as well as the provisions on the operating procedure of investigation and disposition of grievances of the National Ombudsman Commission shall be adjusted to this Law.

#### Article 46

- (1) By the time this Law takes effect, the word of "Ombudsman" which has been used as the name of institution, agency, legal person, publication or others which do not constitute Ombudsman institution performing the function and duties according to this Law shall be replaced by other name within the period of 2 (two) years at the latest as of the date of this Law takes effect.
- (2) The institution, agency, legal person, publication or others which fail to comply with the provisions as

specified under paragraph (1) shall be regarded as illegally using the name of "Ombudsman".

CHAPTER XII  
CLOSING PROVISIONS

Article 47

This Law shall take effect as of the date of its enactment.

To ensure it is known the public, this Law should be published it in the State Gazette of the Republic of Indonesia.

Endorsed in Jakarta

On:

PRESIDENT OF THE REPUBLIC OF INDONESIA  
SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On:

MINISTER OF LEGAL AFFAIRS AND HUMAN RIGHTS  
OF THE REPUBLIC OF INDONESIA

ANDI MATTALATTA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2008 NUMBER  
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