

Return implications of TAP MPR (Regulation of People's consultative assembly) as part of hierarchy of legal regulations

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Abstract

Based on Regulation UU no. 12 of 2011 concerning the Establishment of Legislation, there are Regulations which re-establish the Decree of the MPR as part of the type and hierarchy of legislative regulations with various legal issues. This research analyzes the position of the MPR Decree in the hierarchy of legislative regulations in Indonesia and its implications. MPR has no longer the authority to make Decrees because the position of the MPR was declined from the highest state institution. This condition makes the MPR decree not in compliance with the 1945 Constitution of the Republic of Indonesia. The Executive review cannot be carried out because the MPR Decree is still valid today, while now the MPR is only a high state institution equivalent to other high-level institutions..

Keywords: Decree of the MPR, legislation, the highest state institution, 1945 Constitution of the Republic of Indonesia.

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