

ABSTRACT

The objectives of this research are to review, find out, and understand the decision characteristics disparities between the Supreme Court and the Constitutional Court in the regulation (regeling) review. The method used in this research is normative legal research. Furthermore, the data were analysed using qualitative analysis method. The results show the regulation (regeling) review decision characteristics from the conceptual approach, the disparities of regulation (regeling) review decision characteristics between Supreme Court and the Constitutional Court, and its implication toward the parties, which are related to the binding force of the decision and guarantee of legal certainty.

Keywords: decision characteristics, review, regulation.

INTISARI

Penelitian ini bertujuan untuk menelaah, mengetahui dan memahami bagaimana disparitas karakteristik putusan antara Mahkamah Agung dan Mahkamah Konstitusi dalam pengujian peraturan (*regeling*) dengan menggunakan metode penelitian yuridis normatif dan analisis kualitatif. Penelitian ini menghasilkan karakter putusan pengujian peraturan dalam pendekatan konseptual, disparitas karakteristik putusan pengujian peraturan di Mahkamah Agung dan Mahkamah Konstitusi dan implikasi disparitas karakteristik tersebut kepada para pihak berkaitan dengan kekuatan mengikat dan jaminan kepastian hukum.

Kata Kunci: karakteristik putusan, pengujian, peraturan.