

**REVIEW OF THE LOCAL ORDINANCE  
CONCERNING LOCAL SPATIAL PLAN IN THE SCOPE OF  
EXECUTIVE AND JUDICIAL POWER**

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**ABSTRACT**

*The title of this dissertation is “Review Of The Local Ordinance Concerning Local Spatial Plan In The Scope Of Executive And Judicial Power”. This research have 3 (three) legal issues, namely: (1) Ratio Legis of the Local Ordinance concerning Local Spatial Plan as Objects of Review; (2) Principles in Review of The Local Ordinance concerning Local Spatial Plan; and (3) Ratio Decidendi of The Decision Constitutional Court Number 137/PUU-XIII/2015 and Number 56/PUU-XIV/2016 Relate the Nullification Authority The Local Ordinance concerning Local Spatial Plan.*

*The type of this research is a normative. This research using 5 (five) problem approaches. Consist of: Statue Approach, Case Approach, Historical Approach, Comparative Approach, and Conceptual Approach.*

*The result of this research is:*

- a. In a unitary state, existence of territorial decentralization with wide-ranging autonomy can open the opportunity for independence Local Government Organizers to making of the Local Ordinance concerning Local Spatial Plan, that can solve the problem of spatial use in their regions. So that, making of the Local Ordinance concerning Local Spatial Plan, in the future will no longer only be top down, but also the integration with bottom up proportionally. This suggestions is manifested in improvement the Spatial Planning Act and the Local Government Act;*
- b. The Principle of Unity Rules, Public Interest, and Protection of Human Rights should be understood as a unified set of review. So that in use, not only use one or two of the three principles. This suggestions is manifested in improvement the Local Government Act, the Judicial Power Act, and the Supreme Court Act; and*
- c. The legal consequences of the Constitutional Court Decision No. 137/PUU-XIII/2015 and No. 56/PUU-XIV/2016 should be followed by strengthening the executive preview, both on the substance approval mechanism and evaluation. Strengthening is needed with administrative sanctions and makes the executive preview results as evidence in the open court of the Judicial Review. This suggestions is manifested in improvement the Local Government Act, the Judicial Power Act, and the Supreme Court Act.*

*Keywords: Review, Local Ordinance concerning Local Spatial Plan, Executive, Judicial*



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PERATURAN  
PERUNDANG-UNDANGAN**