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COMMITTEE OF GOOD OFFICES

ON THE

INDONESIAN QUESTION

SECOND REPORT ON POLITICAL DEVELOPMENTS
IN WESTERN JAVA

/SECURITY

SECURITY COUNCIL COMMITTEE OF GOOD OFFICES ON THE INDONESIAN
QUESTION

2 August 1948

Sir,

In pursuance of the first resolution adopted by the Security Council at its 259th meeting on 28 February requesting the Committee of Good Offices to report to the Council on political developments in western Java and Madura at frequent intervals, we have the honour to forward herewith the Committee's second report on political developments in western Java.

The Committee is now gathering data for a further report on political developments in Madura.

The representatives of the Committee of Good Offices take this opportunity to renew to the President and to the representatives on the Security Council the assurance of their highest consideration.

Paul Bihin	(Belgium)
F. K. Critchley	(Australia)
Charlton Ogburn, Jr.	(United States of America)

The President of the Security Council
United Nations
Lake Success, New York
U. S. A.

/COMMITTEE OF

SECURITY COUNCIL

COMMITTEE OF GOOD OFFICES ON THE INDONESIAN QUESTION

SECOND REPORT OF THE COMMITTEE OF GOOD OFFICES TO THE SECURITY COUNCIL
ON POLITICAL DEVELOPMENTS IN WESTERN JAVA

(Adopted by the Committee at its 136th meeting on 30 July 1948)

1. In a resolution adopted by the Security Council at its 259th meeting on 28 February, the Committee was requested to report to the Council on political developments in western Java and Madura at frequent intervals. The Committee submitted separate reports on political developments in these areas on 23 April and 18 May respectively (S/729 and S/786). In the case of western Java, further steps have been taken towards the implementation of the decisions reached at the Third West Java Conference.

2. The Conference has now become the Provisional Parliament of the Pasundan State, with its 100 members grouped in the following parties:

Indonesia	35
United	15
National	13
P.R.P. (Pasundan Party)	5
Central	7
Chinese	9
Indo-European	9
Netherlands Group	2
Catholic	1
Arabs	4
Total	<u>100</u>

3. The Provisional Parliament was reconvened on 21 April and sat until 22 May. During this period the structure of the Pasundan State was further discussed and a constitutional law for the state approved by the Parliament, on 23 April. On 24 April, Mr. Wiranatakusuma was formally recognized by a decree of the Lieutenant Governor-General as the Wali Negara of the Pasundan State.

4. After Dr. Kusumaatmadja's rejection of the invitation extended to him by the Wali Negara to form a cabinet, previously reported, several candidates were considered for the premiership, including Mr. Adil Puradiredja of the Indonesian Party, Mr. Suradiredja of the National Party, and Mr. Surianata Atmadja, ex-Bupati of Tjandjier, west of Bandung. On 15 April the Wali Negara called on Mr. Puradiredja and asked him to form a cabinet. The invitation was accepted and on 8 May the cabinet was formally

/set up

set up as follows:

Mr. Adil Puradiredja	Prime Minister and Minister for Home Affairs
Dr. Benjamin	Minister of Social Affairs
Mr. Judakusuma	Minister of Education
Mr. Dendakusuma	Minister of Economic Affairs
Ir. Tan Hwat Thiang	Minister of Communications
Mr. P. J. Gerke	Minister of Finance
Mr. Rd. Soeparman	Minister of Justice
Dr. Maskawan	Minister of Health

5. On 13 May Mr. Puradiredja made a statement of policy before the provisional Pasundan parliament at Bandung, in which he briefly outlined the policy of the new Pasundan government. The following is a summary of this statement:

- (1) The government's main aim will be the federal organization of an independent sovereign United States of Indonesia.
- (2) All citizens, without discrimination of nationality, religion or culture will obtain equal rights.
- (3) The rights of the minorities will be recognized and protected.
- (4) It is the intention of the government to strive hard for a strengthening of the ties with the other member states in order to construct within the shortest possible time an independent sovereign United States of Indonesia.
- (5) There will be a very close contact with the Provisional Federal Government, especially to look after the interests of Pasundan. Within the limits of the Pasundan State itself, the Government will do its utmost to achieve within the shortest possible time:
 - (a) restoration of law and order with, as its consequence, the abolition of martial law and military government;
 - (b) the codification of the rights of the citizens.
- (6) In connection with the coming Federal Conference at Bandung the Government decided to take part in this conference because it considered this an opportunity to make known its ideas and proposals with regard to the formation of a United States of Indonesia, which will include Indonesia as a whole.
- (7) The Government will improve social conditions, extend education, promote literacy and help the poor.
- (8) Reconstruction and rehabilitation will be strongly taken in hand. The creation of a Reconstruction Body is considered. Plans will be made for irrigation works; agriculture will be intensified as much as possible.

/(9) Economically,

- (9) Economically, the government will always guarantee private property, stimulate private initiative, government intervention taking place only when necessary.
- (10) The allocation of land will be improved, as a result of which agriculture can be restored.
- (11) The Government of Pasundan realizes that the effectuation of these plans cannot be achieved before the transfer of authority of the Central Government to Pasundan has been completed and the structure of the Negara has been perfected.
- (12) It is therefore of primary importance that this transfer of authority be achieved within the shortest possible time.

6. Certain objections were raised in Parliament regarding the formation of the cabinet. In reply the premier contended that it was not important whether a cabinet was parliamentary, national or otherwise; in forming the cabinet the Government was simply putting into execution the decisions reached at the Third West Java Conference and by the Parliament. He declared that the Government did not intend to change its standpoint despite the criticism which had been offered. On 22 May the vice-chairman of the Parliament, Mr. Suradiredja called for a modification of the setup of the cabinet but his motion was rejected by 54 votes to 37.

7. On 11 June the Netherlands Indies Government promulgated two Statutes. One of these (Statute 115) provided for the abolition of the province of West Java and for the transfer of administrative duties to the Reccmba (Government Commissioner for Administrative Affairs). The other (Statute 116) sanctioned a set of "Regulations of the Constitutional Organization of the Pasundan State". English translations of these two Statutes are attached hereto as Appendixes I and II.

8. In reporting on political developments in western Java the Committee deems it necessary, for the sake of completeness, to refer to the steps which have been taken, following the formation of the Pasundan State, towards the organization of a federal government which would include the states which have been created under the sponsorship of the Netherlands Indies authorities. In arriving at this view the Committee was influenced by the important part played by the Pasundan State in this connection. While, therefore, the undermentioned developments follow logically the Committee's report on the Bandung Conference (S/842) it has been thought advisable to include them in the present document rather than prepare an additional report.

9. On 3 July the following statement was made on behalf of the Netherlands Government by Dr. R. W. van Duffelen, advisor-general of the Department of Education, Arts and Sciences, in his capacity as general representative of the

/Provisional

Provisional Federal Government of the Netherlands Indies at Bandung:

"The alteration of the Constitution which has already been accepted in its first reading, will as soon as it has been effected, open up the possibility of bringing about further reforms on a legal basis, in particular by applying the new article 209. The Netherlands Government will then immediately take up further adaptation of the political organization of Indonesia to the circumstances existing during the interim period. This political organization will have to aim at preparing and helping to prepare in the most energetic and effective way the formation of the United States of Indonesia and the Netherlands - Indonesian Union. Its specific task will be to maintain and, where necessary, restore law and order, to organize federal services, to promote economic reconstruction, to reorganize finance, to co-operate in the further formation and organization of the member-states and to prepare elections, which will be necessary for the convening of the constituent assembly.

"The Government regrets that in the negotiations with the Government of the Republic no sufficiently satisfactory results have as yet been reached to undertake this task in full co-operation with the Republic as well, but it is convinced that the reforms referred to above can considerably contribute to the further political development.

"The principal object will be to form a government which is to consist of capable and authoritative Indonesians from different member-states and, as far as necessary, Netherlanders or citizens of other origin. This government, which is intended to be collegiate, is to administer mainly the internal affairs: special competencies for the time being having to be reserved for the Lieutenant Governor-General, as head of this government, in connection with the relations with the Netherlands and foreign countries, guaranteeing the fundamental rights and in general considering the responsibility of the Netherlands Government. In addition a provisional representative body will have to be created which guarantees in the best possible way the co-operation with the various member-states and other political organizations and with the minorities; the Provisional Federal Government being able to consult this body continuously.

"In organizing the Federal services and organs special attention will have to be given to the federal fighting forces, the representation in the Netherlands (High Commissioner) and the preparations for the foreign service, side by side with the normal organization for internal federal activities.

/ "Also in regard

"Also in regard to the existing division of competencies between the general government and the supreme government alterations in keeping with the development will have to be made. The Provisional Federal Government and the Bandung Conference, when convened after its recess, will of course be consulted concerning a bill to be drawn up to this effect.

"It goes without saying that in all this, participation of the whole of Indonesia in this new organization remains the unaltered aim of the Government."

10. The Premiers of East Indonesia and Pasundan took the initiative in inviting all heads of constituent states in Indonesia to a conference at Bandung for the purpose of drafting proposals on the future status of Indonesia for submission to the Netherlands and Netherlands Indies Governments.
11. On 14 July the Secretary of the conference made the following official announcement:

"In order to make an independent contribution to the solution of the various pending problems concerning the formation of the United States of Indonesia a special meeting of the governments of constitutional units was organized at Bandung at the initiative of the Negaras (Heads of States) of East Indonesia and Pasundan. At a meeting held on July 6 last the Prime Minister of East Indonesia expounded the motives which have led to this initiative, following which the first meeting was held on Monday, July 12.

"Mr. T. BAHRIUN (Modan) was elected Chairman, Mr. M. HANAFIAH (Bandjar) was elected Vice-Chairman, and Mr. A. J. VLEER was appointed Secretary. After the standing orders had been drawn up discussions were started immediately."

12. On 17 July a resolution which had been drafted on 15 July by the heads of States attending the conference was submitted to the Lieutenant Governor-General of the Netherlands Indies, Dr. H. J. Van Mook, in the following terms:

(Translation from Original: DUTCH)

The meeting for federal consultation at Bandoeng for the creation of a Federal Interim Government, starting from the following guiding principles:

- I. The independent and sovereign U.S.I. shall comprise the entire territory of the N.E.I., without prejudice to the provision contained in article 3 of the Linggadjati agreement.
- II. The independent and sovereign U.S.I. shall form a federation.

/III. The existing

- III. The existing Negaras, Daerahs and other constitutional units, including the region for which the advisory council for South Sumatra has been instituted, shall be recognized.
- IV. The existence of actual authority in the hands of various parts of Indonesia, including also the Republic of Indonesia, is recognized.
- V. The existence of Netherlands sovereignty as long as the independent and sovereign U.S.I. has not yet been created shall be recognized.
- VI. The basic principles agreed upon on board the Renville shall be recognized.

Have decided upon the following resolution and conclusions:

A. RESOLUTION

1. The formation of a Provisional Federal Government at short notice is imperative.
2. The Provisional Federal Government should precede the Government of the sovereign U.S.I.
3. Therefore said government must be composed of Indonesians.
4. The governmental powers of the Provisional Federal Government should not be restricted to a greater extent than is necessary in view of the responsibility of the Netherlands, resulting from the sovereignty of the Netherlands which is continued during the interim period.
5. Consequently the entire field of governmental powers should be divided into the following sections:
 - (a) the powers of the Netherlands Government,
 - (b) the powers in the exercise whereof the Provisional Federal Government will be subject to the restrictions resulting from the continued sovereignty of the Netherlands,
 - (c) the powers to be exercised independently by the Provisional Federal Government,
 - (d) the powers of the component territories including those of their autonomous parts.
6. In the field referred to in paragraph 5 sub (a) the Netherlands Government shall co-operate with the Provisional Federal Government to make preparations for the transfer of sovereignty to the U.S.I.
7. The restrictions referred to in paragraph 5 sub (b) only concern the guarantees for the development of the U.S.I. as a state governed by rule of law.
8. There shall be a High Commissioner of the Netherlands in Indonesia, who shall be entrusted with the task related to and resulting from the responsibility of the Netherlands as set forth above.

/9. For the

9. For the duration of the interim period there shall be the following organs:

- (a) A government in the form of a directorate,
- (b) Departmental heads called Secretaries of State,
- (c) A federal council,
- (d) A representative assembly.

10. A directorate shall be composed of at least three Indonesians. The members of the directorate shall be appointed by the joint representatives of the governments of the component territories including the territory of the advisory council of South Sumatra and in which each component territory shall have one vote. This appointment shall require the royal assent.

11. The Secretaries of State shall be appointed and discharged by the directorate and shall be responsible to the latter.

12. The Federal Council shall be composed of the heads of the governments or the heads of the administrations of the component territories including the territory of the advisory council of South Sumatra or their representatives.

13. The delegation to the representative assembly shall be organized by the component territories themselves with due regard to the principle that the selection of delegates shall take place by democratic procedure insofar as possible.

14. In the formation of the representative assembly the disparities which exist between the component territories shall find expression in the number of delegates for the various component territories with the proviso that the strength of the population shall not be the sole determining factor.

15. In determining the number of delegates for each component territory, primarily an equal minimum of two seats shall be allotted to each component territory, which number may be increased up to a maximum of ten seats. Each component territory, having a population of 1 - 200,000 shall be allotted two seats, being the minimum number referred to; and further, either

- (a) for the next 150,000 - 300,000 one seat;
- (b) for every additional 300,000 one seat until the maximum of 10 seats has been reached

or:

- (a) for the next 150,000 - 300,000 one more seat,
- (b) for the following 250,000 - 500,000 one seat in addition
- (c) for every additional 500,000 - 1,000,000 another additional seat, until the maximum number of 10 seats has been reached.

or:

/another scale,

- another scale, intermediate between the scales referred to above.
16. The representations of the minorities in the Representative Assembly shall be regulated by the Provisional Federal Government with due regard to paragraph 8 of this Resolution and number 5 of the above-mentioned principles.
 17. The directorate shall have executive powers, with the proviso that with regard to subjects to be specified, as for instance matters related to the constitution of the Federal State, agreement with the Federal Council shall be required.
 18. The executive powers also include: The preparation of a Constituent Assembly, the creation of the federal armed forces, the preparation of a foreign service, and negotiations with regard to the establishment of a sovereign U.S.I. subject to the restrictions as contained in paragraph 5, sub (b).
 19. The directorate shall be responsible for the performance of its executive task to the representative assembly with the proviso that this body cannot force the directorate to resign.
 20. The Federal Council shall be authorized to give advice both at the request of the directorate and on its own initiative.
 21. The representative assembly shall participate in legislation and the establishment of the budget. This Assembly shall have the rights of initiative, amendment and interpellation.
 22. The representative assembly cannot be dissolved.
 23. If, with regard to any bill, no agreement is reached between the directors and the representative assembly, the directorate shall be entitled to enact such a bill on its own authority and responsibility, provided that agreement with the Federal Council has been attained.
 24. There shall be Netherlands-Indonesian joint boards to be composed on a basis of parity.
 25. The above joint boards, shall in any case be set up for defence, foreign relations and for economic and financial affairs.
 26. These joint boards shall have the character of a board of official experts and shall give advice to the directorate and the High Commissioner with regard to the exercise of powers as referred to in paragraph 5 sub (a) and (b).

B. CONCLUSIONS

1. The representatives of Bandjar, East Indonesia, Southwest Borneo, East Borneo, Madura and Pasundan are of the opinion that the sovereign U.S.I. must have been established on 1-1-1949 at the latest.
2. The representatives of the remaining component territories, that is, Bangka, Billiton, Greater Dayak, West-Borneo, Riouw, South Sumatra and
/East Sumatra,

East Sumatra, are maintaining the above-mentioned date as a target date; they will only acquiesce in a later date for reasons of practicability.

Chairman: Dr. T. Bahrioen
Vice-Chairman: M. Hanafyah
Secretary: Dr. A. J. Vleer

Representatives of: Bandjar: 1. A.H. Rivai, 2. M. Rasjad
" " Bangka : 1. Masjarif G. Lalabandaharo
2. Se Sieng Mon
" " Billiton: 1. K. A. Moh. Joesoef
2. Moh. Saad
" Greater Dajak: 1. J. Dijk.
2. B. Cijritlus Korsanegara
" East Indonesia: 1. Anak Agoeng Gdo Agseng
2. M. Eamelink, 3. Hrossain.
" West Borneo : 1. Sultan Hamid II
2. Mr. L. Teolenius Kruytheff
" Southwest Borneo : 1. On. A. Ceomala Neer
2. A. Z. Abidin
" East Borneo : 1. A. R. Aflóes, 2. A. P. Sasronegere
" Pascendan : 1. R. A. Pocradiredja
2. R. Benjamin
3. Mr. R. Moh. Kosasih Poerwanegara
" Riouw : 1. Moh. Apan. J. B. van Scherdel
2. Mochtar Hoesin.
" South Sumatra : Abdoel Malik, R. Hanan
Abdoel Fatah, Zainoedin Darne
" East Sumatra : Dr. T. Mansoer, G. van Gelder
Tongkoe Arifin
" Madoera : Mr. R. Tg. Moh. Sis Tjakraningrat
R. Tg. Abdeorrachman

Observers: Mid-Java : M. T. Sihembing, The Sien Tje
K. Slamet Tirtosoebroto
East Java : R. Tg. P. Achmad Keoscemonegoro
Mr. R. P. Notekatyanto
Mr. Tjoa Sie Hwie
Mr. The Boon Hwan
Padang : Jacob Jahja

Bandung, 15 July

/APPENDIX I

APPENDIX I

STATUTE NO. 115 PROMULGATED BY THE NETHERLANDS INDIES
GOVERNMENT ON 11 JUNE 1948*

THE GOVERNMENT OF THE NETHERLANDS INDIES

No. 10

(Statute Book 1948 No. 115)

Extract from the Record of
Decrees of the Lieutenant-Governor
General of the Netherlands Indies

Batavia, 11 June 1948

Read the letter of the Secretary of State for the Interior of
7 June 1948 No. A.Z. 25/3/4;

Heard the Council of Departmental Heads (Advice of 9 June 1948 No. 33/48);

It has been approved and understood:

To enact the following ordinance and to order that it shall be
promulgated by publication in the Statute Book of the Netherlands Indies
in the following manner:

Ordinance

In the name of the Queen:

The Lieutenant Governor-General of the Netherlands Indies. To all,
to whom these presents shall come, greeting.

Makes it known:

That, with the intention to abolish the province of West Java in
connection with the recognition of the State of Pasundan by decree of
24 April 1948 No. 1 (Statute Book 1948 No. 95);

In accordance with the Council of Departmental Heads

He has approved and understood:

Article 1

The province of West Java, established by the Ordinance of
14 August 1945 (Statute Book 1925 No. 378), shall be abolished with the
proviso, that this abolition shall not affect the designation as autonomous
communities of parts of the abolished province, which designation has taken
place by virtue of Article 121 of the Netherlands Indies constitution.

Article 2

The consequences of the abolition of the province of West Java will
be governed by the following rules without prejudice to further provisions
to be made in connection with the transfer of the governmental task, which
shall be performed by the State of Pasundan.

* Original Dutch.

Article 3

1. The governmental task which by virtue of General ordinances is vested in the province of West Java c.q. the provincial administration of West Java shall be taken over by the Netherlands Indies Government.
2. The property, assets and liabilities, rights and obligations of the abolished province of West Java shall pass ipso jure to the Netherlands Indies Government, in cases where transfer is necessary it shall be effected ex officio and free of charge.

Article 4

1. The Netherlands Indies Government shall in particular be obliged towards creditors to satisfy any claims, resulting from loans and other debts, taken over or contracted by the abolished province of West Java, including such debts and loans as have been contracted in particular for the benefit of those matters the administration of which has been entrusted to the regencies subject to the right of the Netherlands Indies Government to claim from the regencies their shares in these loans and debts and the interest accruing to them as defined by the ordinance of 11 November 1937 (Statute Book 1937 No. 600) as amended by ordinance of 18 April 1940 (Statute Book 1940 No. 112).
2. The notification, referred to in Article 3 of the ordinance mentioned in the first paragraph, shall be made to the Secretary of State, Head of the Department of Finance and the interest to be allowed according to Article 4 shall be determined by the Governor-General.

Article 5

1. The ordinances of the council and of the board of deputies of the abolished province of West Java shall remain in force within its jurisdiction at the date when the present ordinance becomes operative.
2. Ordinances as referred to in paragraph 1 can be amended, supplemented, abrogated or superseded by the Government Commissioner for Administrative Affairs for West Java.

Article 6

1. The powers, functions and activities, which by virtue of general ordinances or by virtue of ordinances of the council or board of deputies of the abolished province of West Java shall be exercised by - and the obligations which by virtue of those ordinances are incumbent upon:

(a) the council, the board of deputies, the governor of the abolished province of West Java or the chairman or members of the council;

/(b) committees,

(b) committees, set up by the boards or authorities as referred to sub (a);

(c) the officials of the abolished province of West Java shall, without prejudice to the provisions contained in Article 4, paragraph 2 be transferred to:

- (i) The Government commissioner for Administrative Affairs (Reccmba) for West Java.
- (ii) Committees set up by the Recomba for West Java.
- (iii) The Netherlands Indies Government's officials appointed by the Recomba.

2. Without prejudice to the provisions contained in Article 5, paragraph 2 the Recomba shall be authorized to delegate specific powers, functions and activities or obligations, as referred to in the foregoing paragraph sub (a) and (b) to other authorities with the exception of those which were formerly exercised by the Council of the Province of West Java or incumbent upon said council.

Article 7

By or on behalf of the Governor-General it shall be determined in how far and on what conditions officials and officers in the service of the abolished province of West Java, will enter Netherlands Indies Government's service.

Article 8

1. In deviation from the provisions, contained in Article 88, second paragraph of the Province-Ordinance, the service of the budgets of income and expenditure of the province of West Java shall be abolished simultaneously with the abolition of this province.

2. From the date of abolition of this service the settlement of expenditure incurred by and the collection of revenue, due to the province mentioned in the foregoing paragraph, shall be passed to the debit or the credit of the Netherlands Indies Government's accounts.

Article 9

1. The budget accounts of the abolished province of West Java for the financial years, for which the balance has not yet been established shall, partly contrary to the provisions contained in Articles 112 and 114 of the Province ordinance and in so far as they have not been drawn up, be checked, dealt with and provisionally established by the authorities and boards referred to in those articles, be drawn up, checked, dealt with and provisionally established by the Secretary of State, Head of Department of Finance, all this if and in so far as the data necessary for this purpose are still available.

/2. The credit

2. The credit balances of these accounts shall be paid into the Netherlands Indies Government's treasury.

Article 10

This ordinance shall become effective on the day after its promulgation and shall be retroactive as from 24 April 1948.

Extracts: Members of the Provisional Federal Government
The Attorney General
The Wali Negara of Pasundan
The Prime Minister of Pasundan
The Recomba of West Java
All Residents of West Java
Head of the R.V.D. (Government's Information Service)

This is a true extract: The 1st. Governor Secretary
/s/
(E. O. van Boetzelaer)

APPENDIX II

STATUTE NO. 116 PROMULGATED BY NETHERLANDS INDIES GOVERNMENT
ON 11 JUNE 1948*

THE GOVERNMENT OF THE NETHERLANDS INDIES

No. 11
(Statute Book No. 116)

Extract from the Register of
Decisions by the Lieutenant
Governor-General of the
Netherlands Indies

Batavia, 11 June 1948

Having considered the decision of 24 April 1948 N.I.;

Having read the letter from the Secretary of State for Home
Affairs of 7 June 1948, No. B.Z., 17/3/38;

Having heard the Council of Heads of Departments (advice of
9 June, No. 34/48);

Approved and Understood

To decide the following decree and to order that it shall be
announced by issuing it in the Statute Book of the Netherlands Indies
as follows:

In the name of the Queen!

The Lieutenant Governor-General of the Netherlands Indies

All, who will see, hear or read this, greetings!

Announces:

That he desires to sanction the "Regulations of the
Constitutional Organization of Pascoendan" constituted by
the Provisional Representative Body of the State of
Pasundan (the Pascoendan Parliament) and to draw up
rules for the execution thereof, among others of the
transfer of rights and powers of government to that State;

Having heard the Government of Pascoendan;

Having considered article 2 of the decision of 24 April 1948, No. 1
(Statute Book, 1944, No. 1);

In concurrence with the Council of Heads of Departments;

Has Approved and Understood

Article 1

1. In these regulations by "State" is understood the Political Unit
as meant by the decision of the Lieutenant Governor-General of the
Netherlands Indies of 26 February 1948, No. 1A (Statute Book No. 52)
which has been acknowledged by his decision of 24 April 1948 No. 1
(Statute Book No. 95) and which has constituted itself under the name of
Pascoendan.

2. For the time being the State covers the areas within the territory of West Java which are related culturally and ethnologically and whose population have united themselves by a free expression of their will.
3. In determining the frontiers of the State, an eventual special regulation concerning the territory of its capital, drawn up by the United States of Indonesia in concert with the State shall be taken into account.
4. As long as no other provisions have been made, the determination of the frontiers meant in the preceding paragraph shall be done by the Netherlands Government (original: van Landswege) in consultation with the State.

Article 2

1. The Regulation of the Constitutional Organization of Pascoendan determined by the Parliament of Pascoendan, as attached to this decree, is sanctioned.
2. Without prejudice to what has been determined in the following articles, the organ instituted on the footing of regulations meant in paragraph 1, shall exercise legal power in the territory of the State, except the rights and powers which shall remain in the hands of the Netherlands Kingdom on account of the sovereignty over the whole of Indonesia pending the establishment of the United States of Indonesia and the Netherlands-Indonesian Union.

Article 3

1. The Government (ong. Het Land) hands over to the State all these rights and powers of government, which must enable the State to develop in the shortest possible time into a State of such an organization and powers that it can take its place in the projected United States of Indonesia on an equal footing with any other component member on the understanding that above transfer implies the State's assuming the obligation resulting from it.
2. The transfer of powers meant in paragraph 1 is only limited by the necessity that there shall be no transfer of powers which, in the frame of the intended political construction would have to be repealed on account of the execution of tasks by the United States of Indonesia and the Netherlands-Indonesian Union.
3. In concord with the provisions in the preceding paragraph the execution of the subjects to be mentioned hereafter will remain vested in the Government (Het Land) pending the establishment of the United States of Indonesia, on the understanding that alterations may be made after further consultation and common decision, and that at the establishment

of the United States of Indonesia, ultimately a decision shall be taken as to division of powers between the Federation and her component States:

- a. foreign relations, obligations towards foreign governments, including - in general - all subjects closely connected with foreign relations;
- b. defence, including regulation and proclamation of the state of war and state of siege;
- c. reprieve, amnesty and abolition;
- d. regulations on nationality, subjectship and citizenship;
- e. immigration and emigration, except for consultation with the State regarding settlement within the State;
- f. regulations on copyright and industrial property;
- g. scientific instructions of importance for the whole of Indonesia;
- h. collection of statistical material of importance for the whole of Indonesia;
- i. social precisions of a general character for the whole of Indonesia;
- j. the highest court of justice;
- k. regulation for civil law and commercial law as far as they may be considered for central regulations, either for general commercial or other economic reasons, or on account of their special importance for substantial parts of the population that do not belong as such to a definite State;
- l. land registry;
- m. coinage, finance and banking, and regulations for foreign bills;
- n. partnership tax;
- o. property tax and coupon tax;
- p. income tax as far as it regards a part to be determined in further consultation;
- q. imports from and exports to foreign countries including import and export duties;
- r. excise duties;
- s. stamp duty;
- t. monopolies;
- u. university educations, including directives for training courses that give admittance to the examinations and the civil effect of the certificates of university education;
- v. restoration of justice;
- w. indemnification of war damages;

- x. police matters for interests that are taken care of by the federation. The Central Government (Het Land) is furthermore competent to make provisions for the furtherance of the technical ability and the effectiveness of the police force and also for guaranteeing an effectively co-ordinated execution of task by the police organs, including the safety battalions;
 - y. colonization, provided that it is done in agreement with the State;
 - z. passports and identity cards for use within the State;
 - aa. directions for information, radio-broadcast and the supervision of import and showing of films;
 - bb. directions for the general agricultural conduct and for the legislation on the field of material rights on the ground and also the management of forests;
 - cc. the fight against contagious diseases;
 - dd. commerce, industry, agriculture, forestry, stockbreeding, fishing industry and other economic matters, as far as they are connected with foreign relations and the interests of the whole of Indonesia;
 - ee. traffic, in so far as it is of wider importance than for the State only, including beaconing and coast lighting;
 - ff. air navigation and meteorology;
 - gg. topography and hydrography;
 - hh. sea control;
 - ii. ports and rivers, open for international navigation and the necessary dredging machines;
 - jj. post - telegraphy and telephony;
 - kk. mines;
 - ll. legislation on waterpower and electricity and also - in consultation with the State - establishment and exploitations of large waterworks and other powerworks on the understanding that the rights of the Central Government (Het Land) with respect to existing plants or those that are being built, shall be maintained;
 - mm. gauge, stamping and verifying of weights and measures.
4. For the care of the subjects mentioned in the preceding paragraph, the Government (Het Land) shall as much as possible invoke the assistance of the State.
5. The State shall as much as possible avail itself of the advisory bodies maintained by the Central Government (Het Land) in the task of
/organizing

organizing its technical services and also in the execution of the tasks with which these services are entrusted in order to ensure the exchange of experiences in the various fields.

6. The transfer meant in paragraph 1 of this article shall take place by degrees, but as quickly as possible, such in consultation with the Government of the State and the Commissioner of the Crown mentioned in article 5 and with due observation of the provisions in articles 6 and 7.

Article 4

In the execution of the transferred task the State shall respect the fundamental rights of the population and the democratic principles that are internationally acknowledged and guarantee a just treatment to minorities.

Article 5

1. There is a Commissioner of the Crown in the State, charged with the following tasks with regard to the State:

- a. to provide the State with advice and assistance in the political construction and the organization of the services, and also in its legislation and in the exercise of government in general;
- b. to see to a just treatment of the various groups of population and the fulfilment of the further principles meant in articles 3 and 4.

2. The Commissioner of the Crown may furthermore be charged, by the Governor-General in concert with the State, with such tasks as are deemed necessary or desirable for the interest of the State and the Country (Het Land)

3. The State shall supply the Commissioner of the Crown with all information asked by the latter for the purpose of a correct execution of his task and those of the organs of the Country (Het Land).

4. Pending the appointment of a Commissioner of the Crown by or through the Crown, a functionary to be appointed by the Lieutenant Governor-General shall provisionally act in this capacity.

Article 6

The legal regulations prevailing at the moment of this decree's coming in force for the territory of the State, remain in force for the territory in so far as and as long as they have not been altered, amplified or repealed by a competent authority of the State.

Article 7

1. As long as and in so far as the State has not entirely taken in hand its duties of government, the execution thereof will be done by the organs relating to them on a footing of the existing regulations.

/2. With

2. With regard to duties which fall due to the State but which the State has not actually taken over hence, which according to the provisions in the preceding paragraph, are temporarily, by way of assistance, discharged by the Central Government (Het Land) the relating legal and administrative regulations may in the meantime be revised by the Central Government in so far as the State itself has not acted in a regulating way in these matters.

Article 8

1. The Central Government shall decide as soon as possible, which of the funds, accruing from the care taken by the Central Government of the subjects mentioned under the letters n - t and kk of the third paragraph of article 3, must be regarded as the income of the Central Government and which to that of the State or how far parts of these funds shall be adjudged to the State.

2. As long as the financial relation between the Central Government and the State has not been arranged in such a way that the State can provide its need with its own income, the Government shall be entitled to exercise controls of the State, which controls shall be decided by decree.

Article 9

1. This regulation may be quoted as "Bevoegdheidsregeling Pasoendan" (Regulation of Powers of Pasoendan).

2. It shall come into force on the day following upon its announcement.

Extract

Deputy-Supreme Government Netherlands id. Jhr. van Vredenburg.

Members of Provisional Federal Government

Attorney General.

Comkroi.

President of the State of Pasoendan.

Prime Minister id.

President of the State of East Indonesia.

Prime Minister id.

President of the State of East Sumatra.

President of the State of Madura.

All Recombas.

Head Government Information Service.

For Extract

The 1st Gvt. Secretary

(s) E.O. van Boetzelaar

/ATTACHEMENT

ATTACHMENT TO APPENDIX II

REGULATIONS

CONSTITUTIONAL ORGANIZATION NEGARA PASOENDAN

CHAPTER I

General

Article 1

In the present regulations the following definitions apply:

1. State: the constitutional unit referred to in the Decree of the Lieutenant Governor-General of the Netherlands-Indies dated 26 February 1948, No. 1 A (Statute-Book 1948, No. 52);
2. Negara (State) Pascoendan: the same constitutional unit.
3. Pascoendan Parliament: the representation recognized as such by or in virtue of legal regulations.
4. State Law: a regulation of the State enacted jointly by the Pascoendan Parliament and the Wali-Negara (Head of the State).

Article 2

The capital of the State shall be Bandoeng.

CHAPTER II

Concerning the Pascoendan Parliament

Article 3

1. The Pascoendan Parliament shall consist of one hundred members.
2. Of these members, seventy-five shall be designated by general elections. The Wali-Negara shall appoint the other members.
3. The elections shall be held and the members appointed according to regulations to be established by State Law, on the basis of the principle that the Parliament shall be representative also for any minority groups that are to be considered for that purpose on account of their numerical strength or in view of their social, cultural or economic importance.
4. If and as far as the number of seats specified have not been taken following the elections, the Wali-Negara shall appoint members to fill the vacancies in the manner regulated in the State Law referred to in the preceding paragraph.

Article 4

1. The members shall be elected or appointed for a period of four years.
2. They shall retire simultaneously; the retiring members shall immediately be eligible for re-election or re-appointment.
3. He who has been elected or appointed to fill a vacancy that has arisen
/in the interval

in the interval between two elections shall retire at the moment when the member whose place he takes would have had to retire.

Article 5

1. Only those shall be admitted as members who:

- (a) are Indonesian citizens,
- (b) have reached the age of twenty-five years,
- (c) are capable of reading and writing Latin characters.

Moreover, to be elected or appointed, candidates must have been established within the territory of the State at least for the year preceding the day of election or appointment.

2. Not admitted as members shall be those who:

- (a) are placed under legal control or are committed to a lunatic asylum on account of insanity,
- (b) have been deprived of eligibility in virtue of an irrevocable judicial sentence, for the period to which such deprivation relates,
- (c) have been sentenced to imprisonment for more than one year in virtue of an irrevocable judgment, until five years have elapsed since the term of imprisonment was served,
- (d) have been dishonourably discharged from any government service, for five years from the date of such discharge.

3. In special cases - at its own discretion - the Parliament can grant exemption from the requisites specified in the first and second paragraphs of the present article.

Article 6

1. The membership is incompatible with the office (function) of:

- (a) Wali-Negara,
- (b) Minister,
- (c) Parliamentary Secretary.

2. As far as this is necessary, a State Law shall specify any other offices or functions that are incompatible with the membership.

Article 7

1. Members are not allowed:

- (a) to act as barristers, solicitors or attorneys in lawsuits in which the State is involved,
- (b) to contract for any works, supplies or transports for the State or stand surety for same, nor participate in them, either directly or indirectly,
- (c) to take part, either directly or indirectly in the private lease of State property or rights, or in the purchase of disputed claims against the State.

2. The Parliament can grant exemption from the above prohibitions, if, in its opinion, the interest of the State should require this.

Article 8

On the proposal of the Parliament or with the latter's assent, the Wali-Negara can relieve the members of their functions:

- (a) in case of proven incapacity due to old age or permanent mental or physical defects,
- (b) on account of transgression of a regulation issued for the members,
- (c) on account of misbehaviour or immorality, or in case of continual negligence in the discharge of their functions.

Article 9

The membership shall terminate in the event of departure or absence from the territory of the State for or during more than six months, except in special cases, at the discretion of the Wali-Negara, having consulted the Parliament in the matter.

Article 10

1. Unless the Parliament has made use of the power conferred on it in virtue of Article 5, paragraph 3, the Wali-Negara shall relieve of his membership the member who has lost his Indonesian citizenship or to whom applies one of the conditions specified in the second paragraph of that article.

2. If persons have been elected or appointed members who are not admitted to the membership in accordance with the provision of Article 6, paragraph 1, or in virtue of a State Law as referred to in the second paragraph of that article, this election or appointment shall be legally null and void, unless they notify the Chairman in writing, within a fortnight after their election or appointment is, or may be reasonably considered - at the Chairman's discretion - to be known to them, that they accept their election or appointment as members. In that case they are legally relieved of the office (function) which is incompatible with their membership.

Article 11

The members are authorized to resign at any time; they shall notify the Chairman in writing of such intention.

Article 12

The regulations concerning the manner in which vacancies are filled, credentials of new members are submitted and examined, and the settlement of disputes that may arise with regard to such credentials or the election, shall be established by State Law.

Article 13

1. Before entering upon their duties, the members shall be sworn in by the Chairman, in a session of the Parliament, the oath (solemn declaration and promise) reading as follows:

"I swear (solemnly declare) that, to be elected (appointed) a member of the Pascoendan Parliament, I have not given or promised nor shall give anything to anybody whomsoever, either directly or indirectly, under whatever name or pretext.

"I swear (solemnly promise) that, to do or omit doing anything in the discharge of my duties as a member, I shall not accept any promise or any present from anybody whomsoever, either directly or indirectly.

"I swear (solemnly promise) that I shall respect the legal provisions applicable to ~~the State~~ and promote the public weal in the State to the best of my ability.

So help me God!

(This I do solemnly declare and promise)".

2. The manner in which the oath included in the present article and elsewhere is administered shall be regulated by State Law.
3. The members shall vote without instructions of or consultation with those we elected or appointed them.
4. No action can be brought against them - no more than against the Ministers and the attorneys referred to in Article 19 - for what they have said in the session of the Parliament or have submitted to the latter in writing, unless, in so doing, they divulge what has been said or submitted in private session under the seal of secrecy.

Article 14

1. From among its members, the Parliament shall appoint a Chairman for the duration of the period referred to in Article 4 and, in the event of appointment during such period, for the time that still has to elapse until its conclusion. The Chairman shall be at least thirty years of age.
2. The fixed remuneration and any other remunerations carried by his office shall be established by Decree of the Wali-Negara in concert with the Parliament.
3. At the beginning of each session year the Parliament shall appoint from among its members a first Chairman and a second and third deputy-Chairman.
4. If, on the strength of Article 40, the Chairman acts as Wakil Wali-Negara (Deputy Head of the State), his function shall be temporarily discharged by his deputy.

/Article 15

Article 15

1. The Chairman shall convene and preside over the meetings.
2. He shall see that order is maintained in such meetings.

Article 16

1. The Parliament shall assemble at least twice annually and, further, as often as the Wali-Negara or the Chairman thinks it necessary or at least one-fifth of the members submit a motivated request in writing to that effect.
2. In the latter case, as well as if the Wali-Negara intimates his desire that a meeting be held, the Chairman shall convene it not later than thirty days from the receipt of such a request.
3. The first ordinary annual session of the Parliament shall be opened on 26 February, the second on 15 September. If these dates fall on a Friday, a Sunday or a public holiday opening shall take place on the following working day.

Article 17

1. The Parliament shall hold its meetings in public at Bandoeng, unless another place is designated for this purpose by State Law.
2. The doors shall be closed if at least one-tenth of the members present should require this or the Chairman deem it necessary.
3. After the doors have been closed, the meeting shall decide whether the session will be private.
4. Subject to the provisions of Article 18, a decision can be taken on the points dealt with in private session.
5. All those who have attended a private session are under an obligation to keep the questions dealt with secret, unless the Parliament decides otherwise or lifts the secrecy; the same applies to the members, the Ministers or their attorneys and the officials who have taken cognizance in any way whatever of the points dealt with and the relevant documents.

Article 18

In a private session no decision can be taken with regard to the following questions:

- (a) the budget and the budget-account;
- (b) alteration of the budget;
- (c) introduction, modification or abolition of taxes;
- (d) contracting or guaranteeing loans;
- (e) alienating, either in full or in part, and mortgaging, letting, leasing or lending property or rights;
- (f) arranging for the realization of works, supplies and transports otherwise than by public tender;

/(g) effecting

- (g) effecting compromises;
- (h) remission, in full or in part, of debts;
- (i) founding and closing institutions of public welfare;
- (j) admission of elected members;
- (k) granting concessions.

Article 19

1. The Wali-Negara and the Ministers, individually or jointly, or those empowered by them, can attend the deliberations of the Parliament, in order to give information.
2. The persons referred to in the previous paragraph shall be given permission to speak when and as often as they desire to do so, but only after the person who is speaking has terminated.

Article 20

1. The Parliament is not allowed to proceed to consultation, nor to take decisions, unless more than half of the number of members mentioned in paragraph 1, Article 3, are present.
2. If the number of members required according to the previous paragraph are not present, the Chairman shall convene a new meeting in the manner specified in the Rules of Procedure. In that meeting consultation may take place and decisions be made with regard to the subjects that were to be dealt with in the previous meeting, irrespective of the number of members then present.

Article 21

1. The members shall abstain from voting on matters, including appointments, concerning themselves personally, their wives or kinsfolk and relatives up to the third degree inclusive, as well as those who, although they do not belong to the persons just referred to, depend for their livelihood entirely or partly on these members, or on matters in which such members are involved as attorneys.
2. An appointment is considered to concern somebody personally if he is one of those persons to whom the choice is limited by a select list or in case of a second ballot.

Article 22

1. Decisions regarding matters shall be taken by absolute majority of votes.
2. If the votes are equally divided, the decision shall be taken in the next meeting.
3. In this meeting, and also in a plenary session, the proposal shall be considered not to have been adopted if the votes are equally divided.

/4. Should one

4. Should one of the members require this, a poll shall be held on particular matters. However, the Chairman may independently - and must, at the request of at least ten members - arrange for a vote to be taken by means of closed, unsigned papers.

5. Voting on persons shall take place by means of closed and unsigned papers.

The absolute majority of the valid votes shall be decisive; in case of equality of votes, lots shall be drawn.

Article 23

1. To attend the meetings of the Parliament and of the Committees set up by that Body, the members shall receive an allowance for travelling and hotel expenses, the amount of which will be fixed by State Law.

2. They may be granted attendance fees and/or allowances to be fixed by decree of the Wali-Negara in concert with the Parliament as a remuneration for the attendance of the meetings referred to in the first paragraph.

3. The provisions of the first and second paragraphs are correspondingly applicable to members of Committees set up by the Parliament, if the latter are not members of said Body.

Article 24

The Parliament shall establish Rules of Procedure for its meetings.

Article 25

The Parliament shall appoint and discharge its Secretary.

Article 26

The Parliament can advocate the interests of the State and its inhabitants before the United States of Indonesia and the Netherlands Indonesian Union.

Article 27

The Parliament shall have the right of inquiry, to be regulated by State Law.

Article 28

1. The Parliament can invite the Minister individually or jointly to supply information on affairs concerning the State.

2. The Ministers shall comply with such invitation, if in their opinion, this can be done without injury to the interests entrusted to their care.

3. If they feel that this is not the case, the Parliament may require the information asked to be supplied to a committee of three members to be set up by that Body for the purpose in view.

4. For the decision to institute a committee as referred to in the preceding paragraph, a majority is required of more than half the number
/of members

of members mentioned in the first paragraph of Article 3. An equal majority is required for the appointment of the committee's members.

5. If the Committee should decide that the information asked is still to be supplied to the Parliament, the Ministers shall be under an obligation to proceed to supplying it. In the opposite case the members of the Committee are bound over to secrecy with regard to all matters dealt with in the committee.

CHAPTER III

Concerning the Wali-Negara and the Wakil Wali-Negara.

Article 29

The Head of the State shall bear the title of Wali-Negara.

Article 30

The Wali-Negara shall be of Indonesian extraction, be an Indonesian citizen and have reached the age of thirty years.

Moreover, to be elected Wali-Negara, a candidate must have been established within the territory of the State for a period of at least five years preceding the day of his election.

Article 31

1. By means of general elections, the Wali-Negara shall be designated for a period of four years. After said period has elapsed, he shall immediately be eligible for re-election.
2. He shall resign office if, after a periodical election, he is not re-elected, and shall do so at the moment when his successor has taken office.
3. The organization of the elections shall be regulated by State Law.

Article 32

1. The Wali-Negara must neither directly nor indirectly participate in or stand surety for an enterprise that has entered into an agreement with the State with a view of profit or benefit.
2. Except for public bonds, he must not have any claims against the State.

Article 33

Before taking office, the Wali-Negara shall be sworn in by the Chairman, in a public session of the Parliament, the oath (solemn declaration and promise), reading as follows:

"I swear (solemnly declare) that, to be elected Wali-Negara, I have not given or promised nor shall give anything to anybody whomsoever, either directly or indirectly under whatever name or pretext.

"I swear (solemnly promise) that, to do or omit doing anything in the discharge of my duties as Wali-Negara, I shall not accept any promise or any present from anybody whomsoever, either directly or indirectly.

/"I swear

"I swear (solemnly promise) that I shall respect the legal provisions applicable to the State and protect the general and special freedoms and rights of all inhabitants of the State and, for the maintenance and promotion of general and special prosperity, use all the means which the laws and other regulations place at my disposal, in such a way as befits a good Head of the State.

So help me God!

(This I do solemnly declare and promise)".

Article 34

1. Subject to the provisions of CHAPTER IV, the Wali-Negara shall be entrusted with the general administration.
2. To that effect, he shall enact the required decrees.

Article 35

The Wali-Negara shall represent the State in private undertakings as well as at law; he can have himself represented for these purposes by attorneys.

Article 36

The Wali-Negara shall have the right to dissolve the Parliament. The decree of dissolution shall also specify the date of the new election (appointment), which shall take place within two months from the day of dissolution.

Article 37

With due consideration to the provisions to be made by the U.S.I., the Wali-Negara shall decide upon the use and the displacement of the security battalions at his disposal.

Article 38

1. Subject to regulations to be established by State Law, the Wali-Negara shall appoint and discharge the civil servants of the State. He can transfer this power to others.
2. All civil servants of the State, as well as those placed at the State's disposal, shall, as such, be under the Wali-Negara's orders.
3. Subject to regulations to be established by State Law, the Wali-Negara shall fix the amounts of the remunerations.
4. The civil servants shall receive remunerations according to the principle that in addition to the remuneration no other emoluments resulting from the office must be enjoyed, with the exception of those expressly allowed by State Law.

Article 39

A Decree of the Wali-Negara, in concert with the Parliament, shall regulate the remuneration of the Wali-Negara, as well as the allowance to be granted him for representation and the further income carried by his office.

Article 40

1. In case of prevention or absence of the Wali-Negara, the Chairman of the Parliament shall act as Wakil Wali-Negara. With the latter shall then rest the same obligations as with the Wali-Negara, while he also has the same powers as the Wali-Negara.
2. If the Chairman of said Body is also prevented or absent, its acting Chairman shall deputize as Wakil Wali-Negara. To the latter the provisions of the second sentence of the previous paragraph shall then be correspondingly applicable.

Article 41

1. If the Wali-Negara deceases or resigns office prior to the termination of the period referred to in Article 31, paragraph 1, his functions shall be temporarily filled by the Chairman of the Parliament until the time when, a new Wali-Negara having been elected, the latter has entered upon his duties.
2. In the case referred to in the preceding paragraph, however, the Wakil Wali-Negara shall be under an obligation to call an election to be held within three months from the date when the vacancy of Wali-Negara has arisen.

CHAPTER IV

Concerning the Ministers

Article 42

1. The Wali-Negara shall appoint and discharge the Prime-Minister and the other Ministers.
2. On entering upon their duties they shall be sworn in by the Wali-Negara, the oath (solemn declaration and promise) reading as follows:
"I swear (solemnly declare) that, to be appointed a Minister, I have not given or promised nor shall give anything to anybody whomsoever, either directly or indirectly, under whatever name or pretext.
"I swear (solemnly promise) that, to do or omit doing anything in the discharge of my duties, I shall not accept any promise or any present from anybody whomsoever, either directly or indirectly.
"I swear (solemnly promise) that I shall faithfully fulfill all the obligations incumbent upon me as a Minister.

/So help

So help me God!

(This I do solemnly declare and promise)".

Article 43

1. The Ministers shall be jointly responsible towards the Parliament with regard to the general governmental policy of the Ministry and personally responsible for the policy conducted by them as departmental heads.
2. All Decrees of the Wali-Negara and the Orders issued by him shall be countersigned by one or several of the Ministers.

Article 44

The Prime-Minister shall be of Indonesian extraction, be an Indonesian citizen and have reached the age of thirty years.

Article 45

The Council of Ministers shall establish Rules of Procedure for its meetings and shall appoint a Deputy-Chairman from among the Ministers, as far as this is considered necessary.

Article 46

The Ministers are authorized to resign office at any time; they shall notify the Wali-Negara in writing to that effect.

Article 47

The Ministry is obliged to keep the Wali-Negara continually informed of any important affairs concerning the general or particular interest of the State.

Article 48

The remuneration of the Prime-Minister and of the other Ministers; as well as any further income carried to those functions, shall be regulated by Decree of the Wali-Negara in concert with the Parliament.

CHAPTER V

Concerning the Departments

Article 49

1. Departments shall be instituted, divided and dissolved by Decree of the Wali-Negara, issued in concert with the Parliament.
2. The Wali-Negara shall determine what branches of Government care shall come under a particular Department.
3. Each Department shall arrange for due matter-of-fact information of the population with regard to its activities.

CHAPTER VI

Concerning autonomous communities as well as on the
administrative division of the territory

Article 50

1. Institution, dissolution, combination and division of dessas shall take place in a manner regulated by State Law, with due observation of the principle that in this respect the wish of the population concerned will be the most important factor.
2. A State Law shall regulate the formation, arrangement, powers and obligations of dessa administrations.

Article 51

1. Institution, dissolution, combination and division of regencies as well as institution, dissolution and division of municipalities shall take place by Decree of the Wali-Negara, in consultation with the Parliament. In this connection the principle mentioned in the first paragraph of Article 50 shall be observed.
2. The formation, arrangement, powers and obligations of the administrations of these communities shall be regulated by State Law. A State Law shall provide for the financial administration and rendering of accounts with regard to these communities and for all further requirements to ensure that they function properly.

Article 52

Parts of the territory other than those mentioned in the two previous articles or other bodies authorized to issue Orders can be instituted or recognized by State Law.

Article 53

The administrative division of the State's territory shall be made by Decree of the Wali-Negara.

CHAPTER VII

On legislation

Article 54

1. Without prejudice to the provisions of Article 62, laws shall be framed by the Wali-Negara and the Parliament.
2. The Wali-Negara shall submit his drafts of State Laws and of his Decrees, which will have to be enacted in consultation with the Parliament, to that Body.

Article 55

The Parliament shall be entitled to submit drafts of State Laws to the Wali-Negara.

/Article 56

Article 56

As long as no decision has been taken by the Parliament or by the Wali-Negara with regard to any draft State Law, this draft can be withdrawn, by the Wali-Negara, in the case referred to in Article 54 and by the Parliament in the case referred to in Article 55.

Article 57

The Parliament shall be entitled to amend a draft State Law submitted to it by the Wali-Negara.

Article 58

1. The Parliament shall notify the Wali-Negara of its decision as soon as possible.
2. The text of this notification shall read:
 - (a) If the Parliament agrees to the draft State Law as it stands:
"The Pascoendan Parliament agrees to the draft State Law (title of the State Law) submitted to it by the Wali-Negara". (Date and signature of the Chairman).
 - (b) If the Parliament has amended the draft State Law:
"The Pascoendan Parliament agrees to the draft State Law (title of the State Law) submitted to it by the Wali-Negara, as it has been amended by the Parliament".
(Date and signature of the Chairman).
 - (c) If the Parliament cannot agree to the draft State Law:
"The Pascoendan Parliament cannot agree to the draft State Law (Title of the State Law) submitted to it by the Wali-Negara".
(Date and signature of the Chairman).

Article 59

1. The Wali-Negara shall notify the Parliament whether he enacts or not a draft State Law to which that Body has agreed, if required after using the right granted in Article 57, or which has been submitted to him by that Body.
2. The text of this notification shall read:
 - (a) If he enacts it:
"The Wali-Negara has enacted the State Law (title of the State Law)".
(Date and signature of the Wali-Negara).
 - (b) If he does not enact it:
"The Wali-Negara objects to enacting the State Law (title of the State Law)".
(Date and signature of the Wali-Negara).

Article 60

1. The draft State Law, passed by the Parliament with or without amendment and enacted by the Wali-Negara shall obtain legal force and shall be promulgated by the Wali-Negara. The Decree of enactment shall be countersigned by the Minister concerned - if required in conjunction with other Ministers.
2. The promulgation shall take place by publication in the Official Bulletin. (Statute-Book Pascoendan) in the Indonesia, Soendanese and Netherlands languages. The publication in a valid form is the only condition for making the Law binding.
3. The State Laws shall take effect immediately after their promulgation can be generally known.
4. If no other time has been decided upon, the promulgation shall be considered generally known on the 30th day from the date mentioned in the Statute-Book in which the State Law has been inserted.

Article 61

The text of the promulgation of the State Laws shall read as follows:

"The Wali-Negara of the Pascoendan State announces:

that (the motives of the State Law), in consultation with the Pascoendan Parliament,

He has approved and understood (Here follows the text of the State Law and after that the words:

And lest anybody should pretend to be ignorant of this matter, this will be published in the Statute-Book of the Pascoendan State
Issued at.....on.....

(Signature of the Wali-Negara, the Minister concerned and the Minister of Justice)".

Article 62

1. Orders aiming at the implementation of State Laws shall be issued by the Wali-Negara. These Orders shall be named State Orders.

The Decree of issue shall be countersigned by the Minister concerned and by the Minister of Justice.

2. The provisions as laid down in Article 60 paragraphs 2, 3 and 4 shall apply correspondingly.

Article 63

The text of the promulgation of the State Orders shall read as follows:

"The Wali-Negara of the Pascoendan State announces; that whereas for the implementation of (title of the State Law at the implementation of which the Order aims) it is necessary to make the following provisions:

/He

He has approved and understood:

(Here follow the text of the State Order and after that the words):
And lest anybody should pretend to be ignorant of this matter, this
will be published in the Statute-Book of the Pascendan State.

Issued at on

(Signature of the Wali-Negara, the Minister concerned and the
Minister of Justice)".

CHAPTER VIII

Concerning the Judicature

Article 64

For the administration of justice the underlying principles shall
be the sense of justice and the legal requirements of the justiciable
subjects.

Article 65

Any legal disputes on property or rights resulting from them, on
claims or other civil rights, shall exclusively be taken cognizance of
by the Judicature.

Article 66

Administration of justice with regard to religious affairs and to
village matters shall be respected legally, subject to further provisions
made by State Law.

Article 67

1. The judicial organs shall be independent of the administration.
2. The formation of the judicial organs and their legal power shall
be regulated by State Law.

Article 68

Nobody can be deprived against his will of the judge designated by
State Law to try his case.

Article 69

Nobody shall be prosecuted or condemned otherwise than in the manner
and in the case provided by State Law.

Article 70

All sentences shall contain the grounds on account of which they
are passed and in criminal cases indicate the legal provisions on which
the conviction is based.

Article 71

The Highest Court of Justice in the U.S.I. shall have supreme
supervision of the regular procedure and settlement of legal disputes
as well as of the observance of the Laws in any Court of Justice.

CHAPTER IX

Concerning Education and Public Worship

Article 72

1. Education shall be the object of continual care by the State.
2. A State Law shall establish regulations for teaching and for support to be given to private education.

Article 73

Care shall be taken to provide adequate school-teaching, in accordance with rules to be established by State Law.

Article 74

Subject to regulations to be established by State Law, teaching shall be free.

Article 75

Education shall comprise care of the development of intellectual faculties, of the formation of character, of mental and physical cultivation and of the development into able members of society.

Article 76

1. To promote the interests of the Islamitic community and to further contact between the Islamitic community and the Government a Council shall be instituted by State Law in order to give advice to the governmental organs of the State and/of its autonomous communities, on subjects connected with the religious life of those professing the Islamitic faith.
2. To promote the interests and to further contact between other religious communities and religions and the Government, if the want to do so is felt, the provision of the first paragraph of the present article shall be applied correspondingly with respect to those other religions and religious communities.

CHAPTER X

Concerning Promotion of Prosperity

Article 77

The promotion of the population's prosperity shall be the object of continual care by the State.

Article 78

The activities of the State shall be aimed at giving the inhabitants, according to their nature, disposition and capabilities, an opportunity of taking part in the development of its sources of prosperity, subject to restrictions to be made by or in virtue of State Law, in the general interest.

CHAPTER XI

Concerning the Budget and Finance

Article 79

1. The budget shall consist of Divisions split up into chapters. The chapters are subdivided into items.
2. The Divisions relating to Departments shall not cover more than one Department.

Article 80

1. The Wali-Negara shall submit the drafts of the general budget to the Parliament before 15 September of each year. The Parliament shall return those drafts to the Wali-Negara, informing him of its considered opinion on same, before 15 November.
2. With regard to the drafts of the supplementary budgets and of amendments to budgets; the period in which these documents are to be returned may be established by the Wali-Negara in each particular case.

Article 81

The general budget, the supplementary budgets and the amendments to budgets shall be established by Decree of the Wali-Negara, in concert with the Parliament.

Article 82

The budgetary year shall commence on 1 January and terminate on 31 December.

Article 83

1. The balance of the account shall be established for each financial year separately by Decree of the Wali-Negara, in concert with the Parliament.
2. The appropriation of favourable balances and the adjustment of adverse balances of accounts shall be regulated by Decree of the Wali-Negara in concert with the Parliament, in each case for periods of at most ten years.

Article 84

1. Loans chargeable against the State cannot be contracted or guaranteed unless in virtue of a Decree of the Wali-Negara, in concert with the Parliament.

Article 85

The State shall not levy taxes unless by virtue of a State Law.

Article 86

1. The supervision of the expenditure of funds and of the accounts to be rendered by the relevant officials shall be entrusted either to an organ to be instituted for that purpose by the Wali-Negara, in concert

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with the Parliament, and independent of the Administration, or to an institution to be designated in the same manner on behalf of the State and also independent of the Administration.

2. If the United States of Indonesia should proceed to setting up an Audit Office, the supervision referred to in the previous paragraph shall be exercised subject to the relevant directions to be given by that Office.

3. If, for the exercise of the supervision required in accordance with the first paragraph of the present article, an organ is instituted as referred to therein, the officials setting up said organ shall be appointed and discharged by the Wali-Negara. Such persons shall be discharged either at their own request or when they have reached the age of sixty years. A State Law shall regulate the cases where they may be discharged - besides at their own request - as well as the cases where they may be relieved of their posts.

4. A State Law shall regulate the manner in which monies are taken charge of and accounts rendered and indicate the authority which established the instruction of the relevant organ in the case referred to in the third paragraph of the present article in accordance with that Law, and which has power to give directions to the Institution concerned in the case where, on behalf of the State, an institution independent of the Administration is designated for the supervision of the expenditure and of the accounts rendered by the officials in question.

CHAPTER XII

Conclusion

Article 87

The present regulations may be referred to as "Regulations Constitutional Organization Pasoendan".

