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Mahadi: Indonesia Journal of Law
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An Examination of Vertical Synchronization in the Implementing Regulations of the Public Service Law

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ARTICLE INFO

Article history:
Received 18 May 2025
Revised 25 July 2025
Accepted 28 August 2028
Available online
https://talenta.usu.ac.id/Mahadi

E-ISSN: 2964-7185
P-ISSN: 3025-3365

How to cite:
Sumaya, I., (2025). An Examination of Vertical Synchronization in the Implementing Regulations of the Public Service Law. Mahadi: Indonesia Journal of Law, 04(02), 146-163.

http://doi.org/10.26594/register.v6i1.idarticle

ABSTRACT

Ideally, every legal provision enacted by an authorized state institution should be implemented effectively to regulate public life. In Indonesia, inconsistencies in the enforcement of legal provisions are largely due to the proliferation of regulations that are often overlapping and unsynchronized. This article aims to examine the extent of vertical synchronization between Law Number 25 of 2009 on Public Services and its implementing regulations, from their enactment to the present. This study employs a normative juridical method using a statutory approach. The data are analyzed through the examination of positive law, supported by legal interpretation, analogy, and principles. The findings reveal a lack of vertical synchronization between Law Number 25 of 2009 and its implementing regulations. Several implementing regulations are not aligned with existing legal frameworks; their functions and hierarchical positions do not conform to Indonesia's legislative structure and legal principles.
Keyword: vertical synchronization, implementing regulations, Law, public service

ABSTRAK

Secara ideal, terhadap suatu peraturan hukum yang sudah disahkan atau ditetapkan, oleh lembaga negara yang berwenang untuk membuatnya, harus segera benar-benar dilaksanakan upaya penegakan hukum terhadap peraturan dimaksud, hal demikian ditunjukan guna peraturan tersebut benar-benar dapat berlaku secara efektif dalam mengatur kehidupan masyarakat. Tidak konsistenya penegakan peraturan hukum di Indonesia, tidak lain disebabkan karena banyaknya peraturan perundang-undangan di Indonesia yang berdampak pada banyaknya pula aturan hukum tersebut yang tidak konsisten dan tidak sinkron antara satu dengan lainya. Artikel ini bertujuan untuk mengkaji, menganalisis dan melihat sejauhmana sinkronisasi vertikal antara Undang-Undang Nomor 25 Tahun 2009 dengan peraturan pelaksananya mulai saat diundangkan sampai saat ini. Penelitian ini menggunakan metode penelitian hukum normatif melalui pendekatan undang-undang, dengan metode analisis data dilakukan melalui kegiatan inventarisasi hukum positif dengan melakukan penafsiran hukum (interpretasi), analogi hukum, dan penerapan asas-asas hukum. Hasil penelitian memperlihatkan adanya ketidaksinkronan secara vertikal antara Undang-Undang Nomor 25 Tahun 2009 tentang Pelayanan Publik dengan peraturan pelaksananya, yaitu adanya aturan pelaksana yang tidak sesuai dengan ketentuan pembentukan peraturan yang berlaku, tidak sesuai fungsi dan kedudukannya dengan konsep hierarki peraturan perundang-undangan serta azas-azas hukum di Indonesia.
Kata Kunci: sinkronisasi vertikal, peraturan pelaksana, undang-undang, pelayanan publik.

1. Introduction

The rule of law means that all aspects of life within the territory of a state must be based on law and its legislative products and derivatives. In a rule-of-law state, the law holds binding authority, which must be observed by both the government and every citizen. Law is the foundation for actions and decisions taken by individuals, groups, institutions, and the state itself. Indonesia, as a rule-of-law state, positions the government as the holder of power responsible for guaranteeing effective and equitable law enforcement.

Furthermore, laws enacted by authorized institutions must provide legal certainty, clarity, and consistency in their application.[1]

Ideally, every regulation that has been ratified or enacted by a state institution with the authority to do so must be followed by law enforcement measures so that the regulation may be implemented effectively in governing society.[2] However, in Indonesia, the enforcement of such legal regulations is often inconsistent and, ultimately, fails to provide legal certainty for the public. The underlying rationale for this principle is that the issuance of regulations ensures legal certainty for society. People will understand what obligations they must fulfill in their legal relationships and what they can expect from the government. Through the existence of legal rules, the behavior of both the rulers and the ruled becomes predictable; they will law in accordance with expectations. Predictability—and, by extension, legal certainty—will be stronger if the formulation of the norm is more thorough.[3]

A good regulation should have at least three foundational bases: philosophical, sociological, and juridical. In addition to the formal juridical basis, which concerns the legal authority of the issuing body, the legal basis also includes the recognition or existence of the type of regulation as a source of material law. This basis refers to specific content that must be included in a particular regulation. Legislators intend for certain material to be governed by a specific legal instrument. Therefore, the content or substance of a regulation must be in accordance with the form in which it is issued.[4]

The inconsistent enforcement of legal regulations in Indonesia is largely due to the sheer number of overlapping and unsynchronized regulations, whether between a law and its implementing regulations or among other laws. In simple terms, legal dissynchronization refers to inconsistencies between one regulation and another, both vertically and horizontally.[5] One of the primary weaknesses of legislation as written law is the lack of legal certainty.[6] This is why a concrete formulation of legal norms is needed—to avoid dissynchronization, promote legal certainty, and provide a reliable behavioral guideline for all members of society.

Quantitatively, Indonesia has an overwhelming number of laws and regulations, both at the national and regional levels.[7] This large volume of legal instruments has led to numerous inconsistencies and desynchronization among them. A case in point is Law Number 25 of 2009 concerning Public Services, which mandates the issuance of implementing regulations. Yet, since its enactment, several of these have not been issued. Moreover, while the law prescribes that service standard guidelines be regulated by government regulations (peraturan pemerintah), in practice, such guidelines are governed by ministerial regulations. There are also implementing regulations that do not comply with prevailing regulatory formation procedures and are misaligned with their function and position within the legislative hierarchy and Indonesian legal principles.

In relation to the public service law, the state is of course obliged to every citizen and society to fulfill the basic rights and needs which are the mandate of the 1945 Constitution of the Republic of Indonesia. Furthermore, in Law Number 25 of 2009 concerning Public Services in Article 1 paragraph (1) it is stated that public services are activities or a series of activities in the context of providing needs or services in accordance with the provisions of the law for every citizen and society, goods, services and/or administrative services provided by public service providers.[8]

In 2022, the Indonesian Ombudsman collected red flags in the public service sector through the "Public Service Delivery Compliance Assessment." The assessment focused on four dimensions: input, process, output, and complaints. The input dimension comprised variables assessing implementer competency and the provision of service infrastructure. The process dimension consists of public service standards, the output dimension consists of maladministration perceptions, and the complaint dimension

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[1] Anugrahdwi, "Makna Indonesia Sebagai Negara Hukum," Program Pasca Sarjana UMSU, 26 Juni 2023.

[2] Zaenal Arifin dan Adhi Putra Satria, "Disharmonisasi Peraturan Perundang-undangan di Indonesia: Antara Bentuk, Penyebab dan Solusi," *Jurnal Pro Hukum : Jurnal Penelitian Bidang Hukum Universitas Gresik* 9, no. 1 (1 Juli 2020), https://doi.org/10.55129/jph.v9i1.1016.

[3] Haposan Siallahan dan Efik Yusdiansyah, *Ilmu Perundang-undangan di Indonesia* (Medan: UHN Press, 2008).

[4] Rosjidi Ranggawidjaja, *Pengantar Ilmu Perundang-undangan Indonesia* (Bandung: Mandar Maju, 1998).

[5] Ronny Hanitiyo Sumitro, *Metode Penelitian Hukum dan Jurimetri* (Jakarta: Balai Aksara, 1988).

[6] Ranggawidjaja, *Pengantar Ilmu Perundang-undangan Indonesia*.

[7] Arifin dan Satria, "Disharmonisasi Peraturan Perundang-undangan di Indonesia: Antara Bentuk, Penyebab dan Solusi."

[8] Fauziah Kurniati, "Red Flag Sektor Pelayanan Publik Indonesia", Artikel Selasa 2 Mei 2023, https://ombudsman.go.id/perwakilan/news/r/pwkinternal--red-flag-sektor-pelayanan-publik-indonesia, diakses 7 Agustus 2025.

consists of complaints management. Based on the assessment results for all dimensions, approximately 10.92%, or 64, public services remain of low quality at the ministry, agency, and local government levels.[9]

The rule of law (*rechtsstaat*) holds that all state actions must be grounded in law and accountable under the law. Proponents of this school of thought argue that law represents the expressed will of the state. An even more extreme view comes from Hans Kelsen, who asserts that the state is essentially identical to the law. As such, legal order is indistinguishable from state order. Legal norms exist within a hierarchical structure where lower norms derive their validity from higher norms, continuing until reaching the highest norm, referred to as the *grundnorm* or basic norm.[10]

According to Kelsen, law is a system of norms. Norms are statements that emphasize the "ought" aspect (*das Sollen*) and provide prescriptive guidance on what should be done. Norms are created through deliberate human action. Kelsen also draws from David Hume's distinction between what "is" (*das Sein*) and what "ought to be" (*das Sollen*), and Hume's belief in the impossibility of deriving normative conclusions solely from factual events. Thus, Kelsen asserts that law—as a system of "ought" statements—cannot be reduced to natural, observable phenomena. If a conflict arises between one legal norm and another, the lower norm must conform to the higher norm, which serves as the basis for the former's validity. This concept gives rise to Kelsen's *Stufentheori*e (Theory of the Hierarchy of Legal Norms), which views the legal system as a continuous process of norm creation, from general norms to concrete norms.[11]

Adolf Merkel similarly argued that legal norms have a dual nature (*das Doppelte Rechtsantlitz*). He stated that a legal norm is simultaneously a source for the norm below it and derived from the norm above it. This interdependence implies that the validity of a legal norm depends on the norm above it. If the superior norm is repealed or annulled, then the subordinate norms become invalid by default.[12]

Legislation constitutes a comprehensive national legal system that is interconnected and interdependent. Indonesia's current legislative system is structured hierarchically, in accordance with Hans Kelsen's theory of the hierarchy of legal norms (*Stufenbau Theorie*), where legal norms are layered such that a lower norm applies based on its source from a higher norm, which itself is grounded in an even higher norm, and so forth until reaching the hypothetical and fictional *grundnorm.*[13]

The grundnorm is considered "presupposed" because it is accepted beforehand by society as the foundation of all other norms. Regarding this theory, Ahmad Ali notes that all legal norms derive from the basic norm at the top of the legal pyramid. The higher up the norm in the hierarchy, the more abstract it becomes; conversely, as one descends the hierarchy, norms become increasingly concrete. Through this process, what begins as a prescriptive ideal "ought" becomes actionable behavior "can be done".[14]

Peter Mahmud Marzuki, in his discussion of regulatory synchronization, refers to the principle of *lex superior derogat legi inferiori*, which means that if a conflict exists between higher and lower norms, the lower regulation must be set aside or declared void by operation of law. Synchronization, in the Indonesian context, refers to the coordination of activities to ensure that a system operates harmoniously. A fully functioning legal system requires all parts to be synchronized.[15]

The literature reviewed in this paper serves as the conceptual basis for the study, providing an overview of the interrelated variables and operational definitions that guide the analysis. These are as follows:

a. Vertical Synchronization

   According to the *Kamus Besar Bahasa Indonesia* (KBBI), "synchronous" means occurring simultaneously, in alignment, or in agreement. "Synchronization" refers to the process of making something synchronous. Synchronization of laws refers to examining the extent to which a written legal norm is harmonized with other regulations. There are two types of legal synchronization: *first,* vertical

[9] Ibid.

[10] Darmini Roza dan Gokma Toni Parlindungan, "Teori Positivisme Hans Kelsen Mempengaruhi Perkembangan Hukum di Indonesia," Lex Jurnalica 18, no. 1 (2021): 21–22.

[11] Roza dan Toni Parlindungan.

[12] Eka N.A.M Sihombing dan Ali Hermawan Hasibuan, *Ilmu Perundang-undangan* (Malang: Setara Press, 2021).

[13] Arifin dan Satria, "Disharmonisasi Peraturan Perundang-undangan di Indonesia: Antara Bentuk, Penyebab dan Solusi."

[14] Roza dan Toni Parlindungan, "Teori Positivisme Hans Kelsen Mempengaruhi Perkembangan Hukum di Indonesia."

[15] Surya dan Wahab, "Harmonisasi Peraturan Perundang Undangan Dalam Mewujudkan Pemerintahan Yang Baik."

synchronization, which assesses whether a law aligns with norms higher or lower in the legal hierarchy; and *second,* horizontal synchronization, which examines consistency between laws at the same hierarchical level regulating similar areas.[16]

b. Implementing Regulations
The formation of implementing regulations under a law, in various types and hierarchies within the executive branch, is intended to ensure that the legal norms of a law are further regulated in detail to facilitate governance. According to Maria Farida Indrati S., implementing regulations (*verordnung*) and autonomous regulations (*autonome satzung*) are regulations that operate under the authority of a law. Implementing regulations are created based on delegated authority, while autonomous regulations are based on attributed authority. Delegation of regulatory authority (*delegatie van wetgevingsbevoegdheid*) involves the transfer of rulemaking powers from a higher legislative instrument to a lower one.[17]

c. Law
A Law (*undang-undang*) is a type of legislation that falls within Indonesia's legal hierarchy. It is enacted by the House of Representatives in agreement with the President. The functions of a law include:
1) Elaborating on the provisions of the 1945 Constitution;
2) Implementing mandates from a higher law to be regulated by statute;
3) Ratifying certain international agreements;
4) Following up Constitutional Court decisions; and/or
5) Fulfilling legal needs within society.

d. Public Service
From a literal standpoint, the term *public service* is derived from the root word "service" which, according to Pasalong, refers to the activities of individuals, groups, and/or organizations, whether directly or indirectly, aimed at meeting various needs. Mahmudi defines public service as all service-related activities carried out by public service providers in an effort to meet public needs and implement the provisions of laws and regulations.[18] According to Law Number 25 of 2009 concerning Public Services, public service is defined as an activity or a series of activities undertaken to meet service needs in accordance with the laws and regulations for every citizen and resident, in the form of goods, services, and/or administrative services provided by public service providers.[19]

2. Method

This study is categorized as normative legal research. In this research, data analysis is conducted through the inventory of positive law by performing legal interpretation, legal analogy, and the application of legal principles.[20] The analysis focuses on the content of the regulations, the structure of statutory provisions based on the hierarchy of laws and regulations in force, in order to assess the vertical synchronization of such regulations—specifically, to determine the extent to which existing written positive laws are aligned and harmonized with each other. The nature of this research is analytical-prescriptive, which means it aims to provide an overview and formulate findings regarding the harmony between laws and their implementing regulations. The approach employed is the statute approach, which refers to legal research based on prevailing legal norms intended to resolve legal problems raised in this study, namely the legal analysis of the vertical synchronization between Law Number 25 of 2009 on Public Services and its implementing regulations. The sources of data used in writing this article consist solely of secondary data, which includes:

a. Primary legal materials: binding legal sources in the form of norms or fundamental rules and legislation relevant to the legal issues raised. These include: the 1945 Constitution, Law Number 25 of 2009 on Public Services, Law Number 12 of 2011 on the Formation of Laws and Regulations, Government Regulation (PP) Number 96 of 2012 on the Implementation of Law Number 25 of 2009 on Public Services, Presidential Regulation Number 76 of 2013 on the Management of Public Service Complaints, Minister of Administrative and Bureaucratic Reform Regulation Number 36 of 2012 on Technical Guidelines for the Preparation, Determination, and Implementation of Service Standards, and Minister

[17] Qurrata Ayuni dan Siska Windu Natalia, "Pembentukan Peraturan Pelaksanaan Undang-Undang Dalam Berbagai Konstitusi Dunia," *Jurnal Ilmu Sosial dan Pendidikan (JISIP)*, Maret 2023, 15–17.
[18] Muslim B. Putra, "Mengenal Pelayanan Publik," Ombudsman Republik Indonesia, November 2020.
[19] Amiruddin dan Zainal Asikin, *Pengantar Metode Penelitian Hukum* (Depok: Rajawali Pers, 2016).
[20] Amiruddin dan Asikin.

of Administrative and Bureaucratic Reform Regulation Number 15 of 2014 on Guidelines for Service Standards along with their explanatory regulations.

b. Secondary legal materials: materials that provide explanation and interpretation of primary legal sources, including research findings and opinions of legal scholars.

1) Tertiary legal materials: supporting legal references that offer guidance or clarification for both primary and secondary legal materials, such as legal dictionaries and other reference tools.[21]

3. Result and Discussion

3.1. Hierarchy of Legislation in Indonesia

Before conducting an analysis of the synchronization of Law Number 25 of 2009 with its implementing regulations, it is first necessary to understand the position of regulations within the hierarchy of laws and regulations applicable in Indonesia. Schematically, the position of laws and regulations within the legal system falls under the category of written law, which refers to laws formed and enacted by authorized officials, using a specific form or format. An authorized official is one who, according to applicable laws and regulations, is granted the authority to establish a certain regulation. This authority may be derived through attribution, delegation, or subdelegation.[22]

The hierarchy of laws and regulations, which refers to the level of each type of law and regulation in Indonesia, is in line with the hierarchy theory introduced by Hans Kelsen. Kelsen's theory is known as Stufenbau des Rechts Theorie, which was translated into English by Anders Wedberg as the General Theory of Law and State. In Hans Kelsen's theory, it is stated that lower norms are determined by higher norms, and this regression is ultimately terminated by a highest, basic norm which becomes the foundation for the validity of the entire legal system.In his theory, Hans Kelsen also discusses two normative systems, namely:[23]

1) A static normative system, which views norms based on their content. In this system, general norms can be specified into more detailed norms, or detailed norms can be derived from general ones.
2) A dynamic normative system, which views the validity of a norm based on the process of its formation or revocation.

In accordance with the provisions of Article 5 letter c of Law Number 12 of 2011 concerning the Formation of Legislation, the formation of legislation must be based on the principles of good legislative drafting. One of these is the principle of consistency between the type, hierarchy, and content of legislation, which is further explained in the elucidation of the law: in forming legislation, careful attention must be paid to ensure that the content aligns with the type and hierarchical level of the legislation. The types and hierarchy of legislation currently in force consist of:

2) The 1945 Constitution;
3) Decrees of the People's Consultative Assembly (TAP MPR);
4) Laws / Government Regulations in Lieu of Laws (Perppu);
5) Government Regulations (PP);
6) Presidential Regulations (Perpres);
7) Provincial Regional Regulations; and
8) Regency/Municipal Regional Regulations.

The legal force of laws and regulations, according to the hierarchy above, is explained in Article 7 paragraph (2) of Law Number 12 of 2011, which states that the hierarchy refers to the ordering of each type of regulation based on the priciple that a lower-level regulation must not conflict with a higher-level one.

In addition to the types of regulations listed above, other regulations issued by institutions, agencies, ministries, commissions, bodies, Regional People's Representative Councils (DPRD), regional heads, and village heads or their equivalents are also recognized. These regulations are legally binding as long as they are mandated by higher-level legislation or are established based on proper authority.

3.2. Inventory of Public Service Law and Its Implementing Regulations

To conduct research on the level of synchronization, it is first necessary to compile an inventory of laws and regulations governing public services, namely Law Number 25 of 2009 concerning Public Services and its implementing regulations. This inventory is organized based on the hierarchy of applicable laws and

[21] Amiruddin dan Asikin.
[22] Ranggawidjaja, *Pengantar Ilmu Perundang-undangan Indonesia*.
[23] Sihombing dan Hasibuan, *Ilmu Perundang-undangan*.

regulations, and also presents the chronological order of their issuance, from the time they were enacted up to the present, as follows:

Table 1. Inventory of Public Service Law and Its Implementing Regulations

No	Legislation	Time of enactment and Status
1.	Law No. 25 of 2009 concerning Public Services.	Enacted on July 18, 2009. Status is still valid.
2.	Government Regulations Number 96 of 2012 concerning the Implementation of Law No. 25 of 2009 concerning Public Services.	Enacted on October 30, 2012. Status still valid.
3.	Presidential Decree No. 76 of 2013 concerning Management of Public Service Complaints.	Enacted on December 6, 2013. Status is still valid.
4.	Regulation of the Minister of Administrative and Bureaucratic Reform No. 36 of 2012 concerning Technical Instructions for the Preparation, Determination, and Implementation of Service Standards.	Enacted on July 25, 2012. The status was revoked on May 9, 2014.
5.	Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014 concerning Guidelines for Service Standards.	Enacted on May 9, 2014. Status is still valid.

Source: Secondary Data, processed, 2024.

From the table above, it can be explained that the study of vertical synchronization focuses on the legislation governing public services, particularly from the perspective of legal hierarchy. The inventory indicates that vertical synchronization is also based on the specific functions of each regulation, allowing for a clear understanding of the level of alignment. As shown in the table, Government Regulation Number 96 of 2012 concerning the Implementation of Law Number 25 of 2009 on Public Services, which is hierarchically one level below Law Number 25 of 2009, was established to implement the provisions of that law. Therefore, the content of Government Regulation Number 96 of 2012 consists entirely of materials from Law Number 25 of 2009 that require further elaboration or implementation through more detailed regulation.

3.3. Vertical Synchronization of Implementing Regulations of the Public Service Law

The synchronization carried out in this study was carried out by analyzing the substance of the regulations contained in Law Number 25 of 2009 concerning Public Services with its implementing regulations.[24] In this study, the substance analysis was carried out by using Law Number 25 of 2009 concerning Public Services as a reference for synchronization, so that a correlation can be drawn with the applicable legal basis and the function and material of the contents of the laws and regulations that become its implementing regulations so that the level of synchronization can be known vertically. So based on this, the following can be conveyed:

a. Synchronization of delegation articles in Law Number 25 of 2009

The law encompasses a broad scope of content and is part of a legislative framework that often delegates further regulation of specific matters to Government Regulations or Presidential Regulations. These delegated regulations typically contain more technical and detailed provisions. Their content plays a crucial role in determining the effectiveness of the implementation of the primary law. Based on the synchronization of delegation articles in Law Number 25 of 2009 with its implementing regulations, the following findings are presented in the table below:

[24] Muhammad Yusuf, "Keberlakuan Peraturan Dalam Undang-Undang Yang Tidak Kunjung Diterbitkan Peraturan Pemerintah Sebagai Peraturan Pelaksanaannya," *Jurnal Restorasi Hukum* 5, no. 1 (19 Juni 2022): 67–86, https://doi.org/10.14421/jrh.v5i1.2380.

Table 2. Level of Synchronization of Delegated Articles in Law Number. 25 of 2009

No	**Law Number 25 of 2009** Torso:	**Implementing Regulations** Condition:	**Synchronization Level** Dissynchronization:
1.	Article 37 paragraph (2): The material and mechanisms for managing complaints as referred to in paragraph (1) are further regulated by the organizer.	Presidential Decree Number 76 of 2013 concerning the Management of Public Service Complaints has been stipulated. The legal basis for consideration is to implement the provisions of Article 37 of Law Number 25 of 2009.	The order in Article 37 paragraph (2) of Law Number 25 of 2009 ordering service providers to regulate the material and mechanisms for managing complaints is considered inappropriate because the law should not order/delegate public service providers to further regulate provisions regarding mechanisms for managing complaints.
2.	Article 60 (1) Government Regulation regarding the scope of public services as referred to in Article 5 paragraph (6) must be stipulated no later than 6 (six) months after this Law is enacted. (2) The Government Regulation regarding the integrated service system as referred to in Article 9 paragraph (2) must be stipulated no later than 6 (six) months after this Law is enacted. (3) Government Regulation regarding guidelines for preparing service standards as referred to in Article 20 paragraph (5) must be stipulated no later than 6 (six) months after this Law is enacted. (4) Organizers must prepare, determine and implement service standards no later than 6 (six) months after the Government Regulation regarding guidelines for preparing service standards is enacted as referred to in paragraph (3). (5) P Government Regulation regarding the proportion of access and categories of community	1. Implementing Article 60 paragraph (1) to paragraph (3), paragraph (5) and paragraph (6) has been stipulated in Government Regulations Number 69 of 2012 concerning the Implementation of Law Number 25 of 2009 concerning Public Services, which was stipulated on 29 October 2012 and promulgated on 30 October 2012. 2. The order in Article 60 paragraph (4) for service providers to prepare and determine service standards after the Government Regulation concerning guidelines for preparing service standards has been enacted has been hampered by the late enactment of Government Regulations Number 69 of 2012. 3. The order in Article 60 paragraph (7) to stipulate a Presidential Decree regarding the mechanism and provisions for providing compensation has not yet been implemented.	1. The order in Article 60 paragraph (1) to paragraph (3), paragraph (5) and paragraph (6) of Law Number 25 of 2009 was not implemented on time, there was a delay of 2 years and 9 months. 2. The order in Article 60 paragraph (4) cannot be implemented by the organizers in a timely manner due to obstacles, the Government Regulations which serves as a guideline has not been enacted. 3. The order in Article 60 paragraph (7) of Law Number 25 of 2009 has not been implemented, the Presidential Decree regarding the mechanism and provisions for payment of compensation has not been issued to date, it has been almost 14 years.

groups as referred to in Article 30 paragraph (3) must be stipulated no later than 6 (six) months after this Law is enacted.	
(6) Government Regulation regarding the procedures for community participation in the provision of public services as referred to in Article 39 paragraph (4) must be stipulated no later than 6 (six) months after this Law is enacted.	
(7) The Presidential Decree regarding the mechanism and provisions for providing compensation as referred to in Article 50 paragraph (8) must be stipulated no later than 6 (six) months after this Law is enacted.	

Source: Secondary Data, processed, 2024.

Based on the table above, it is evident that Article 37 paragraph (2) of Law Number 25 of 2009 mandates public service providers to regulate the substance and mechanism for managing complaints. According to applicable laws and regulations, such a mandate should be further regulated through a Government Regulation or a Presidential Regulation. Therefore, it would be appropriate for a PP or Presidential Regulation to instruct providers to develop detailed provisions on complaint management mechanisms.

In reality, Presidential Regulation Number 76 of 2013 on Public Service Complaint Management was issued, although it was not explicitly mandated by Law Number 25 of 2009. This indicates that the Public Service Law prescribes a regulatory mandate that should fall under the scope of delegated authority, yet it fails to explicitly require further regulation on complaint management within the law's own framework.
Furthermore, the table also shows that Article 60 paragraphs (1), (2), (3), (5), and (6) of Law Number 25 of 2009 mandate the issuance of a Government Regulation, which was delayed by 2 years and 9 months. Additionally, the mandate in Article 60 paragraph (7) to issue a Presidential Regulation concerning the mechanism and provisions for granting compensation has not been fulfilled to date.

The issuance of implementing regulations is based on legal needs within society, and their utility is meant to support effective law enforcement. However, this utility cannot be fully realized if the law — which explicitly requires a Government Regulations or Presidential Regulation — is delayed or not followed by the issuance of those implementing regulations.

The absence or delay of implementing regulations does not invalidate the law itself, but it does create issues. These include conflicts with legal principles, violations in enforcement, and debates over the clarity or enforceability of the law — making it appear "unclear" due to the lack of regulatory guidance. In such cases, both the legislature and the president, as the bodies responsible for lawmaking, may be seen as having failed to meet the legal requirement that rules must be clear and understandable. Unclear laws result in uncertainty during implementation and enforcement.

According to Article 5 of Law Number 12 of 2011 on the Formation of Laws and Regulations, the development of regulations must be guided by the principles of applicability, utility, and effectiveness. Laws that are not promptly followed by implementing regulations can be classified as poor legislation, as they delegate crucial technical provisions to Government Regulations or Presidential Regulation, which are never

realized. As a result, even though the law remains formally valid and binding, it cannot be properly implemented.[25]

Law Number 12 of 2011 further emphasizes that the content of legislation must reflect the principles of order and legal certainty. These principles require that all regulatory material promote societal order by ensuring legal clarity and predictability. This means that laws must contain precise formulations of norms.[26] When these principles are not upheld, legal uncertainty arises, leading to confusion in implementation and deviation from the intended legal policy or purpose of the law.[27]

b. Synchronization between Law Number 25 of 2009 and Regulation of the Minister of Administrative and Bureaucratic Reform Number 36 of 2012 concerning Technical Guidelines for the Preparation, Establishment, and Implementation of Service Standards

Regulation of the Minister of Administrative and Bureaucratic Reform Number 36 of 2012 concerning Technical Instructions for the Preparation, Determination, and Implementation of Service Standards was enacted on July 25, 2012. Its status was later revoked on May 9, 2014, with the issuance of Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014 concerning Guidelines for Service Standards. However, the author aims to examine the level of synchronization of this regulation, as it constituted part of the implementing regulations of Law Number 25 of 2009 during the period from 2012 to 2014. The results of the synchronization between these regulations can be presented in the form of the following table:

Table 3. Level of Synchronization between Law Number 25 of 2009 and Regulation of the Minister of Administrative and Bureaucratic Reform Number 36 of 2012

No	Law Number 25 of 2009	Regulation of the Minister of Administrative and Bureaucratic Reform Number 36 of 2012	Synchronization Level
	Torso:	Condition:	Dissynchronization:
1.	Article 20 paragraph (5) The preparation of service standards as referred to in paragraph (1) and paragraph (2) is carried out with certain guidelines which are further regulated in government regulations.	Considerations taken into account: a. that based on Articles 20, 21, and 22 of Law Number 25 of 2009 concerning Public Services, it is mandated that every public service provider is required to prepare, determine, and implement service standards containing at least 14 service standard components, as well as prepare and determine service information by taking into account the capabilities of the provider, community needs, and environmental conditions;	Law Number 25 of 2009 mandates that the regulation of guidelines for the preparation of service standards be regulated by government regulations, but regulations regarding Technical Instructions for the Preparation, Determination and Implementation of Service Standards are regulated by ministerial regulations.

[25] Yusuf.

[26] Maruar Siahan, *Hukum Acara Mahkamah Konstitusi Republik Indonesia* (Jakarta: Sinar Grafika, 2015).

[27] Yusuf, "Keberlakuan Peraturan Dalam Undang-Undang Yang Tidak Kunjung Diterbitkan Peraturan Pemerintah Sebagai Peraturan Pelaksanaannya."

2.	Article 7 paragraph (3): The minister responsible for the empowerment of state apparatus is tasked with: a. formulate national policies on public services; b. facilitating related institutions as referred to in paragraph (1) to resolve problems that occur between organizers that cannot be resolved using existing mechanisms; and c. carry out monitoring and evaluation of the performance of public service delivery.	b. that based on Article 7 paragraph (3) of Law Number 25 of 2009 concerning Public Services, the minister responsible for the empowerment of state apparatus is tasked with formulating national policies on public services.	Article 7 paragraph (3) is used as the basis for the legal umbrella for the establishment of Regulation of the Minister of Administrative and Bureaucratic Reform Number 36 of 2012 concerning Technical Instructions for the Preparation, Determination and Implementation of Service Standards regulated by ministerial regulations. Law Number 25 of 2009 orders the Minister of State Apparatus Empowerment to further regulate the provisions mandated in Article 7 paragraph (3) of Law No. 25 of 2009.

Source: Secondary Data, processed, 2024.

From the table above, it is evident that with the enactment of Law Number 25 of 2009 concerning Public Services, Article 20 mandates the formulation of service standards, which are to be further regulated through a Government Regulation. However, prior to the issuance of such a government regulations, Regulation of the Minister of Administrative and Bureaucratic Reform Number 36 of 2012 was enacted on July 25, 2012, concerning Technical Instructions for the Preparation, Determination, and Implementation of Service Standards.[28] This resulted in a case of vertical desynchronization, as the regulation of service standards through a ministerial regulation was not in alignment with the mandate of the Law.

In terms of legal hierarchy and function, a Government Regulation, which stands below a law in the legal order, is intended to implement or operationalize a law. The contents of a government regulation should consist exclusively of material from the law that requires further elaboration or implementation. Therefore: *First,* a Government Regulation may be issued even if the corresponding law does not explicitly require it; *Second,* however, the contents of a government regulations must not extend beyond or add to the material provided in the law. As a regulation delegated by the law, the primary function of a government regulations is to organize:[29]

1) Further regulation of provisions explicitly stated in the Law, consistent with Article 5 paragraph (2) of the 1945 Constitution, which states: "The President enacts government regulations to implement the laws properly."
2) Further regulation of provisions not explicitly designated, but which clearly require regulatory elaboration. In such cases, the President may still issue a government regulations as long as it is aligned with and furthers the implementation of the Law.

According to Article 12 of Law Number 12 of 2011 concerning the Formation of Legislation, the content of a government regulation must consist of material necessary for the proper implementation of a law. The elucidation of that Article explains that "implementing the law properly" refers to the issuance of a

[28] Sumitro, *Metode Penelitian Hukum dan Jurimetri*.

[29] Eka N A M Sihombing dan Cynthia Hadita, "Bentuk Ideal Tindak Lanjut atas Putusan Mahkamah Konstitusi dalam Pengujian Undang-Undang," *Jurnal APHTN-HAN* 1, no. 1 (31 Januari 2022): 35–46.

government regulation in order to carry out the mandate of the law, or in situations where implementation is necessary, provided that the government regulation does not deviate from the substance of the law itself.[30]

Furthermore, the table also shows that Article 7 paragraph (3) of Law Number 25 of 2009 mandates the minister responsible for the empowerment of the state apparatus to formulate national public service policies. This provision has been used as the legal basis for the issuance of Regulation of the Minister of Administrative and Bureaucratic Reform Number 36 of 2012, which contains technical instructions for the preparation, determination, and implementation of service standards.

However, a critical observation emerges when a law explicitly stipulates that certain matters will be regulated by a ministerial regulation or decree, even though according to the prevailing legal framework, those matters should be governed by a government regulation. In this context, considering that, under the 1945 Constitution, ministers are presidential assistants and not accountable to the House of Representatives (DPR), it follows that all ministerial authority must derive from the President.[31] Accordingly, in the context of regulatory authority, the following principles apply:

1) The authority of ministers to issue regulations or decisions is always derivative of the President's authority;
2) A law should not stipulate that its provisions will be further regulated by ministerial regulations or decrees, as this would bypass the formal legal hierarchy and established mechanisms for legislative implementation.

c. Synchronization between Law Number 25 of 2009 and Government Regulation Number 96 of 2012 concerning Implementation of Law Number 25 of 2009 concerning Public Services

As an implementing regulation, the material content of a Government Regulation contains general provisions intended to implement the law that delegates its authority. Based on the results of the synchronization between Law Number 25 of 2009 and Government Regulation Number 96 of 2012, certain findings have been identified, which are presented in the following table:

Table 4. Level of Synchronization between Law Number 25 of 2009 and Government Regulation Number 96 of 2012

No	Law Number 25 of 2009 Torso:	Government Regulations Number 96 of 2012 Torso:	Synchronization Level Dissynchronization:
1.	1. In the body of the regulation there are no provisions regarding the obligations of organizers and the community which state that organizers and the community are required to use service standards as a benchmark and reference for assessing the quality of service provision. 2. In the main body there are no provisions regarding the obligations of organizers which state that organizers are required to involve the community in the provision of public services as an effort to build a fair,	a. Article 31 "Organizers and the public are required to use service standards as a benchmark and reference for assessing the quality of service provision. b. Article 40 "Organizers are required to involve the community in the provision of public services as an effort to build a fair, transparent and accountable public service system." c. Article 42 (1) Public participation in the provision of Public Services as referred to in Article 41 is	Article 31, Article 40, and Article 42 paragraph (2) of Government Regulations No. 96 of 2012 contain norms concerning the substance of the obligations of the organizers or the community, whereas it is known that the inclusion of norms containing the substance of rights and obligations is the material content of the Law.

[30] Sihombing dan Hasibuan, *Ilmu Perundang-undangan*.
[31] Sihombing dan Hasibuan.

transparent and accountable public service delivery system. 3. In the main body there are no provisions regarding the obligations of the organizer which state that the Organizer is obliged to provide information to the Community regarding the follow-up to the resolution of input, responses, reports and/or complaints.	conveyed in the form of input, responses, reports and/or complaints to the Organizer and the Organizer's direct superior and Related Parties in accordance with the provisions of laws and regulations or through the mass media. (2) Organizers are required to provide information to the public regarding follow-up to the resolution of input, responses, reports and/or complaints as referred to in paragraph (1).

Source: Secondary Data, processed, 2024.

The term "content material" is a translation of the Dutch phrase het onderwerp as used in Thorbecke's expression *het eigennardige onderwerp der wet,* which refers to the distinctive subject matter of a law—namely, regulatory material that is specific to and exclusively contained within a law, thereby becoming the "content material" of that law.[32]

Article 1 point 13 of Law Number 12 of 2011 concerning the Formation of Legislation defines the content of legislative regulations as the material contained in statutory regulations in accordance with the type, function, and hierarchy of those regulations. Furthermore, Article 10 paragraph (1) of the same law states that the material which must be regulated by law includes:

1. Further provisions derived from the 1945 Constitution of the Republic of Indonesia;
2. Matters mandated by law to be regulated by law;
3. Ratification of certain international agreements;
4. Follow-up to Constitutional Court decisions; and/or
5. Fulfillment of legal needs in society

In addition, Maria Farida Indrati Soeprapto, quoting the opinion of A. Hamid S. Attamimi, identified nine types of material that should be regulated by law:[33]

1. Those expressly mandated by the Constitution and Decrees of the People's Consultative Assembly (MPR);
2. Provisions that further elaborate on the Constitution;
3. Regulations concerning human (fundamental) rights;
4. Provisions related to the rights and obligations of citizens;
5. Rules on the distribution of state power;
6. The basic organizational structure of state institutions;
7. Rules on the division of national and regional territories;
8. Provisions that define citizenship and the procedures for acquiring or losing it;
9. Any matter stipulated by law to be regulated by law.

A Government Regulation, as a delegated regulation, differs from a law, which is based on attributive authority. Delegated authority means the power is "represented," not "granted." Within this context, a Government Regulation that elaborates upon a law typically regulates norms that are technical and

[32] A. Hamid S Attamimi, "Peran Keputusan Presiden Republik Indonesia dalam Penyelenggaraan Pemerintahan Negara" (Universitas Indonesia, 1990).

[33] Maria Farida, *Ilmu Perundang-Undangan* (Yogyakarta: Kanisius, 2020).

administrative in nature.[34] Norms involving the substantive aspects of rights and obligations are generally not delegated to be regulated through a Government Regulation.[35]

The content of a Government Regulation as referred to in Article 12 of Law Number 12 of 2011, includes materials necessary for the proper implementation of a law. The explanation of this article clarifies that the term "proper implementation of a law" refers to the issuance of a Government Regulation to carry out the explicit mandate of a law, or to regulate matters where implementation is necessary, provided that such regulation does not deviate from the content of the law itself.

d. Synchronization between Law Number 25 of 2009 and Presidential Regulation No. 76 of 2013 on the Management of Public Service Complaints

Presidential Regulation No. 76 of 2013 on the Management of Public Service Complaints serves as an implementing regulation that contains provisions mandated by Law Number 25 of 2009 on Public Services. In line with its legal foundation, the enactment of this Presidential Regulation aims to implement the provisions stipulated in Articles 36 and 37 of Law Number 25 of 2009.

However, upon further analysis of the articles governed by the Presidential Regulation, several provisions appear to be inconsistent or not fully aligned with the parent law, Law Number 25 of 2009. These discrepancies are presented in the following table:

Table 5. The level of synchronization between Law Number 25 of 2009 and Presidential Decree Number 76 of 2013.

No	Law Number 25 of 2009 Torso:	Presidential Decree Number 76 of 2013 Torso:	Synchronization Level Dissynchronization:
1.	Article 36 paragraph (2) "The organizer is obliged to manage complaints originating from service recipients, recommendations from the ombudsman, the People's Representative Council, the Provincial People's Representative Council, and the Regency/City People's Representative Council within a certain time limit".	Article 1 number 7: "Complainants are all parties, both citizens and residents, whether individuals, groups or legal entities who submit complaints to the public service complaint manager."	The definition of "complainant" as regulated in Presidential Decree No. 76 of 2013 does not correspond to the definition of complainant as outlined in Article 36 paragraph (2) of Law Number 25 of 2009.
2.	Article 37 paragraph (3). "The complaint management material as referred to in paragraph (2) at least includes: b. identity of the complainant; c. complaints management procedures;	There is nothing found in the body of the norm that further regulates the provisions of Article 37 paragraph (3) letter d regarding "priority for resolving complaints", letter f regarding "recommendations for complaint management" and letter g regarding "delivery	In the consideration of Presidential Decree Number 76 of 2013, the basis for the legal considerations for the stipulation of this Presidential Decree is Article 37 of Law No. 25 of 2009, however, not all

[34] Ihsanul Maarif, "Dinamika Kedudukan Peraturan Lembaga dalam Hierarki Perundang-Undangan: Tinjauan Yuridis dan Perspektif Praktis" 7, no. 1 (2024), https://doi.org/10.31933/unesrev.v7i1.

[35] Farida, *Ilmu Perundang-Undangan*.

d. determination of the implementer who manages the complaint; e. priority of complaint resolution; f. reporting the process and results of complaint management to the implementing superior; g. recommendations for complaint management; h. submission of complaint management results to relevant parties; i. monitoring and evaluation of complaint management; j. documentation and statistics on complaint management; and k. inclusion of the name and address of the person in charge and easily accessible means of complaint.	of the results of complaint management to related parties".	of the complaint management material regulated in Article 37 is further elaborated by Presidential Decree Number 76 of 2013.

Source: Secondary Data, processed, 2024.

The provisions stipulated in Articles 36 and 37 of Law Number 25 of 2009 are intended to regulate the management of public service complaints. However, in practice, the definition of a "complainant" as provided in Presidential Decree Number 76 of 2013 does not align with the definition stipulated in Article 36 paragraph (2) of the aforementioned Law. Article 1 point 7 of Presidential Decree Number 76 of 2013 defines a complainant as all parties, namely:

1) citizens and residents;
2) individuals;
3) groups; and
4) legal entities, who submit complaints to the public service complaint management body.

In contrast, Article 36 paragraph (2) of Law Number 25 of 2009 stipulates that public service providers are obligated to manage complaints originating from:

1) service recipients;
2) recommendations issued by the Ombudsman;
3) the House of Representatives (DPR);
4) the Provincial Regional House of Representatives (DPRD Provinsi); and
5) the Regency/Municipal Regional House of Representatives (DPRD Kabupaten/Kota), within a specified time frame.

This discrepancy reflects a fundamental difference in the understanding of who qualifies as a complainant. Ideally, as an implementing regulation, the Presidential Decree should elaborate on and remain consistent with the statutory provisions of Law Number 25 of 2009, particularly in defining legal terms to avoid multiple interpretations. According to Law Number 12 of 2011 on the Formation of Laws and Regulations, Attachment II point 106, if a definition from a higher regulation needs to be reiterated in a

lower regulation, the formulation must be identical. Thus, any deviation from the established statutory definition in the implementing regulation is contrary to legislative drafting norms.

Furthermore, analysis of the Presidential Decree reveals that it does not fully implement the provisions of Article 37 paragraph (3) of Law No. 25 of 2009. Although the preamble of Presidential Decree No. 76 of 2013 refers to Article 37 as its legal basis, several key elements remain unregulated. These include:

1) the prioritization of complaint resolution;
2) the issuance of recommendations for complaint handling; and
3) the delivery of complaint handling outcomes to relevant parties.

Based on Article 13 of Law Number 12 of 2011, a Presidential Decree as a form of implementing regulation should contain materials mandated by law, materials required to implement government regulations, or materials necessary for the execution of governmental functions. The elucidation of Article 13 further emphasizes that Presidential Decrees are issued to provide further regulation of matters ordered by a Law or Government Regulation, whether explicitly mandated or not.

In this context, A. Hamid S. Attamimi posits that in order to ascertain the content of a Presidential Decree, one must examine the content of the relevant law and government regulation. The content of a Presidential Decree is, therefore, the residual regulatory material not already covered by these higher instruments. Citing Lon L. Fuller, Attamimi underscores that legal drafting must not lead to confusion in its implementation. Consequently, legal instruments within Indonesia's legislative hierarchy should be complementary and not contradictory. Any conflict between a higher and lower regulation undermines legal certainty and the integrity of the regulatory framework.[36]

e. Synchronization between Law Number 25 of 2009 and Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014 concerning Guidelines for Service Standards

Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014 concerning Guidelines for Service Standards is an implementing regulation derived from the mandate of Article 22 paragraph (3) of Government Regulation Number 96 of 2012 concerning the Implementation of Law Number 25 of 2009 on Public Services. As an implementing regulation, it is expected to provide detailed and technical elaboration of the service standard components mandated by the Law.

However, based on the author's review, it was found that not all components of service standards as stipulated in Law Number 25 of 2009 have been further elaborated in detail and technically in Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014. This regulatory gap may lead to inconsistencies in the formulation and application of service standards across government institutions, particularly at the regional level.

The following table illustrates the comparison between the components of service standards regulated under Law No. 25 of 2009 and the extent to which they are addressed or specified in Ministerial Regulation Number 15 of 2014:

Table 6. Synchronization between Law Number 25 of 2009 and Regulation of the Minister of Administrative and Bureaucratic Reform (Permenpan RB) Number 15 of 2014 concerning Guidelines for Service Standards

No	Law Number 25 of 2009 and PP No. 96 of 2012	Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014	Synchronization Level
	Torso:	Considerations and Attachments:	Dissynchronization:
1.	1. Article 22 paragraph (3) Government Regulation Number 96 of 2012: "Technical instructions for	1. Consideration of letter "c": "that in order to implement the provisions of Article 22	1. Regulation of the Minister of Administrative and Bureaucratic Reform

[36] Supardan Modoeng, *Teori dan Metode Penyusunan Perundang-undanganTingkat Daerah* (Jakarta: Tintamas Indonesia, 2001).

the preparation, determination and implementation of Service Standards as referred to in paragraph (1) are regulated by Ministerial Regulation." 2. Article 21 of Law Number 25 of 2009 and Article 25 of Government Regulation Number 96 of 2012: Standard service components include at least: a. legal basis; b. condition; c. systems, mechanisms and procedures; d. completion period; e. fees/rates; f. service products; g. means, infrastructure, and/or facilities; h. competence of the Executor; i. internal supervision; j. handling complaints, suggestions and input; k. number of Executors; l. service guarantee that provides certainty that services are carried out in accordance with Service Standards; m. guarantee of security and safety of services in the form of a commitment to provide a sense of security, freedom from danger and risk of doubt; and n. performance evaluation of the Executor.	paragraph (3) of Government Regulation Number 96 of 2012 concerning the Implementation of Law Number 25 of 2009 concerning Public Services, it is necessary to replace the Regulation of the Minister of State Apparatus Empowerment and Bureaucratic Reform of the Republic of Indonesia Number 36 of 2012 concerning Technical Instructions for the Preparation, Determination and Implementation of Service Standards." 2. Appendix CHAPTER III letter "a": The steps that must be taken in preparing a draft of service standards are: a. Identify requirements; b. Identification of procedures; c. Time identification; d. Identification of costs/rates; e. Identification of service products; and f. Handling of complaints management.	Number 5 of 2014 does not yet regulate technical instructions for the preparation, determination and implementation of service standards as mandated in Article 22 paragraph (3) of Government Regulation Number 96 of 2012. 2. Appendix CHAPTER III letter "a" of Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014 does not regulate all components of service standards. The components that are not regulated include: 1. Facilities, infrastructure and/or means; 2. Implementer competency; 3. Internal supervision; 4. Number of Executors; 5. Service guarantee that provides certainty that services are carried out in accordance with Service Standards; 6. Guarantee of security and safety of services in the form of a commitment to provide a sense of security, freedom from danger and risk of doubt; and 7. Evaluation of the Executor's performance

Source: Secondary Data, processed, 2024.

From the table above, it can be observed that Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014 concerning Guidelines for Service Standards, particularly in Appendix Chapter III Letter A, does not fully regulate the service standard components as mandated by Government Regulation Number 96 of 2012 and Law Number 25 of 2009. The attachment, although intended to provide technical elaboration, omits several elements that should have been further regulated in accordance with the legal mandate.

According to Supar and Modoeng, good legislation can be evaluated from several aspects, one of which is the aspect of suitability. This refers to the alignment between the type of regulation and its substantive content, taking into account philosophical, sociological, and juridical dimensions. In other words, the form of regulation must be appropriate for the material it contains.[37] Another important dimension is the applicative aspect, which stresses that legislation must be implementable and must ensure legal certainty for both the government and the public. This principle requires that legal norms be formulated clearly and carefully, so that the public knows what is permitted and what is prohibited.

M. Solly Lubis, in his work *"Dasar dan Teknik Perundang-undangan*" (Foundations and Techniques of Legislation), asserts that there are three foundational bases in legislative drafting, one of which is the legal basis. This legal basis (*rechtsgrond*) is further divided into two categories:[38]

1) The formal legal basis, which provides the authority (*bevoegdheid)* to a certain agency to issue a regulation; and
2) The material legal basis, which refers to the normative foundation for regulating certain subject matters in greater detail.

In this context, Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014, as an implementing regulation, derives its authority from both formal and material legal bases—namely Law Number 25 of 2009 and Government Regulation Number 96 of 2012. Thus, it is expected to elaborate on provisions that are not yet technically regulated in those higher regulations.

Although Law Number 12 of 2011 concerning the Formation of Laws and Regulations does not explicitly discuss the legal function of attachments, Point 192 of Attachment I to the Law stipulates that if legislation includes an attachment, such attachment must be explicitly mentioned in the body text and regarded as an inseparable part of the regulation. Moreover, Point 193 of the same Attachment notes that attachments may include descriptions, tables, lists, illustrations, maps, or sketches.

The term "description" (in Bahasa Indonesia: *uraian*), as defined in the KBBI (Great Dictionary of the Indonesian Language), refers to a detailed explanation or elaboration. Accordingly, attachments within a ministerial regulation are expected to expand on and clarify provisions in the main body of the regulation, particularly those mandated by higher laws. In this regard, Regulation of the Minister of Administrative and Bureaucratic Reform Number 15 of 2014 should have provided more comprehensive and technical elaboration on service standard components that were only broadly outlined in Law Number 25 of 2009 and Government Regulation Number 96 of 2012.

The insufficiency of this elaboration may result in interpretive discrepancies and inconsistencies in the implementation of service standards, particularly at subnational levels. Therefore, to uphold legal certainty, clarity, and regulatory effectiveness, it is necessary to revise or supplement the existing regulation to fully conform to the mandates and objectives of the parent legislation.

4. Conclusion

Based on the analysis above, it can be concluded that there is a vertical lack of synchronization between the implementing regulations and Law No. 25 of 2009 concerning Public Services. This lack of synchronization is attributable to several factors: the issuance of implementing regulations that do not conform to the mandates of the Law; the inappropriate delegation of regulatory authority; delays in the issuance of regulations mandated by delegation provisions; the absence of implementing regulations that are required but have not yet been issued; the issuance of regulations at the ministerial level that should have been enacted through a government regulation (Peraturan Pemerintah); the inclusion of normative content in implementing regulations—particularly those concerning rights and obligations—that should properly be regulated at the level of statutory law; the formulation of definitions in implementing regulations that are inconsistent with those in the parent legislation; and the failure to further elaborate provisions that are explicitly mandated to be regulated in more detail by the Law. Good implementing regulations must be based on clear delegation from higher-level legislation, regulate

[37] Modoeng.
[38] M. Solly Lubis, Landasan dan Tenik Perundang-Undangan (Bandung: Mandar Maju, 1989).

only matters expressly authorized, provide detailed clarification of provisions not yet fully addressed, and avoid multiple interpretations. Moreover, they must be issued promptly and in a timely manner, in accordance with the legal mandate, to ensure they can be effectively implemented by the relevant stakeholders and the general public. Ensuring such consistency is essential to uphold legal certainty, regulatory coherence, and the effective delivery of public services. All tables should be numbered with Arabic numerals. Every table should have a caption. Headings should be placed above tables, left justified. Only horizontal lines should be used within a table, to distinguish the column headings from the body of the table, and immediately above and below the table. Tables must be embedded into the text and not supplied separately. Below is an example which the authors may find useful.

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