

ABSTRACT

The study entitled "Development Implementation Specification Heirs Married Children Affairs (Study of Constitutional Court Decision No. 46 / PUU-VIII / 2010)" aims to determine implementation heir statement manufacture of a child born out of wedlock after a Constitutional Court decision No. 46 / PUU-VIII / 2010, because the child out of the wedding need further proof that the boy was the son of a man who has a beneficiary relationship with a man who did not have marital relations with the child's mother.

This study uses normative juridical approach, data collection is more emphasis on primary source material, in the form of legislation, examine the rules of law and theory of law and the Constitutional Court No. 46 / PUU-VIII / 2010. While the specification in this research is descriptive-analytic study that aims to provide a clear and complete picture of the children's inheritance deed outside of mating after the Constitutional Court No. 46 / PUU-VIII / 2010.

Under this method of research resulted in substantially Constitutional Court Decision Number: 46 / PUU-VIII / 2010 against the inheritance rights of children outside of mating is sounded Children born outside marriage only have a relationship civil with her mother and her mother's family, contrary to the Constitution of the State Republic of Indonesia Year 1945 along the interpreted eliminate relations civil with men who can be proved by science and technology and / or other evidence according to the law turned out to have a blood relationship as father, legal consequences after the decision of the Constitutional Court Number 46 / PUU-VIII / 2010 for the position of a child outside of mating the inheritance rights of the biological father is a child born out of wedlock have links civil with her mother and her mother's family as well as with men as a father who can be proved by science and technology and / or other evidence according to the law have a relationship blood including civil relations with his father's family, including inheritance over biological father and to the implementation of the heir to the manufacture of children's testimony outside of mating is with a court warrant based on the submission of the determination of the heirs of children outside marry proved blood relative of the biological father as well as DNA evidence. This is certainly different from making a statement on the legitimate heir to the child born of a legal marriage. where a certificate of lawful heirs children are quite made made by a Notary, the village head or the hall treasures.

Keywords: Children Married Affairs, Birthright.