

Analisis yuridis dugaan pelanggaran pasal 22 undangundang nomor 5 tahun 1999 pada tender pembangunan gedung paruga samakai kabupaten dompu propinsi nusa tenggara barat putusan kppu perkara nomor 17 kppul 2014 = Legal analysis of violation of article 22 of law no 5 of 1999 on procurement of building paruga samakai dompu nusa tenggara barat commission decision no 17 kppu l 2014 / Michael Pradipta N.

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Abstrak

[Pengadaan Barang/Jasa di Indonesia masih belum dapat lepas dari indikasi adanya persekongkolan tender. Keberadaan Undang-Undang Nomor 5 tahun 1999 tentang Persaingan Usaha dan Komisi Pengawas Persaingan Usaha (KPPU) belum bisa membuat berkurangnya kasus persekongkolan tender di Indonesia yang salah satunya digunakan oleh penulis sebagai bahan skripsi ini. Pokok permasalahan dalam skripsi ini adalah mengenai kewenangan dari karyawan Perseroan yang melakukan tindakan atas nama Perseroan tanpa persetujuan dari Direksi dan mengenai pembatasan yang terdapat dalam hukum persaingan usaha dalam hal pelaku usaha yang tidak berkompentensi untuk mengikuti tender. Penelitian ini merupakan penelitian yuridisnormatif dengan menggunakan data sekunder. Hasil dari penelitian ini menunjukkan kesalahan dari KPPU dalam memutus perkara tersebut.; Procurement of Goods / Services in Indonesia still can not be separated from the indication of tender conspiracy. The existence of Law Act No. 5 of 1999 and the Business Competition Supervisory Commission (KPPU) has not been able to make a reduction in tender conspiracy case in Indonesia, one of which is used by the authors as the material of this thesis. The main problem in this thesis is about the authority of the employees of the Company who act on behalf of the Company without the approval of the Board of Directors and the restrictions contained in competition law in the case of businesses that are not competent to participate in the tender. This research is a normative legal research using secondary data. The Results from this study indicate the fault of the Commission in deciding the case., Procurement of Goods / Services in Indonesia still can not be separated from the indication of tender conspiracy. The existence of Law Act No. 5 of 1999 and the Business Competition Supervisory Commission (KPPU) has not been able to make a reduction in tender conspiracy case in Indonesia, one of which is used by the authors as the material of this thesis. The main problem in this thesis is about the authority of the employees of the Company who act on behalf of the Company without the approval of the Board of Directors and the restrictions contained in competition law in the case of businesses that are not competent to participate in the tender. This research is a normative legal research using secondary data. The Results from this

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