

Analisis dugaan praktik kartel dalam industri garam di Indonesia ditinjau dari hukum persaingan usaha = Juridical analysis regarding salt industry cartel allegation in Indonesia under Indonesian competition law

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Abstrak

Skripsi ini membahas tentang dugaan praktik kartel pada garam industri aneka pangan di Indonesia. Dugaan tersebut muncul dikarenakan terdapat ketidakberesan dalam proses pengajuan impor oleh ketujuh importir yang mengarah kepada dugaan bahwa ketujuh importir telah mengadakan rapat swasembada garam yang menghasilkan kesepakatan untuk mengimpor 397.208 ton garam. Rapat tersebut diduga turut menghasilkan surat melalui Asosiasi Industri Perusahaan Garam Indonesia (AIPGI) pada 8 Juni 2015 yang meminta agar Kementerian Perdagangan menerbitkan rekomendasi dan izin impor garam. Kesepakatan tersebut diduga dilakukan untuk memperlmainkan harga garam industri aneka pangan. Metode penelitian yang digunakan adalah penelitian kepustakaan dengan tipe penelitian yuridis-normatif. Hasil penelitian menunjukkan bahwa indikasi awal kartel membuktikan bahwa ketujuh importir terbukti melakukan pelanggaran pada Pasal 11 UU No. 5 Tahun 1999, namun dibutuhkan bukti lebih yang cukup untuk memperkuat indikasi tersebut.

.....This thesis discusses the alleged cartel practices in the various food industries salt in Indonesia. The allegation arose because there were irregularities in the process of submitting imports by the seventh reported parties which led to the allegation that the seven reported parties had held a salt self-sufficiency meeting which resulted in an agreement to import 397,208 tons of salt. The meeting allegedly helped produce a letter through the Indonesian Salt Company Industry Association on June 8, 2015 which requested that the Ministry of Trade issue recommendations and import permits for salt. The agreement was allegedly carried out to play with the price of salt for various food industries. The research method used is library research with juridical-normative research types. The results of the study indicate that the initial indication of the cartel proved that the seven reported parties were proven to have violated Article 11 of Law No. 5 of 1999, but more evidence is needed to strengthen these indications.