

Pengaturan praktik merger dalam perspektif hukum persaingan usaha: studi perbandingan Indonesia dan Singapura (studi kasus notice of infringement decision competition and consumer commission Singapore case number 500/001/18) = Regulation on merger practice in the perspective of competition law: a comparative study of Indonesia and Singapore (case study of notice of infringement decision competition and consumer commission Singapore case number 500/001/18)

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Abstrak

Pengaturan utama hukum persaingan usaha Indonesia ialah Undang-Undang No. 5 Tahun 1999 dan pengaturan utama hukum persaingan usaha Singapura adalah The Competition Act (Chapter 50B). Uber menjual bisnisnya di Asia Tenggara kepada Grab dengan timbal balik saham Grab sebesar 27,5%. Atas tindakan tersebut, Singapura mengeluarkan Notice of Infringement Decision Competition and Consumer Commission Singapore Case Number 500/001/18 kepada Grab Singapura dan Uber Singapura. Penelitian skripsi ini akan melihat bagaimana perbandingan pengaturan tindakan merger dalam perspektif hukum persaingan usaha Indonesia dan Singapura, apakah tindakan merger antara Grab dan Uber dalam perkara pada Notice of Infringement Decision Competition and Consumer Commission Singapore Case Number 500/001/18 termasuk kedalam kegiatan yang dilarang dalam hukum persaingan usaha Singapura dan hukum persaingan usaha Indonesia. Penggunaan metode dalam penelitian skripsi ini adalah yuridis-normatif yang dilakukan dengan pendekatan peraturan perundang-undangan. Dalam penelitian ini disimpulkan bahwa terdapat pengaturan merger dalam hukum persaingan usaha di Indonesia dan hukum persaingan usaha Singapura, terdapat perbedaan dan kesamaan pada hukum persaingan usaha mengenai merger pada kedua negara tersebut. Kemudian kegiatan merger yang dilakukan oleh Grab Singapura dan Uber Singapura pada Notice of Infringement Decision Competition and Consumer Commission Singapore Case Number 500/001/18 dengan keadaan pasar Singapura merupakan kegiatan merger yang dilarang dalam hukum persaingan usaha Singapura maupun dalam perspektif hukum persaingan usaha Indonesia

.....The main regulation of Indonesian competition law is Law No. 5 of 1999 and the main regulation of competition law in Singapore is The Competition Act (Chapter 50B). Uber sold its Southeast Asia business to Grab in exchange of 27.5% stakes. Competition and Consumer Commission of Singapore issued an Infringement Decision to Grab Singapore and Uber Singapore regarding their merger action. This thesis research further about the comparison of merger action arrangements in the perspective of Indonesian competition law and Singapore competition law, and whether the merger action between Grab Singapore and Uber Singapore in the case on Notice of Infringement Decision Competition and Consumer Commission Singapore Case Number 500/001/18 is included as an activities that prohibited in the competition law of Singapore and competition law of Indonesia. The use of the method in this thesis research is juridical-normative which is carried out by approaching the legislation. In this study it is concluded that there are merger that ruled by regulations of competition law in Indonesia and Singapore, there are differences and similarities can be found on the competition law regarding mergers in those two countries. The merger activity carried out by Grab Singapore and Uber Singapore on Notice of Infringement

Decision Competition and Consumer Commission Singapore Case Number 500/001/18 with the Singapore market condition is a merger activity that is prohibited in Singapore competition law, so does in the perspective of Indonesian competition law