

Indonesia's experience with its first anti-monopoly law

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Abstrak

This paper describes the historical origin of Indonesia's First Competition Law, which was enacted on 5 March 1999. The paper argues that a proper competition policy includes both: (1) market-opening or competition-promoting policies that enhance competition in national and local markets and (2) a competition law (sometimes referred to as art anti-monopoly or anti-trust law). The paper offers several critical notes on the Competition Law and argues that three major issues need to be taken into account in a future revision of the Law to ensure a consistent approach to the Law, namely:

1. Clarity in the definition of the goals of the Competition Law;
2. Universal application of the Law to all business actors;
3. Clear division between market share and anti-competitive business conduct.