

ABSTRAK

Analisis Price Fixing Kasus Tiket Pesawat Berdasarkan Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktek Monopoli Dan Persaingan Usaha Tidak Sehat Dalam Putusan Nomor 15/KPPU-I/2019

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Komisi Pengawas Persaingan Usaha (KPPU) melakukan pemeriksaan kepada 7 Maskapai penerbangan dugaan pelanggaran Pasal 5 Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktek Monopoli dan Persaingan Usaha Tidak Sehat. Angkutan udara niaga berjadwal kelas ekonomi dalam negeri (*domestic*) sepanjang tahun 2018 hingga tahun 2019 harga tiket penumpang kelas ekonomi angkutan udara niaga berjadwal dalam negeri dirasakan ada kenaikan harga tiket dan pengurangan subclass pada masa *peak season* hingga *low season*. Tujuan dalam pembelajaran ini adalah untuk menganalisis adanya kegiatan monopoli dan perjanjian penetapan harga (*Price fixing*) pada Industri Penerbangan . Komisi Pengawas Persaingan Usaha mengumpulkan data dan mencari informasi atas kenaikan harga yang tidak rasional. Kemudian KPPU melaporkan kepada Majelis Komisi bahwa ada dugaan pelanggaran penetapan harga (*price fixing*).

Melalui metode yuridis normative penjelasannya dengan cara deskriptif Analisis. Kemudian sumber data dikaji berdasarkan data sekunder dengan Teknik pengumpulan data menerapkan Pendekatan kasus (*case approach*) Penyajian data disajikan secara teks naratif sistematis dan teknik analisis data menggunakan normative kualitatif. Penelitian ini dengan bertumpu pada peraturan undang-undang serta norma-norma tertulis yang dibuat dan diundangkan lembaga atau pejabat yang berwenang.

Hasil penelitian ditemukan adanya perbedaan harga, pengurangan subclass, kenaikan harga yang terbukti dengan ada *print out screen* pada akun travel agent yang kemudian dikuatkan dengan keterangan ahli sehingga para pelaku ditetapkan menjalankan Penetapan Harga (*Price Fixing*).

Kata Kunci : Persaingan Usaha tidak Sehat, Penetapan Harga, Monopoli

ABSTRACT

Analysis of Price Fixing Airplane Ticket Based Article of Law Number 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition In Decision Number 15/KPPU-I/2019

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Komisi Pengawas Persaingan Usaha (KPPU) conducted investigations on 7 airlines for alleged violations of Article of Law Number 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition. Scheduled commercial air transportation in the domestic economy class throughout 2018 to 2019 ticket prices for economy class passengers of scheduled commercial air transportation in the country, it is felt that there is an increase in ticket prices and a reduction in subclasses during peak season to low season. The purpose of this study is to analyze the existence of monopolistic activities and price fixing agreements in the Aviation Industry. The existence of price anomalies from December 2018 to early 2019 initiated the Business Competition Supervisory Commission to collect data and seek information on irrational price increases. Then the KPPU reports to the Commission Council that there are allegations of price fixing violations.

Through the normative juridical method, the explanation is descriptive analysis. Then the data sources were studied based on secondary data with data collection techniques applying a case approach. Data presentation was presented in a systematic narrative text and data analysis techniques used normative qualitative. This research relies on laws and regulations and written norms that are made and promulgated by authorized institutions or officials.

The results of the study found that there were differences in prices, subclass reduction, price increases as evidenced by a print out screen on the travel agent account which was then confirmed by expert information so that the actors were determined to carry out Price Fixing.

Keywords: Unfair Business Competition, Price Pricing, Monopoly

