IJALGOV
Indonesian Journal of Administrative Law and Local Government
Published by the Faculty of Law, Universitas Negeri Surabaya, Indonesia
e-ISSN: 3090-8965 | DOI Prefix: 10.26740/ijalgov

Analysis of the KPPU's Role in Providing Recommendations and Considerations on Government Policy

Laily Ika Nur'ainia[1], Dita Perwitasari[2], Syaffiqa Noer Husnina Putrie[3]

[1]Faculty of Law, Universitas Negeri Surabaya, Indonesia
[2]Faculty of Law, Universitas Diponegoro, Indonesia
[3]Faculty of Law, Universitas Muhammadiyah Malang, Indonesia
Corresponding Email: *laily.22201@mhs.unesa.ac.id*

Abstract

Government sectoral policies can create barriers to a healthy competitive business environment, particularly when certain businesses are granted preferential treatment. Law No. 5 of 1999 on the Prohibition of Monopolistic Practices and Unfair Business Competition mandates the Business Competi-tion Supervisory Commission (KPPU) to provide recommendations and considerations regarding government policies that have the potential to cause unfair business competition. However, the law does not provide clarity regarding the legal status of the KPPU's recommendations, their binding nature, or the legal consequences if such recommendations are not implemented. This study aims to analyze the KPPU's role in providing recommendations and considerations regarding government policies that have the potential to create an imbalance in business competition, as well as to examine the legal consequences of disregarding such recommendations and considerations. Using a statutory and conceptual approach, this study analyzes Law No. 5 of 1999, KPPU Regulation No. 4 of 2023, and a concrete case involving the Ministry of Energy and Mineral Resources' Circular Letter No. T-19/MG.05/WM.M/2025 regarding import restrictions in the downstream oil and gas sector. The research findings indicate that the KPPU functions as an independent institution with the authority to issue advisory and preventive recommendations that lack coercive power. The KPPU's recommendations and considerations are not legally binding and do not result in direct sanctions if not implemented. However, disregarding the KPPU's recommendations and considerations has the potential to result in indirect legal consequences, such as a weakening of policy legitimacy, potential violations of the general principles of good governance, and the possibility of administrative lawsuits if the pol-icy is proven to be detrimental to businesses and consumers.

Keywords: KPPU, government policy, unfair business competition, recommendations and considerations

INTRODUCTION

The complexity of regulations and government intervention in the national economic system creates a need for comprehensive oversight mechanisms for public policy.[1] From 1997 to 1998, the nation faced a monetary crisis that was subsequently

[1] Thamasi Masnun, Muh Ali, Prasetio, Dicky Eko, Konara, "Financial Reconstruction Of State-Owned Enterprises In Indonesia As Special State Finances: Public Or Private Law?," *Jurnal Hukum Bisnis Bonum Commune* 9, No. 1 (2026): 44–62.

exacerbated by the economic policies of the Orde Baru era government, leading to widespread monopolistic and oligopolistic practices by large corporations with special connections to the political elite. At that time, business success was no longer determined by a company's ability to innovate and create efficiency, but rather by the closeness of business actors to those in power within the country.[2] Dewantara noted that the phenomenon of market imbalance stemming from weak governance at that time indicated that the ideals of economic democracy had not yet been fully realized.[3] One of the fundamental issues in competition law is how to ensure that government policies do not result in market distortions that harm small businesses, consumers, and national economic efficiency. Law No. 5 of 1999 on the Prohibition of Monopolistic Practices and Unfair Competition (hereinafter referred to as Law No. 5 of 1999) established the KPPU as an independent agency with multifunctional duties, including providing advice and recommendations on government policies that have the potential to cause unfair competition.[4] However, the provisions governing the KPPU's authority to provide advice still contain significant ambiguity and vagueness.

Article 35(e) of Law No. 5 of 1999 states that the KPPU provides advice and recommendations regarding government policies related to monopolistic practices and/or unfair business competition. However, this provision does not explicitly clarify the legal standing of such recommendations—neither regarding the nature of their implementation nor their binding force and legal consequences. Upon further examination, the KPPU uses KPPU Regulation No. 4 of 2023 as a guideline for evaluating government policies. Under Article 10 of KPPU Regulation No. 4 of 2023, the formulation of advice and recommendations is carried out through the Business Competition Policy Checklist (DPKPU), which consists of 13 questions and 3 assessments to determine whether a government policy affects unfair business competition.[5] However, these technical regulations have not yet addressed the legal status of the KPPU's recommendations and considerations. This ambiguity has weakened the KPPU's position in evaluating government policies and often leads to its role being overlooked in the policymaking process—even when such policies have significant potential to cause unfair competition.

A concrete example illustrating this issue is the issuance of Circular Letter No. T-19/MG.05/WM.M/2025 by the Ministry of Energy and Mineral Resources (ESDM) on July 17, 2025, regarding restrictions on imports of non-subsidized gasoline. This policy has resulted in PT Pertamina achieving a 92.5 percent market share in the non-

---

[2] Rahmadhona Rahmadhona Et Al., "Implementasi Hukum Tata Negara Darurat Dalam Kondisi Darurat Moneter Tahun 1998 Di Indonesia," *Jurnal Konstitusi & Demokrasi* 4, No. 1 (June 2024): 1.

[3] Farhan Saputra M. Rizky Mahaputra, "View Of Application Of Business Ethics And Business Law On Economic Democracy That Impacts Business Sustainability," *Journal Of Law, Politic And Humanities* 1, No. 3 (2021): 112–22.

[4] Reskah Hartati, "Efektivitas Penegakan Hukum Persaingan Usaha Terhadap Praktik Monopoli Di Indonesia," *Jurnal Magister Ilmu Hukum: Hukum Dan Kesejahteraan* 9, No. 2 (July 30, 2025): 1–12, Https://Doi.Org/10.36722/JMIH.V9I2.4580.

[5] Peraturan Komisi Pengawas Persaingan Usaha (KPPU) Nomor 4 Tahun 2023 Tentang Pemberian Saran Dan Pertimbangan Pemerintah Yang Berakibat Dengan Praktik Monopoli Dan/Atau Persaingan Usaha Tidak Sehat, Pasal 10.

subsidized gasoline segment. The KPPU issued recommendations and considerations via Press Release No. 065/KPPU-PR/IX/2025, stating that this policy disrupts supply, eliminates consumer choice, and reinforces market dominance. Existing academic studies have largely focused on the KPPU's general role in addressing competition violations by business entities, such as in cases of bid-rigging, price-fixing, or abuse of a dominant position.[6] Meanwhile, this study specifically examines the legal standing of the KPPU's recommendations and considerations in responding to government policies, particularly regarding their binding force, enforceability, and legal consequences topics that remain largely under-explored in Indonesian competition law literature. Based on the above discussion, this study focuses on two legal issues: first, how the KPPU addresses government policies that have the potential to cause unfair competition; and second, the extent of the legal consequences if the KPPU's recommendations and considerations are not implemented. Consequently, this study aims to analyze the KPPU's legal standing and the legal consequences of its recommendations and considerations regarding government policies.

RESEARCH METHOD

This study is a normative legal study that employs a statute approach to examine legal norms in legislation, particularly provisions regarding the KPPU's duties in assessing government policies that may impact the competitive business environment. In addition, this study also employs a conceptual approach to examine fundamental concepts related to the independence of regulatory agencies, the position of government policies within the hierarchy of legislation, soft law, and the legal consequences of disregarding the recommendations of independent agencies. Legal data was collected through library research, which involves searching for and analyzing relevant legal materials to address the research questions. The legal analysis technique in this study employs a normative-prescriptive method, examining and evaluating existing regulations to generate new solutions or recommendations for resolving the legal issues under investigation.[7]

ANALYSIS AND DISCUSSION

A. The Status of the KPPU as an Independent Institution Within the National Legal System

The establishment of the KPPU reflects the state's need to create a regulatory body to oversee monopolistic practices and unfair business competition within the national economic system. The KPPU was established pursuant to Articles 30 through 36 of Law No. 5 of 1999, with Article 30(2) explicitly stating that the KPPU is an independent institution free from the influence and authority of the Government and

---

[6] Ahmad Adrik Yusri, Yusuf Hidayat, And Sadino Sadino, "Kontruksi Keadilan Persaingan Usaha Pada Uu Cipta Kerja Menurut Tinjauan Ekonomi Pancasila," *Jurnal Magister Ilmu Hukum* 6, No. 2 (2021): 1.
[7] Maalikatussofa Masnun, Muh. Ali, Prasetio, Dicky Eko, "Reconstruction Of The Normative Legal Research Paradigm In Responding To Global Challenges: An Epistemological Analysis," *Novum: Jurnal Hukum* 12, No. 3 (2025): 372–384.

other parties.[8] This legal provision reinforces the KPPU's independent status, which differs from that of ordinary government agencies. According to Iswandi and Prasetyoningsih in their research, Indonesia does not fully implement the concept *of the separation of powers*; therefore, the government has established new institutions outside the main constitutional structure to support the performance of certain state functions.[9] These institutions are known as *"constitutional state* organs"—that is, institutions whose status and authority derive directly from the 1945 Constitution—and *"state auxiliary organs*," which are established by law but are officially classified as state institutions.[10] In her research titled "The Position of the Business Competition Supervisory Commission in the Indonesian State System," Connie demonstrates that the KPPU is *a* complementary *state auxiliary organ* that derives its authority directly from Law No. 5 of 1999 to enforce business competition law.[11] The classification of the KPPU as a complementary institution positions it not as a policy-maker, but rather as a supporting body to ensure that existing policies and economic activities do not conflict with the principles of fair competition.

Although the KPPU operates outside the executive, legislative, and judicial branches, its independence is not entirely absolute. This is based on Article 31 of Law No. 5 of 1999, which stipulates that KPPU members are appointed and dismissed by the President with the approval of the House of Representatives (DPR). The involvement of these two bodies indicates a procedural link between the KPPU appointment process and political power. The findings of Nabil's research titled "Constitutional Protection of State Auxiliary Agencies Based on Independent Regulatory Agencies (IRAS) to Realize the Credibility of Democratic Public Services from a Checks and Balances Perspective" indicates that the concept of independence for state agencies in Indonesia tends to be inconsistent, as only some agencies meet the formal independence criteria as defined by the concept *of Independent Regulatory Agencies* (IRA), while others still have regulatory loopholes that make them dependent on other branches of government.[12] Although, substantively, there is no direct intervention in the performance of their duties and authorities.

In relation to competition law, the KPPU is not only tasked with enforcing violations of competition law, but also serves a preventive function against the enactment of anti-competitive policies. However, these two functions operate in different contexts when the KPPU assesses and oversees business activities; in such

---

[8] Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktik Monopoli Dan Persaingan Usaha Tidak Sehat, Pasal 30.

[9] Noviyanti Hananto Widodo, Muh. Ali Masnun, Intan Lovisonnya, Dicky Eko Prasetio, "Legal Reconstruction Of Strengthening The Function Of Regional Representation In Indonesia," *Journal Of Law And Legal Reform* 7, No. 2 (2026): 517–554.

[10] Juniar Hartikasari Rusmini, "Kedudukan Komisi Pengawas Persaingan Usaha Dalam Sistim Kenegaraan Di Indonesia," *Jurnal Hukum Tri Pantang* 7, No. 2 (November 2021): 165–171.

[11] Connie Pania, "Kedudukan Komisi Pengawas Persaingan Usaha Dalam Sistim Kenegaraan Di Indonesia" 2, No. 5 (2024): 306–12.

[12] Muhammad Mujab Nabil Et Al., "Perlindungan Konstitusional State Auxiliary Agencies Berbasis Independent Regulatory Agencies (IRAS) Guna Mewujudkan Kredibilitas Pelayanan Negara Secara Demokratis Dalam Perspektif Check And Balances," *Aktivisme: Jurnal Ilmu Pendidikan, Politik Dan Sosial Indonesia* 1, No. 3 (June 2024): 129–143.

cases, the KPPU has the authority to impose administrative sanctions on businesses that violate the provisions of competition law. Meanwhile, regarding its function of providing advice and recommendations on government policies, the KPPU does not have the authority to overturn policies or compel the government to follow the recommendations it has provided.[13]

B. Characteristics of the KPPU's Authority Under Administrative Law

As noted by Iswandi and Prasetyoningsih, the establishment of independent institutions such as the KPPU is a response to the inability of the three classical branches of government (executive, legislative, and judicial) to manage the complexity of regulations.[14] The existence of *state auxiliary organs* is intended to establish a more professional, objective, and politically neutral oversight mechanism.[15] The KPPU's authority over the government can be understood through two concepts: *bestuursfunctie* and *controlerende functie*. *Bestuursfunctie* refers to active governmental functions, that is, the authority to manage and administer state affairs, while *controlerende functie* refers to control functions, or the oversight of the government's exercise of power.[16] When considered in relation to the KPPU's position, the KPPU's authority over government policy takes the form of *a "controlerende functie*," with its primary function being normative oversight of economic activities and business competition policies.

In addition to its oversight function, the KPPU is an independent institution with quasi-judicial functions. As noted by Furqon in his research article—which categorizes the KPPU alongside the KPI, the Information Commission, Bawaslu, and the Ombudsman as independent institutions with quasi-judicial functions—the study explains that the KPPU's authority under Article 36 is divided into two branches of power: items (a) through (d) pertain to the executive branch, while items (e) through (k) place the KPPU within the judicial branch, granting it the authority to examine, adjudicate, and rule on cases of competition law violations.[17] However, the KPPU's quasi-judicial functions apply only to the conduct of business entities; regarding government policies, the KPPU acts purely as a normative regulator that carries out preventive functions through mechanisms of advice and recommendations. The duty to provide advice and recommendations on government policies constitutes a form of the KPPU's attributive authority, granted directly by law. Attribution creates authority that is inherent to an institution, granted by law, and cannot be revoked unless the law

---

[13] Hukumonline, "Kedudukan KPPU Dalam Sistem Ketatanegaraan Di Indonesia," *Website Hukumonline.Com*.
[14] Rusmini, "Kedudukan Komisi Pengawas Persaingan Usaha Dalam Sistim Kenegaraan Di Indonesia."
[15] Hezron Sabar Rotua Tinambunan And Dicky Eko Prasetio, "Rekonstruksi Konstitusi Dalam Regional Representative Dewan Perwakilan Daerah Terhadap Fungsi Legislatif," *Masalah-Masalah Hukum* 48, No. 3 (2019): 266.
[16] Indroharto, *Usaha Memahami Undang-Undang Tentang Peradilan Tata Usaha Negara* (Jakarta: Pustaka Sinar Harapan, 1993).
[17] Eki Furqon, "Kedudukan Lembaga Negara Independen Berfungsi Quasi Peradilan Dalam Sistem Ketatanegaraan Indonesia," Nurani Hukum 3, No. 1 (September 1, 2020): 77–85.

is amended.[18] Thus, normatively, the KPPU has a strong foundation for evaluating government policies that affect business competition but remains limited in terms of enforcement power.

C. Limits on the KPPU's Authority to Assess Government Policies

Law No. 5 of 1999 divides the KPPU's scope of work into two main tasks. First, the task of law enforcement regarding business entities; this task has an adjudicative and coercive nature that positions the KPPU to act as a "court," with the authority to investigate, adjudicate, and impose administrative sanctions in the form of fines. Second, the KPPU is tasked with providing advice and policy recommendations related to business competition to the government; in this context, the KPPU's role is advisory and preventive in nature and does not include any coercive authority.[19]

The issue of the extent to which the KPPU can influence government policy is explicitly set forth in the wording of Article 35 of Law No. 5 of 1999, which focuses its authority regarding government policy in subparagraph (e), by providing advice and recommendations on government policies related to monopolistic practices and/or unfair business competition.[20] When viewed textually, the provision in Article 35(e) does not specify the types of government policy instruments in question; this lack of specification tends to allow for a broad scope of interpretation. Therefore, the KPPU's operational approach to evaluating government policies is carried out in two ways: First, through the Business Competition Policy Checklist (DPKPU) as a systematic assessment tool, in accordance with KPPU Regulation No. 4 of 2023 on Procedures for Providing Recommendations and Considerations on Government Policies. This instrument assesses whether a regulation has the potential to restrict competition, create *barriers to entry*, or grant preferential treatment to certain business entities.[21] Second, according to the KPPU's 2008 Annual Report, the assessment of government policies is divided into two stages: a Preliminary Analysis to detect potential barriers to competition, and a Follow-up Analysis to evaluate the actual impact of policies that have been implemented.[22] Article 17 of KPPU Regulation No. 4 of 2023 stipulates a 60-day monitoring period following the receipt of a letter of recommendations and considerations by a government agency, with follow-up actions—such as publication,

---

[18] Moh Gandara, "Kewenangan Atribusi, Delegasi Dan Mandat," *Khazanah Hukum* 2, No. 3 (November 2020): 92–99.
[19] Rika Azizah Et Al., "Fungsi Dan Peran Lembaga KPPU Dalam Praktek Persaingan Usaha," Karimah Tauhid 2, No. 3 (June 5, 2023): 697–707.
[20] Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktik Monopoli Dan Persaingan Usaha Tidak Sehat, Pasal 35.
[21] Peraturan Komisi Pengawas Persaingan Usaha (KPPU) Nomor 4 Tahun 2023 Tentang Pemberian Saran Dan Pertimbangan Pemerintah Yang Berakibat Dengan Praktik Monopoli Dan/Atau Persaingan Usaha Tidak Sehat, Pasal 4.
[22] Komisi Pengawas Persaingan Usaha, "Laporan Tahun 2008: Menyongsong Babak Baru Implementasi Persaingan Usaha," *Webside KPPU.Go.Id*.

public hearings, and reports to the government agency—if the recommendations are not implemented.[23]

When compared to other state institutions, Komnas HAM shares similar characteristics regarding the issuance of recommendations to the government. Several scholarly studies on Law No. 39 of 1999 indicate that the recommendation letters issued by Komnas HAM lack enforceable executive authority; consequently, follow-up on these recommendations depends on the commitment of the parties involved. Although established as an independent institution, Komnas HAM faces significant structural obstacles, ranging from limited legal authority to budgetary constraints and a shortage of human resources. The problem lies in its mandate being confined to the investigative and recommendation-making levels without the authority to directly file lawsuits, rendering its recommendations less effective in resolving legal proceedings related to human rights violations.[24] In contrast to the Ombudsman of the Republic of Indonesia, the recommendations issued by the Ombudsman have a clear legal basis under Article 39 of Law No. 37 of 2008; these recommendations reflect the strategic role of the oversight institution, particularly in preventing maladministration in public services. However, the administrative enforceability of these recommendations remains a subject of debate due to their *non-legally binding* nature and the absence of clear administrative sanctions should the recommended agencies fail to implement them. Although the Ombudsman's recommendations lack the legally binding force of a court ruling, they remain highly influential due to the moral weight they carry and their significant administrative authority.[25]

From a comparison of these two institutions, it can be concluded that the Ombudsman holds a stronger position due to its structured legal basis and administrative effects. Meanwhile, the KPPU's recommendations have a more structured follow-up mechanism compared to the National Commission on Human Rights (Komnas HAM) thanks to KPPU Regulation No. 4 of 2023; however, they remain subordinate to the Ombudsman because their legal basis is limited to a commission regulation and does not require a formal response from the government. Similarly, a study by Binus University's Business Law program has raised concerns that the KPPU's role is often overlooked when the government assigns special tasks to state-owned enterprises (SOEs) to carry out public benefit functions as stipulated in Article 66 of Law No. 19 of 2003, using Article 50(a) of Law No. 5 of 1999 as a pretext for immunity to engage in activities related to monopolistic practices. This exclusion of the KPPU reveals a structural flaw in the competition law framework, which does not require the government to consult with the KPPU beforehand when issuing economic

---

[23] Peraturan Komisi Pengawas Persaingan Usaha Nomor 4 Tahun 2023 Tentang Pemberian Saran Dan Pertimbangan Pemerintah Yang Berakibat Dengan Praktik Monopoli Dan/Atau Persaingan Usaha Tidak Sehat, Pasal 17-19.

[24] Rahmat Hidayat, Siti Fatimah, And Muhammad Adib Alfarisi, "Penyelesaian Komnas Ham Dalam Penyelesaian Kasus-Kasus Pelanggaran Ham Di Indonesia," *Indonesian Journal Of Legality Of Law* 7, No. 1 (December 30, 2024): 115–22, Https://Doi.Org/10.35965/IJLF.V7I1.5427.

[25] M Riyanto, "Kebijakan Rekomendatif Ombudsman Republik Indonesia Dalam Sistem Hukum Administrasi Negara: Antara Soft Law Dan Daya Ikat Administratif:," *Jurnal Kolaboratif Sains* 8, No. 11 (November 2025): 7509–7518.

policies that could potentially undermine the competitive market environment; as a result, the KPPU's assessment authority, which was normatively designed as a preventive instrument, has shifted to a reactive role in practice.[26]

D. The Legal Force of the KPPU's Recommendations and Considerations

An analysis of the wording of Article 35(e) of Law No. 5 of 1999, which states "to provide advice and recommendations on government policies related to monopolistic practices and/or unfair business competition," reveals five essential elements for determining the scope of the KPPU's authority:

1. The element "to provide"

   Through grammatical interpretation, the word "provide" is an active verb form indicating an action performed by the subject toward the object. The use of this verb implies that the party taking the initiative to perform the act of giving. *Legal drafting* theory indicates that the act of "providing" is not equivalent to "requiring"; in normative constructions, the word "must" is typically used for a binding command, while "may" signifies an optional form.[27] Differences in the meaning of each phrase within a legal provision significantly impact the enforcement of the law because they influence the strength of its interpretation. In some cases, regulations become weak due to the use of soft language, such as "should," "is advisable," or "should be endeavored," because these words lack sufficient legal force to impose legal obligations or sanctions in the event of a violation. Thus, the phrase "provide" in Article 35(e) positions the KPPU as the active provider, but simultaneously leaves the government as a passive recipient with no obligation to respond.

2. The Element "Suggestions and Considerations"

   In the Kamus Besar Bahasa Indonesia (Great Dictionary of the Indonesian Language), the word "suggestion" means an opinion, proposal, or recommendation put forward for consideration, not a binding order or ruling. Meanwhile, the word "consideration" means material for thought prior to making a decision. Both serve as complementary elements that cannot replace a decision. The phrase "suggestions and considerations" uses different wording than the phrases "decide" or "determine," as used in Articles 36 and 43 of Law No. 5 of 1999, when the KPPU issues legally binding decisions against business entities. The phrase "suggestions and considerations" indirectly places the KPPU in the category of a non-imperative instrument, that is, input that may be considered, rather than a command to be obeyed.

3. The element "regarding government policy"

[26] Shidarta, "Pasal 50 Huruf A Undang-Undang Nomor 5 Tahun 1999," Website Business Law Binus, 2023, Https://Business-Law.Binus.Ac.Id/2023/04/14/Pasal-50-Huruf-A-Undang-Undang-Nomor-5-Tahun-1999/.

[27] Rajali Batubara Et Al., "Peranan Interpretasi Hukum Dalam Praktik Peradilan Di Indonesia," El-Sirry: Jurnal Hukum Islam Dan Sosial 2, No. 1 (June 21, 2024): 71–92.

The placement of the word "regarding" indicates to whom the advice and considerations are directed. Furthermore, the phrase "government policy" without further specification creates a scope of interpretation that is too general and broad. However, Article 35(e) specifically refers to government policies related to monopolistic practices or unfair business competition.

4. The element "relating to"

   This phrase is essentially a relatively loose connecting phrase and lacks clear operational boundaries. Unlike phrases such as "that directly regulates" or "that aims to," the phrase "relating to" tends to have a very broad scope because almost any economic policy can be construed as relating to business competition. However, because this broad scope is not balanced by clear rules, the KPPU can, in principle, assess any policy related to competition, but this does not guarantee the KPPU's involvement in policy formulation.[28]

5. The element of "monopolistic practices and/or unfair business competition"

   The use of the conjunction "and/or" in this sentence indicates that the KPPU's recommendations and considerations may apply to just one element (monopoly practices or unfair business competition) or to both. The primary objective of Law No. 5 of 1999 is not limited to addressing actions that hinder competition, but rather emphasizes resolving issues frequently committed by business actors.

An analysis of the elements in Article 35(e) shows that the KPPU's recommendations and considerations do not yet possess strong legal force. However, when interpreted using a teleological approach based on the purpose of the norm's creation, it is evident that this article was enacted at the behest of the legislature to establish a preventive oversight mechanism for government policies that have the potential to cause market imbalances.[29] The purpose of the entire law, Law No. 5 of 1999, is set forth in the preamble to Article 3, which states:

a. to safeguard the interests and enhance the efficiency of the national economy as part of efforts to improve the welfare of the people;
b. to foster a conducive business climate through the regulation of fair competition, thereby ensuring equal business opportunities for large, medium, and small businesses;
c. to prevent monopolistic practices and/or unfair business competition caused by business entities; and
d. ensuring effectiveness and efficiency in business activities.

Fair competition is a key pillar of the market economy because it fosters efficiency, innovation, and affordable product prices. The enactment of Law No. 5 of 1999,

---

[28] Muhammad Faza Abduh Et Al., "Analisis Penegakan Hukum Persaingan Usaha Oleh KPPU Tahun 2025," *Demokrasi: Jurnal Riset Ilmu Hukum, Sosial Dan Politik* 3, No. 1 (2026): 32–39.
[29] Akhmad Zulkarnain, Didit Darmawan, And Rommy Hardyansah, "Effectiveness Of Law No. 5 Of 1999 In Handling Cross-Border Business Competition," SAPIENTIA ET VIRTUS 9, No. 2 (October 7, 2024): 461–75.

alongside the establishment of the KPPU, serves as a legal enforcement mechanism to address deviations from the ideal market structure.

The objective of Article 35(e) positions the KPPU as the guardian of a competitive market environment that applies not only to business entities but also to government intervention. Therefore, in line with the general explanation of Law No. 5 of 1999—which explicitly states that this law aims to safeguard the public interest and enhance national economic efficiency, if the KPPU's recommendations can be disregarded without any legal consequences for the government, this teleological objective appears to lose its practical relevance. This situation places the KPPU's recommendations in the category of *"soft law"* norms that lack legally binding force but possess normative authority and tangible institutional impact.[30]

E. The Legal Nature of the KPPU's Recommendations and Considerations and Their Implications for Government Policy

The formulation of the KPPU's recommendations and considerations stems from the authority granted by the Competition Law, based on technical analysis using the Competition Policy Checklist (DPKPU) as regulated in KPPU Regulation No. 4 of 2023, and is directed at state institutions with a constitutional mandate to safeguard the public interest. As such, these norms do not directly result in legal sanctions against government agencies that fail to implement them. Nevertheless, the KPPU may address such non-compliance by publishing its recommendations and considerations, holding public hearings, and reporting to the superiors of the relevant government agencies.[31] While the government's disregard of the KPPU's recommendations does not result in direct legal sanctions, such disregard places the institutional burden of proof on the government to demonstrate that the policies it adopts remain consistent with the principles of fair competition. When this action is considered in light of the doctrine of the General Principles of Good Governance (AAUPB), the rejection of recommendations from the relevant regulatory agency may potentially be categorized as an act that fails to meet the principle of due diligence as stipulated in Article 10 of Law No. 30 of 2014 on Government Administration.[32]

If any party suffers harm as a result of a government policy that contradicts the KPPU's recommendations and is proven to have caused actual harm, that party may pursue formal legal remedies through *judicial review* before the Supreme Court if the policy takes the form of legislation.[33] However, while the status of government

[30] Ratmawan Ari Kusnandar, Putri Hafidati, And Hasnah Aziz, "Analisis Yuridis Dampak Saran Dan Pertimbangan Kppu Terhadap Penyelenggaraan Aktivitas Bongkar Muat Di Kabupaten Kubu Raya (Studi Kasus Surat Saran Dan Pertimbangan Kppu Nomor 147/K/S/Iii/2024)," JURNAL PEMANDHU 7, No. 1 (April 28, 2026): 276–83.
[31] Peraturan Komisi Pengawas Persaingan Usaha Nomor 4 Tahun 2023 Tentang Pemberian Saran Dan Pertimbangan Pemerintah Yang Berakibat Dengan Praktik Monopoli Dan/Atau Persaingan Usaha Tidak Sehat, Pasal 19.
[32] Sri Nur And Hari Susanto, "Penerapan Asas-Asas Umum Pemerintahan Yang Baik Dalam Praktik Peradilan Di Indonesia," Administrative Law And Governance Journal 4, No. 3 (September 9, 2021): 459–70.
[33] Undang-Undang Nomor 3 Tahun 2009 Tentang Perubahan Kedua Atas Undang-Undang Nomor 14 Tahun 1985 Tentang Mahkamah Agung, Pasal 31A.

policies that fall outside the hierarchy of legislation (as referred to in the Circular Letter) remains a matter of debate, normatively, Article 31A(1) of Law No. 3 of 2009 on the Supreme Court in conjunction with Supreme Court Regulation No. 1 of 2011 on the Right to Judicial Review grants authority only to review legislation of a rank lower than a law; however, Supreme Court Decision No. 23P/HUM/2009 successfully invalidated the Circular Letter of the Director General of Mineral Resources and Geothermal Energy No. 03.E/31/DJB/2009 on Mineral and Coal Mining Permits, based on the judges' reasoning that "although a circular letter is not included in the hierarchy of legislation, based on the explanatory notes to Article 7 of Law No. 10 of 2004, a circular letter can be categorized as a valid form of legislation and is therefore subject to the hierarchy of legislation".[34] Under current practice, circulars that are found to be non compliant are automatically revoked by the issuing agency.

F. Recommendations and Considerations from the KPPU with a Concrete Example: Circular Letter of the Minister of Energy and Mineral Resources No. T-19/MG.05/WM.M/2025

Law No. 19 of 2003 on State-Owned Enterprises (SOEs), as amended by Law No. 1 of 2025, mandates the Minister of SOEs to establish policies, regulate, foster, coordinate, and oversee the implementation of SOE management policies.[35] Similarly, in the oil and gas sector, one of the SOE branches managed independently by the Ministry of Energy and Mineral Resources (ESDM) Law No. 22 of 2001 grants the Minister of ESDM the authority to manage all oil and natural gas activities.

This authority subsequently serves as the basis for various derivative policy instruments, including Ministerial Regulations and technical instructions such as circular letters. The issuance of the Ministry of Energy and Mineral Resources (ESDM) Circular Letter No. T-19/MG.05/WM.M/2025 dated July 17, 2025, serves as a relevant example for understanding the implications of disregarding the KPPU's recommendations and considerations. The content of the circular letter consists of a restriction on the increase in the volume of non-subsidized gasoline imports for each business entity to a maximum of 10 percent of the 2024 sales volume and the purchase of additional stock from PT Pertamina. The KPPU's analysis of the circular letter revealed inconsistencies with two key indicators in the DPKPU instrument: point 5(b) regarding restrictions on the volume of sales/supply of goods and/or services, and point 6(c) regarding the designation of specific suppliers.[36] As long as this policy has been in effect, Pertamina's market share in the non-subsidized fuel segment has surged to 92.5 percent, while private businesses have only held a share in the 1–3 percent range. This situation indicates a lack of market structure harmony that creates

---

[34] M. Alvi Syahrin, "Mengukur Kekuatan Hukum Surat Edaran," *Petaknorma.Com*.
[35] Undang-Undang Nomor 1 Tahun 2025 Tentang Badan Usaha Milik Negara, Pasal 3.
[36] Komisi Pengawas Persaingan Komisi Pengawas Persaingan Usaha, "KPPU: Kebijakan Pembatasan Impor BBM Non-Subsidi Mengganggu Pasokan, Menghilangkan Pilihan Konsumen Dan Memperkuat Dominasi Pasar," *Siaran Pers KPPU*.

the risk of a regulatory monopoly, as the government has indirectly granted an advantage to a single business entity.[37]

The government considers the single-window import policy for non-subsidized fuel to fall under an exception clause, citing the implementation of Article 33, paragraph (2) of the 1945 Constitution, which regulates key production sectors for the public interest. Deputy Chair of Commission VI of the Indonesian House of Representatives, Nurdin Halid, during a joint working meeting with the Ministry of Energy and Mineral Resources and Pertamina, stated that the single-entry import mechanism is a constitutional responsibility to control the availability of fuel—a basic necessity for the people—and to exercise control through Pertamina.[38] The relevant exception provision in this case is Article 51 of Law No. 5 of 1999, which reads: "Monopolies and/or the concentration of activities related to the production and/or marketing of goods and/or services that are essential to the livelihood of the people, as well as branches of production that are vital to the state, shall be regulated by law and carried out by State-Owned Enterprises and/or agencies or institutions established or designated by the Government."

When further elaborated, the wording of Article 51 indicates three cumulative requirements that must be met to qualify for an exemption under the relevant law. The following is an analysis of the exemption requirements under Article 51, using the example of the Ministry of Energy and Mineral Resources Circular Letter No. T-19/MG.05/WM.M/2025:

a. The production and/or marketing of goods and/or services that are essential to the livelihood of the general public.

   Indonesia's high dependence on petroleum demonstrates that the energy sector—specifically petroleum—is a strategic sector necessary for the survival of the broader public. This aligns with the mandate of Article 33, paragraph (2) of the 1945 Constitution, which stipulates that sectors of production that are vital to the livelihood of the people shall be controlled by the state. However, in the context of economic policy, the fourth amendment to Article 33, paragraph (4), mandates that the national economy be organized based on economic democracy, guided by the principles of solidarity, justice, sustainability, environmental responsibility, self-reliance, and the maintenance of national economic balance. Based on the preamble to that article, Law No. 5 of 1999 serves as an instrument to ensure the national economic climate remains within the bounds of fairness, efficiency, and transparency. In the case of the "single-window" import system, PT Pertamina is designated as the economic entity responsible for supplying non-subsidized fuel to private businesses when their stock runs out. Law No. 22 of 2001 separately regulates all downstream business activities (distribution) among business entities, emphasizing that downstream business activities must be conducted through

[37] Suci Ananda Febrianti Et Al., "Struktur Pasar BBM (Bahan Bakar Minyak) Di Indonesia: Peran Monopoli, Skandal Korupsi, Dan Prospek Implementasi Blockchain," Jurnal Multidisiplin Ibrahimy 3, No. 1 (August 5, 2025): 29–37.

[38] Hukumonline, "Legislator Ini Sebut Kebijakan Impor BBM Melalui Pertamina Bukan Monopoli Usaha," *Website Hukumonline.Com*.

mechanisms of fair, healthy, and transparent competition, as stipulated in Article 7, paragraph (2) of the relevant law. This law explicitly prohibits downstream oil and gas monopolies by business entities, even though the oil and gas sector is a strategic sector that affects the livelihoods of many people.

b. Regulated by Law

This provision permits the concentration of economic activities as mandated by law. Under the single-window import scheme, the delegation of authority stems from Circular Letter No. T-19/MG.05/WM.M/2025 issued by the Ministry of Energy and Mineral Resources. Article 7(1) of Law No. 12 of 2011 specifies that the hierarchy of legislation consists of: the 1945 Constitution of the Republic of Indonesia, MPR Decrees, Laws/Government Regulations in Lieu of Law, Government Regulations, Presidential Regulations, Provincial Regulations, and Regency/Municipal Regulations.[39] Circular Letters are not included in the hierarchy of laws and regulations; their purpose is more to serve as guidelines for implementing a higher-ranking regulation. Therefore, the principle of *"Lex Superior derogat legi inferiori"* applies, meaning that the provisions of a Circular Letter must not conflict with those of a higher-ranking regulation.

c. Conducted by State-Owned Enterprises and/or agencies or institutions established or designated by the Government

Article 66 of Law No. 19 of 2003 in conjunction with Article 86M of Law No. 1 of 2025 does indeed grant special mandates and monopoly rights to SOEs or their subsidiaries in strategic sectors to carry out functions for the public good, with Article 2(2) of the relevant law stipulating that the activities of SOEs must not conflict with laws and regulations, public order, and/or public morality. PT Pertamina, as one of the SOEs in the oil and gas sector, is regulated independently under the Oil and Gas Law. Historically, prior to the enactment of the Oil and Gas Law, PT Pertamina operated under Law No. 8 of 2007 with a dual role encompassing both operator and regulator functions across the entire national oil and gas governance framework; that law permitted PT Pertamina to exercise a de facto monopoly over all oil and gas products, from exploration through distribution. As a result of these actions, the oil and gas industry's operational environment became inefficient due to the absence of competitors. Consequently, the government enacted Law No. 22 of 2001, which repealed Law No. 8 of 2007 and eliminated the concentration of economic activities within PT Pertamina. The Constitutional Court's interpretation of the limits of the state's authority in the oil and gas sector, as set forth in Decision No. 002/PUU-I/2003, states in its reasoning that the state's authority is constitutional in nature as long as it is used for the greatest possible prosperity of the people, and not to grant preferential treatment to a specific business entity.[40] Furthermore, Article 7(2) of Law No. 22 of 2001

[39] Undang-Undang Nomor 12 Tahun 2011 Tentang Pembentukan Peraturan Perundang-Undangan, Pasal 7.

[40] Mahkamah Konstitusi, *Putusan Mahkamah Konstitusi Nomor 002/PUU-I/2003 Tentang Pengujian UU No. 22 Tahun 2001 Tentang Minyak Dan Gas Bumi*, 2003.

stipulates that "downstream business activities shall be conducted through mechanisms of fair, sound, and transparent business competition." Consequently, PT Pertamina no longer has the authority to centralize economic activities (monopoly) in the oil and gas sector, particularly in downstream business activities.

Based on the above analysis, ESDM Circular Letter No. T-19/MG.05/WM.M/2025 does not yet meet the three conditions for exemption under Article 51 of Law No. 5 of 1999; therefore, the "single-window" import scheme falls under the KPPU's oversight. The KPPU provided an assessment, along with suggestions and recommendations for a review of the circular, through Press Release No. 065/KPPU-PR/IX/2025. The KPPU's technical guidelines for providing advice and considerations are directed at policy sources such as valid laws and regulations, draft bills still under deliberation, and government policies in the form of decrees, circulars, and appeals.[41] In other words, a circular can serve as a policy instrument with the potential to give rise to unfair business competition. Based on this phenomenon and the established normative framework, there are implications arising from the failure to implement the KPPU's recommendations and considerations, including:

1) Government policies that disregard the KPPU's recommendations and considerations and are proven to result in high market concentration among certain business entities have the potential to violate the market dominance provisions under Article 17 and the restrictions on business entities as stipulated in Article 19(a) of Law No. 5 of 1999. In the case of non-subsidized fuel, Pertamina's market share of 92.5 percent following the issuance of the Minister of Energy and Mineral Resources' Circular Letter indicates market dominance exceeding the threshold of 40 to 50 percent, resulting in a concentrated market structure and reduced consumer choice.
2) Implications regarding the government's administrative liability may arise if losses result from a failure to follow up on the recommendations and considerations provided by the KPPU.

As a competition oversight agency, the government's disregard of the KPPU's recommendations—particularly when it issues policies that could potentially disrupt the competitive landscape—institutionally threatens the KPPU's legitimacy. If the KPPU's recommendations carry no legal consequences, then the KPPU's advisory role as a guardian of the competitive landscape remains only partially effective. This situation creates a gap between regulatory standards and the enforcement capabilities of the agency responsible for upholding them.

CONCLUSION

The KPPU holds the status of an independent institution functioning as *a state auxiliary organ* with authority directly granted by Law No. 5 of 1999. The KPPU's over-

[41] Komisi Pengawas Persaingan Usaha, "Laporan Tahun 2008: Menyongsong Babak Baru Implementasi Persaingan Usaha."

sight function is reflected in its duty to provide advice and recommendations on government policies related to monopolistic practices or unfair business competition. The KPPU's role is best understood as an instrument that ensures public policies align with the principles of fair, efficient, and non-discriminatory competition. Although, in principle, the KPPU's advice and recommendations have a clear legal basis, its authority is limited to advisory and preventive functions and lacks the coercive power to nullify or mandate policy changes. Consequently, if the KPPU's advice and recommendations are not implemented, this does not result in direct legal consequences in the form of sanctions, as such advice and recommendations are not legally binding. However, disregarding the KPPU's recommendations leads to indirect consequences, such as a weakening of the policy's legitimacy, the potential for violations of the general principles of good governance, and the possibility of lawsuits or legal challenges if the policy actually results in market concentration, market dominance, or harm to other business actors and consumers.

REFERENCES

Ananda Febrianti, Suci, Septiana Sihombing, Rahmalia Maharani, Mardila Saputri, Mozaik Plamonia Ramadhan, Bisnis Digital, Jurusan Informatika Dan Bisnis, Politeknik Manufaktur Negeri Bangka Belitung, And Kepulauan Bangka Belitung. "Struktur Pasar BBM (Bahan Bakar Minyak) Di Indonesia: Peran Monopoli, Skandal Korupsi, Dan Prospek Implementasi Blockchain." *Jurnal Multidisiplin Ibrahimy* 3, No. 1 (August 2025): 29–37.

Azizah, Rika, Rika Azizah, Dr. Jacobus Jopie Gilalo, And R. Yuniar Anisa. "Fungsi Dan Peran Lembaga KPPU Dalam Praktek Persaingan Usaha." *Karimah Tauhid* 2, No. 3 (June 2023): 697–707.

Batubara, Rajali. "Peranan Interpretasi Hukum Dalam Praktik Peradilan Di Indonesia." *El-Sirry: Jurnal Hukum Islam Dan Sosial* 2, No. 1 (June 2024): 71–92.

Furqon, Eki. "Kedudukan Lembaga Negara Independen Berfungsi Quasi Peradilan Dalam Sistem Ketatanegaraan Indonesia." *Nurani Hukum* 3, No. 1 (September 2020): 77–85.

Gandara, Moh. "Kewenangan Atribusi, Delegasi Dan Mandat." *Khazanah Hukum* 2, No. 3 (November 2020): 92–99.

Hananto Widodo, Muh. Ali Masnun, Intan Lovisonnya, Dicky Eko Prasetio, Noviyanti. "Legal Reconstruction Of Strengthening The Function Of Regional Representation In Indonesia." *Journal Of Law And Legal Reform* 7, No. 2 (2026): 517–554.

Hartati, Reskah. "Efektivitas Penegakan Hukum Persaingan Usaha Terhadap Praktik Monopoli Di Indonesia." *Jurnal Magister Ilmu Hukum: Hukum Dan Kesejahteraan* 9, No. 2 (July 2025): 1–12.

Hidayat, Rahmat, Siti Fatimah, And Muhammad Adib Alfarisi. "Penyelesaian Komnas Ham Dalam Penyelesaian Kasus-Kasus Pelanggaran Ham Di Indonesia." *Indonesian Journal Of Legality Of Law* 7, No. 1 (December 2024): 115–122.

Hukumonline. "Kedudukan KPPU Dalam Sistem Ketatanegaraan Di Indonesia." *Website Hukumonline.Com*.

———. "Legislator Ini Sebut Kebijakan Impor BBM Melalui Pertamina Bukan Monopoli Usaha." *Website Hukumonline.Com*.

Indonesia. *Undang-Undang (UU) Nomor 1 Tahun 2025 Tentang Perubahan Ketiga Atas Undang-Undang Nomor 19 Tahun 2003 Tentang Badan Usaha Milik Negara*, 2025.

———. *Undang-Undang (UU) Nomor 12 Tahun 2011 Tentang Pembentukan Peraturan Perundang-Undangan*, 2011.

———. *Undang-Undang (UU) Nomor 3 Tahun 2009 Tentang Perubahan Kedua Atas Undang-Undang Nomor 14 Tahun 1985 Tentang Mahkamah Agung*, 2009.

———. *Undang-Undang (UU) Nomor 5 Tahun 1999 Tentang Larangan Praktik Monopoli Dan Persaingan Usaha Tidak Sehat*, 1999.

Indroharto. *Usaha Memahami Undang-Undang Tentang Peradilan Tata Usaha Negara*. Jakarta: Pustaka Sinar Harapan, 1993.

Komisi Pengawas Persaingan Usaha. "Laporan Tahun 2008: Menyongsong Babak Baru Implementasi Persaingan Usaha." *Webside KPPU.Go.Id*.

———. *Peraturan Komisi Pengawas Persaingan Usaha Nomor 4 Tahun 2023 Tentang Pemberian Saran Dan Pertimbangan Pemerintah Yang Berakibat Dengan Praktik Monopoli Dan/Atau Persaingan Usaha Tidak Sehat*, 2023.

Konstitusi, Mahkamah. *Putusan Mahkamah Konstitusi Nomor 002/PUU-I/2003 Tentang Pengujian UU No. 22 Tahun 2001 Tentang Minyak Dan Gas Bumi*, 2003.

Kusnandar, Ratmawan Ari, Putri Hafidati, And Hasnah Aziz. "Analisis Yuridis Dampak Saran Dan Pertimbangan Kppu Terhadap Penyelenggaraan Aktivitas Bongkar Muat Di Kabupaten Kubu Raya (Studi Kasus Surat Saran Dan Pertimbangan Kppu Nomor 147/K/S/Iii/2024)." *Jurnal Pemandhu* 7, No. 1 (April 2026): 276–283.

M. Rizky Mahaputra, Farhan Saputra. "View Of Application Of Business Ethics And Business Law On Economic Democracy That Impacts Business Sustainability." *Journal Of Law, Politic And Humanities* 1, No. 3 (2021): 112–22.

Masnun, Muh. Ali, Prasetio, Dicky Eko, Maalikatussofa. "Reconstruction Of The Normative Legal Research Paradigm In Responding To Global Challenges: An Epistemological Analysis." *Novum: Jurnal Hukum* 12, No. 3 (2025): 372–384.

Masnun, Muh Ali, Prasetio, Dicky Eko, Konara, Thamasi. "Financial Reconstruction Of State-Owned Enterprises In Indonesia As Special State Finances: Public Or Private Law?" *Jurnal Hukum Bisnis Bonum Commune* 9, No. 1 (2026): 44–62.

Muhammad Faza Abduh, Fiki Izzatul Afkarina, Reni Safitri Ramandani, Chalimatus Sa'diyah, Yuliyati Yuliyati, And Firza Agung Prakoso. "Analisis Penegakan Hukum Persaingan Usaha Oleh KPPU Tahun 2025." *Demokrasi: Jurnal Riset Ilmu Hukum, Sosial Dan Politik* 3, No. 1 (2026): 32–39.

Muhammad Mujab Nabil, Zahran Qolbi Salim, Antasena Yudha Pratama, And Hadrian Satria Putra. "Perlindungan Konstitusional State Auxiliary Agencies Berbasis Independent Regulatory Agencies (IRAS) Guna Mewujudkan Kredibilitas Pelayanan Negara Secara Demokratis Dalam Perspektif Check And Balances." *Aktivisme: Jurnal Ilmu Pendidikan, Politik Dan Sosial Indonesia* 1, No. 3 (June 2024): 129–143.

Nur, Sri, And Hari Susanto. "Penerapan Asas-Asas Umum Pemerintahan Yang Baik Dalam Praktik Peradilan Di Indonesia." *Administrative Law And Governance Journal* 4, No. 3 (September 2021): 459–470.

Pania, Connie. "Kedudukan Komisi Pengawas Persaingan Usaha Dalam Sistim Kenegaraan Di Indonesia" 2, No. 5 (2024): 306–312.

Rahmadhona, Rahmadhona, Ayyub Leonardo, Alifia Ridianti Darmawan, Rahmadhona Rahmadhona, Ayyub Leonardo, And Alifia Ridianti Darmawan. "Implementasi Hukum Tata Negara Darurat Dalam Kondisi Darurat Moneter Tahun 1998 Di Indonesia." *Jurnal Konstitusi & Demokrasi* 4, No. 1 (June 2024): 1.

Riyanto, M. "Kebijakan Rekomendatif Ombudsman Republik Indonesia Dalam Sistem Hukum Administrasi Negara: Antara Soft Law Dan Daya Ikat Administratif:" *Jurnal Kolaboratif Sains* 8, No. 11 (November 2025): 7509–7518.

Rusmini, Juniar Hartikasari. "Kedudukan Komisi Pengawas Persaingan Usaha Dalam Sistim Kenegaraan Di Indonesia." *Jurnal Hukum Tri Pantang* 7, No. 2 (November 2021): 165–171.

Shidarta. "Pasal 50 Huruf A Undang-Undang Nomor 5 Tahun 1999." *Website Business Law Binus*.

Syahrin, M. Alvi. "Mengukur Kekuatan Hukum Surat Edaran." *Petaknorma.Com*.

Tinambunan, Hezron Sabar Rotua, And Dicky Eko Prasetio. "Rekonstruksi Konstitusi Dalam Regional Representative Dewan Perwakilan Daerah Terhadap Fungsi Legislatif." *Masalah-Masalah Hukum* 48, No. 3 (2019): 266.

Usaha, Komisi Pengawas Persaingan. "KPPU: Kebijakan Pembatasan Impor BBM Non-Subsidi Mengganggu Pasokan, Menghilangkan Pilihan Konsumen Dan Memperkuat Dominasi Pasar." *Siaran Pers KPPU*.

Yusri, Ahmad Adrik, Yusuf Hidayat, And Sadino Sadino. "Kontruksi Keadilan Persaingan Usaha Pada Uu Cipta Kerja Menurut Tinjauan Ekonomi Pancasila." *Jurnal Magister Ilmu Hukum* 6, No. 2 (2021): 1.

Zulkarnain, Akhmad, Didit Darmawan, And Rommy Hardyansah. "Effectiveness Of Law No. 5 Of 1999 In Handling Cross-Border Business Competition." *SAPIENTIA ET VIRTUS* 9, No. 2 (October 2024): 461–475.