

ABSTRACT

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“ANALISIS YURIDIS DUGAAN PRAKTIK PENYALAHGUNAAN POSISI DOMINAN OLEH PT. ANGKUTAN SUNGAI DANAU DAN PENYEBERANGAN BAKAUHENI-MERAK(PERSERO) BERDASARKAN UNDANG-UNDANG NOMOR 5 TAHUN 1999”

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This paper will discuss about the alleged abuse of the dominant position by *PT. Angkutan Sungai Danau dan Penyeberangan* in ship transport business activities based on what is prohibited by unfair business competition and prohibition of monopoly practices law in Indonesia. The problem is the alleged of market control that causes the abuse of dominant position in the Port of Merak-Bakauheni, PT. Angkutan Sungai Danau dan Penyeberangan are suspected of market control in pier 6 executive Port of Merak-Bakauheni which is an essential facilities in the Port of Merak-Bakauheni. Port of Merak-Bakauheni is the most populous port in Indonesia that causes many business actors who want to do business activities in the market in order to take profit as much as possible so that many business actors compete to become the dominant position in the market. In the Port of Merak-Bakauheni there are 7 docks, among the 7 docks there is an executive port. The purpose of this writing to suspect the abuse of the dominant position by PT. Angkutan Sungai Danau dan Penyeberangan (Persero). Types of research using normative-empirical research and basic research, types of data using primary and secondary data, the type of approach using legal principles and analyzing data using qualitative analysis. According to market share data PT. Angkutan Sungai Danau dan Penyeberangan gain a higher market share compared to its business competitors, market share is an important factor to suspect PT. Angkutan Sungai Danau dan Penyeberangan has a dominant position. In addition to having the dominant position, PT. Angkutan Sungai Danau dan Penyeberangan alleged to abuse of dominant position and mastery of the market because it prevents and obstructs other business competitors to enter business activities in the relevant market. The conclusion is PT. Angkutan Sungai Danau dan Penyeberangan (Persero) should be suspected for abuse of dominant position and market control in Merak-Bakauheni Port.

Keywords: Abuse Dominant Position, Market Control, Essential facilities, Unfair Business Competition.

References: 54 (1983-2019)