

CHAPTER V

CONCLUSION

A. Conclusion

In this last chapter, the author will present the conclusions of the problems discussed in the previous chapter. The conclusions obtained by the author are as follows:

1. Analysis of legal considerations about The detention of supply of imported beef in cartel practice with the Considering article 11 Law No 5 of 1999 regarding cartels that business actors are prohibited from entering into an agreement, with a competing business actor, intending to influence prices by regulating the production and or marketing of goods and service, which may result in monopolistic practices and unfair business competition and article 19 letter c of law number 5 year 1999 that the alleged violation of article 19 letter c of law number 5 year 1999 which in essence relates to the behavior of business actors either by themselves or other business actors who restrict the circulation and sale to the relevant market. The business actor alleged to have violated Article 11 of Law Number 5 Year 1999 in this case is that the element of business actor as described in the analysis of business actor has been fulfilled. Decision of Commission for The Supervision of Business Competition Cases Number 10 / KPPU-I / 2015 concerning Alleged Violation of Article 11 and Article 19 letter c of Law

Number 5 Year 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition.

1. In resolving the cartel case of imported beef the KPPU had passed through several stages, which more or less can be classified as follows stage of indication collection, preliminary examination, advanced examination, judgment adjudication, execution of decision. In order for the rule of law to be enforced properly, adequate organs of law enforcement are required. A rule of law, however good substantively, will not work properly if it is not supported by a good law enforcement system. In view of that, to enforce business competition law, or rather oversee the implementation of Law No. 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition, Commission for the Supervision of Business Competition (KPPU) was established. Commission for the Supervision of Business Competition (KPPU) is established as an independent institution that is tasked to conduct investigation, examination, and provide assessment as well as an institution to take legal action for business actors conducting monopolistic practices and / or unfair business competition.

B. Recommendation

From the above conclusions, the authors propose some suggestions as follows:

1. Business actor in carrying out his business must pay more attention to the provisions of law in accordance with the principles of fair business competition in order to run the business of creating a balance in law both among business actors and society as a consumer and the need of a regulatory system that can protect the parties Which has an unfavorable position in running its business activities.
2. KPPU must be more detailed in conducting investigations, especially in data collection in order to provide legal certainty related to alleged cartel practices in beef import. The government should also pay more attention to the needs of beef before determining the system of quota division that is applied because it can inhibit the distribution of beef to the community which can cause the scarcity and high cost of beef in the community.