

ABSTRACT

After going through a long discussion, the Government finally enacts the Regulation of the Minister of Transportation (Permenhub) No. 26/2017 on the Implementation of the People Transportation by Public Transportation Which Not in Route. However, there are some articles in this regulation that are contrary with the higher legislation and do not have a legal binding power as stated in The Verdict of Supreme Court No. 37 P/HUM/2017. In addition, there is a possibility of indication of unfairness business competition found within the Regulation of Minister of Transportation No. 26/2017 which arises the problems between the conventional taxi and taxi online service provider. The research aims to answer how are the Regulation of Minister of Transportation No. 26/2017 formulation and The Verdict of Supreme Court No. 37 P/HUM/2017 cancellation argumentation also to answer how The Regulation of Minister of Transportation No. 26/2017 violates the business competition law. This is a normative legal research and used library study which uses statute analytical approach. The result of this research shows that the 18 articles of The Regulation of Minister of Transportation No. 26/2017 only discourage online taxi and not for conventional taxi. There are only several articles of The Regulation of Minister of Transportation No. 108/2017 as revision that resolved that legal issues.

Keywords: conventional taxi, online taxi, business competition law