

Analisis yuridis terhadap putusan pengadilan negeri jakarta pusat nomor 316 pdt g kppu 2013 pn jkt pst mengenai dugaan praktik diskriminasi oleh chevron indonesia company dalam tender export pipeline front end engineering design feed contract = Juridical analysis against the central jakarta distric court s decision number 316 pdt g kppu 2013 pn jkt pst concerning the alleged of discriminatory practice by chevron indonesia company in tender export pipeline feed contract

Triya Aryani, author

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Abstrak

Skripsi ini membahas mengenai analisis bentuk hukum persaingan usaha akibat dugaan praktik diskriminasi oleh Chevron Indonesia Company dalam Tender Export Pipeline Front End Engineering & Design (FEED) Contract. Penelitian ini difokuskan dengan melakukan analisis yuridis terhadap Putusan PN Jakarta Pusat No. 316/PDT.G/KPPU/2012/PN.JKT.PST. Penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan undang-undang. Penulis menggunakan bahan hukum primer, sekunder, maupun tersier, dengan menggunakan pendekatan kualitatif. Hasil dari penelitian menemukan bahwa PN Jakarta Pusat telah tepat membatalkan Putusan KPPU No. 05/KPPU-I/2012. karena KPPU telah keliru dalam mengimplementasikan Undang-Undang Nomor 5 Tahun 1999, khususnya terkait dengan pembuktian terhadap pelanggaran pasal 19 huruf d.

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This thesis discusses about the analysis of the legal form of competition as a result of the alleged discriminatory practice by Chevron Indonesia Company in Tender Export Pipeline Front End Engineering and Design (FEED) Contract. This research has focused on the juridical analysis against the Central Jakarta District Court's Decision Number 316/PDT.G/KPPU/2013/PN.JKT.PST. This research used normative legal research method with legislation approach. The author uses primary, secondary, and tertiary legal materials using a qualitative approach. The results shows that the Central Jakarta District Court was made the right decision in cancelling the KPPU's Decision Number 05/KPPU-I/2012 because the KPPU had erred in implementing the Law Number 5 in 1999, especially in relation to issue of evidence against violation of Article 19 letter d.