

**TANGGUNG JAWAB LION AIR GROUP TERHADAP PRAKTIK
DISKRIMINASI PENJUALAN KAPASITAS KARGO BERDASARKAN
HUKUM PERSAINGAN USAHA (STUDI TERHADAP PUTUSAN KPPU
NO. 07/KPPU-I/2020)**

Oleh Ayu Diah Rahmani

ABSTRAK

Berdasarkan Putusan Perkara Nomor 07/KPPU-I/2020, KPPU memutuskan bahwa Lion Group Airlines telah melakukan praktik diskriminasi terkait dengan Kerja Sama Penjualan Kapasitas Kargo. Penyusunan penelitian ini bertujuan untuk mengetahui praktik diskriminasi yang dilakukan oleh Lion Group dan bentuk tanggung jawab yang harus dilakukan oleh Lion Air Group serta upaya mencegah praktik diskriminasi agar tidak terulang kembali. Penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan dan pendekatan perkara. KPPU berdasarkan inisiatifnya melakukan penyelidikan kepada para terlapor akibat adanya indikasi terjadi persaingan usaha tidak sehat yang tidak berjalan sesuai dengan Undang-Undang. Berdasarkan hasil pembuktian, PT. Lion Mentari, PT. Batik Air Indonesia, dan PT. Lion Express terbukti melanggar ketentuan Pasal 19 huruf d Undang-Undang No. 5 Tahun 1999 tentang larangan praktik diskriminasi. Kedepannya diharapkan semua pelaku usaha di Indonesia dapat mendaftarkan kegiatan usahanya dalam Program Kepatuhan Persaingan Usaha yang diatur dalam Peraturan KPPU No. 1 Tahun 2022. Program ini memberikan kemudahan kepada KPPU agar dapat bergerak lebih leluasa dalam menjalankan fungsi pengawasannya dan mencegah terjadinya pelanggaran persaingan usaha. Selain itu program ini akan memberikan citra dan nama baik kepada pelaku dan kegiatan usahanya di Indonesia.

Kata kunci -- pencegahan; persaingan usaha; praktik diskriminasi

**LION AIR GROUP'S RESPONSIBILITY TO PRAKTIC
DISCRIMINATION OF CARGO CAPACITY SALES BASED ON
BUSINESS COMPETITION LAW (STUDY OF KPPU'S DECISION NO.
07/KPPU-I/2020)**

By Ayu Diah Rahmani

ABSTRACT

Based on the Decision on Case Number 07/KPPU-I/2020, KPPU decided that Lion Group Airlines had carried out discriminatory practices related to Cargo Capacity Sales Cooperation. The purpose of this research is to find out the discriminatory practices carried out by Lion Group and the forms of responsibility that must be carried out by Lion Air Group as well as efforts to prevent discriminatory practices from recurring. This study uses normative legal research methods with statutory and case approaches. KPPU, based on its initiative, conducted an investigation into the reported parties as a result of indications of unfair business competition occurring that did not work according to the law. Based on the results of evidence, PT. Lion Mentari, PT. Batik Air Indonesia, and PT. Lion Express is proven to have violated the provisions of Article 19 letter d of Law No. 5 of 1999 concerning the prohibition of discriminatory practices. In the future, it is hoped that all business actors in Indonesia can register their business activities in the Business Competition Compliance Program as regulated in KPPU Regulation No. 1 of 2022. This program provides convenience to KPPU so that it can move more freely in carrying out its supervisory function and prevent business competition violations from occurring. In addition, this program will give a good image and name to actors and their business activities in Indonesia.

Keywords--business competition;discriminatory practice;prevention