

# **PERBANDINGAN HUKUM PERSAINGAN USAHA INDONESIA DENGAN SINGAPURA MENGENAI SANKSI LAPORAN KETERLAMBATAN PEMBERITAHUAN MERGER DAN AKUISISI PERUSAHAAN**

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## **Abstrak**

Penelitian ini dilakukan untuk menjelaskan terkait perbandingan hukum persaingan usaha di Indonesia dengan Singapura mengenai proses dan sanksi laporan keterlambatan merger dan akuisisi perusahaan. Pokok permasalahan dalam penelitian ini adalah proses laporan pemberitahuan merger dan akuisisi perusahaan kepada lembaga persaingan usaha dan perbandingan hukum mengenai sanksi laporan keterlambatan pemberitahuan merger antara Indonesia dengan Singapura. Merger dan akuisisi merupakan salah satu upaya para pelaku usaha sebagai langkah dalam memajukan usaha bisnisnya. Lahirnya hukum persaingan usaha tersebut menjadi bentuk kepastian hukum bagi para pelaku usaha untuk melakukan penggabungan dan/atau pengambilalihan saham perusahaan. Penelitian yang dilakukan disini menggunakan metode penelitian yuridis normatif dan dapat disimpulkan bahwa kebijakan hukum persaingan usaha Indonesia sendiri menganut sistem *post-merger notification* atau pelaku usaha wajib melaporkan secara tertulis kepada komisi pengawas persaingan usaha pasca melakukan merger dan/atau akuisisi perusahaan paling lambat 30 hari sejak melakukan kegiatan tersebut. Sedangkan, Singapura menganut sistem *pre-merger notification* yaitu pelaku usaha harus konsultasi dahulu sebelum melakukan merger dan/atau akuisisi saham kepada komisi persaingan paling lambat 14 hari sebelum melakukan aktifitas tersebut. Selanjutnya, perbandingan sanksi hukum antara Indonesia dan Singapura yaitu sama-sama menerapkan sanksi administratif dengan perbedaan besaran nilai dendanya.

**Kata Kunci:** *Perbandingan Hukum, Persaingan Usaha, Notifikasi, Merger dan Akuisisi.*

# **COMPARISON OF INDONESIA'S BUSINESS COMPETITION LAW WITH SINGAPORE REGARDING SANCTIONS FOR LATE NOTIFICATION OF MERGER AND ACQUISITION COMPANIES**

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## **Abstract**

This research was conducted to explain the comparison of business competition law in Indonesia and Singapore regarding the process and sanctions for reporting late mergers and acquisitions of companies. The main issues in this study are the process of reporting notifications of mergers and acquisitions of companies to business competition institutions and legal comparisons regarding sanctions for reporting late notifications of mergers between Indonesia and Singapore. Mergers and acquisitions are one of the efforts of business actors as a step in advancing their business ventures. The birth of the business competition law is a form of legal certainty for business actors to merge and/or take over company shares. The research conducted here uses normative juridical research methods and it can be concluded that Indonesia's business competition law policy itself adheres to the post-merger notification system or business actors are required to report in writing to the business competition supervisory commission after the merger and/or acquisition of companies no later than 30 days after carrying out these activities. Meanwhile, Singapore adheres to a pre-merger notification system, namely that business actors must consult before conducting a merger and/or acquisition of shares to the competition commission no later than 14 days before carrying out these activities. Furthermore, the comparison of legal sanctions between Indonesia and Singapore is that both apply administrative sanctions with a difference in the amount of the fine.

**Keywords:** *Comparison of Laws, Business Competition, Notifications, Mergers and Acquisitions.*