Law Development Journal
SINTA 3 Degree No. 225/E/KPT/2022 dated 07 December 2022
ISSN: 2747-2604
Volume 6 No. 4, December 2024, (576-587)

Implementation of Google Play Billing (GPB) for Indonesian Developers and Consumers based on Law No. 5 of 1999 Concerning Monopoly Practices

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Abstract. *This study aims to analyze the Google Play Billing (GPB) policy implemented by Google towards developers and consumers in Indonesia in the context of Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition. This policy requires developers to use the Google Play Store internal payment system with a commission rate of 15-30%. This policy is considered to limit the freedom of developers in determining monetization methods and suppress their competitiveness, especially for small developers who have limited resources. The research method used is normative juridical with a statutory approach and case studies. Data were collected from regulations, official documents, and literature reviews. The analysis was carried out on relevant regulations and related legal cases, such as case 03/KPPU-I/2024 which is currently being handled by the KPPU. The results of the study show that the GPB policy has the potential to violate the principles of fair business competition, especially regarding abuse of dominant position and conditional sales practices (tying). This policy also creates barriers to market entry for new developers and limits the choice of payment methods for consumers, which has an impact on high prices for digital services and reduced innovation and diversity of applications. The conclusion of this study confirms the need for strong regulatory intervention to ensure a fairer, more transparent and competitive digital ecosystem. The novelty of this study is an in-depth analysis of the relevance of GPB policies to the legal framework for competition in Indonesia and policy recommendations that support local innovation and consumer protection.*

Keywords: *Business; Consumers; Developers; Monopoly.*

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1. Introduction

The development of the digital industry has brought about major changes in consumption patterns and product distribution, especially through application platforms such as the Google Play Store. In Indonesia, the Google Play Store dominates the digital application distribution market with a share reaching 93% of all application distribution on Android devices.[1] This dominance makes the Google Play Store almost irreplaceable for application developers who want to reach Android consumers in Indonesia, so that Google's role as a service provider platform becomes crucial in regulating market access and choice. One of the policies implemented by Google, namely the obligation to use Google Play Billing (GPB), requires all in-app transactions to use Google's internal payment system with a service commission of between 15-30% for each in-app purchase transaction.[2]

GPB, or Google Play Billing, is a mandatory payment system for digital transactions in applications distributed through the Google Play Store. Google requires every application developer on the Android platform to use this system, for reasons of user security and convenience. However, this policy is considered monopolistic because it pressures developers to use Google Play Billing without alternative options, violating several articles in Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition. Indications of monopoly arise because Google holds the largest market share for application distribution on Android and implements a payment policy that requires applications to follow their payment rules. This dependency raises concerns about monopolistic practices and restrictions on innovation that can hinder healthy competition in the digital market in Indonesia. This makes it difficult for developers to provide other payment options, as well as burdening local developers who must follow GPB standards that may not be in accordance with the local market. Google also prohibits application developers from directing users to use payment methods other than GPB. This practice is a violation of the Tying Agreement and price discrimination regulated in Law No. 5/1999.[3]

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[1] Meriyanti Djaka. 2023. *Tinjauan Asas Demokrasi Ekonomi atas Penyalahgunaan Posisi Dominan dalam Membatasi Pengembang Teknologi di Era Industri Kreatif: Studi Atas Tarif Layanan Google Play Store.* Jurnal Hukum & Pembangunan*,* *53*(2), 229-250.

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Law No. 5 of 1999 is the legal basis that regulates healthy business competition in Indonesia. This law aims to create a fair business climate for all business actors, protect consumers, and prevent detrimental monopolistic practices. The basic principles of this law are freedom of business, equal opportunity, transparency, and prohibition of monopolistic practices and unfair business competition. Prohibited monopolistic practices include market control by one or more business actors that can result in high prices, low product quality, and reduced consumer choice. This law prohibits various practices that can hinder healthy competition, such as cartels, market division, and abuse of dominant position. In addition, this law also gives authority to the Business Competition Supervisory Commission (KPPU) to supervise the implementation of the law and take action against business actors who violate it. Thus, Law No. 5 of 1999 plays an important role in maintaining a competitive market, protecting consumer interests, and encouraging sustainable economic growth.[4]To prevent monopolistic practices that cause market imbalance and unfair competition, the Business Competition Supervisory Commission (KPPU) is responsible for supervising the takeover of company shares because the dominance of large business actors makes the market unbalanced and increases product prices.[5]

In Indonesian trade regulations, various anti-competitive practices such as monopolies, price fixing, and discriminatory practices that can prevent business actors from competing freely are prohibited. This law aims to create a fair business climate by preventing excessive market dominance, so that consumers still have access to quality products at reasonable prices, and to protect small business actors from pressure from large dominant companies.[6]. Monopolies not only limit consumers' rights to choose products, but also risk stifling innovation and reducing efficiency in the market.[7]In the case of Google Play Billing, KPPU has received a report regarding alleged abuse of dominant position by Google which is manifested through the GPB policy, with registration number 03/KPPU-I/2024, and previously an investigation was conducted in 2022 regarding similar practices.[8]

This topic is important in the context of digital economy regulation because the dominance of big tech companies poses new challenges for the application of

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[4] Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition regulates monopolies.

[5] Muhamad Aria Torik Akbar, Yashinta Nurul Imani, Adinda Zahra Andriyani, & Dwi Desi Yayi Tarina. (2023). Analisis sengketa pelanggaran persaingan bisnis yang dilakukan oleh pt. Lion mentari. *Jurnal Ekonomi, Sosial & Humaniora*, *5*(03), 32-37.

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[7]Cit.

[8]Lingga Populinda et al., Op. Cit.

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competition law. Tech companies like Google have a large influence over the infrastructure and application ecosystem, so they can set rules that benefit their position but potentially harm local developers. GPB's policy of restricting alternative payment methods forces app developers to pay high commissions, which can reduce the competitiveness of small businesses and innovation in Indonesia's digital market.[9]This condition shows the urgency of research in understanding how competition law boundaries are applied to keep the digital economy competitive.

In addition, traditional competition law has not fully covered the dynamics of the digital economy, where large companies can act as market controllers without physical ownership of products. With continued dominance, the risk of monopoly and abuse of dominant position is increasing, which if not regulated can lead to excessive market concentration and consumer harm in the long term.[10]In this case, research is also needed to assess whether there is a violation committed by the Google Play Billing policy against Law No. 5 of 1999 and whether there is a need for a revision of the regulation to be in line with the challenges of the digital era in order to protect fair competition while supporting technological innovation in Indonesia.

The purpose of this study is to explain the implementation of GPB policies both for developers and consumers of digital play store products. In addition, this study will also analyze GPB policies related to Law No. 5 of 1999 concerning Abuse of Dominant Position and the Occurrence of Monopolies.

2. Research Methods

This study uses a normative legal method with a statute approach and a case study approach. This type of normative legal research aims to analyze the Google Play Billing (GPB) policy from a competition law perspective, specifically based on Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition (Law No. 5/1999). The statutory approach is carried out by reviewing relevant regulations, including regulations related to consumer protection and business competition. Meanwhile, the case study approach is used to compare the implementation of the GPB policy in Indonesia with similar practices in other countries, as well as to study case 03/KPPU-I/2024 which is currently being handled by the Business Competition Supervisory Commission (KPPU). This research is descriptive-analytical, focusing on the impact of the GPB policy on application developers and consumers in Indonesia.

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[9]Cit.
[10]Cit.

Data collection was conducted through library research using primary legal materials such as Law No. 5/1999, Law No. 8/1999 concerning Consumer Protection, and official documents related to the KPPU trial. In addition, this study also uses secondary legal materials in the form of legal textbooks, scientific journals, research results, and expert opinions. The data analysis technique used is legal document analysis, which involves interpretation and evaluation of regulations, legal doctrines, and court decisions to determine the existence of monopolistic practices and abuse of dominant position by Google LLC. Through this analysis, the study is expected to provide relevant recommendations for policy makers in creating a fairer digital ecosystem and supporting healthy business competition in Indonesia.

3. Results and Discussion

3.1. Implementation of Google Play Billing Policy for Application Developers in Indonesia

Google Play Billing (GPB) policies have a significant impact on the freedom and choice of app developers in Indonesia. To distribute their apps through the Google Play Store, developers are required to follow various policies and guidelines set by Google. Since the Google Play Store is the primary app distribution platform for the Android operating system, these policies limit developers' freedom in determining how to promote and sell their apps. As a result, developers cannot fully control the distribution or marketing strategies according to their needs and preferences (Patkar et al., 2020).

A good policy should consider the interests of all parties involved, including Developers, rather than just maximizing profits for large companies like Google. In this case, a more inclusive and fair approach would be to give Developers more freedom in determining the business model, payment method, and marketing strategy that they consider most effective. Thus, Google Play Billing (GPB) should ideally provide more flexibility for Developers to run their businesses sustainably (Mitchell et al., 2016).

In addition, the choice of design and interface structure implemented in the Google Play Store can influence user behavior in selecting and downloading applications. For example, the placement of certain applications on the front page or recommendation algorithms can shape user preferences. This limits developers in designing and offering unique and different application experiences. If the freedom to experiment with design or features is limited, innovation in application development is hampered (Reeck et al., 2023).

The revenue sharing policy implemented by Google Play Billing (GPB) is also a major obstacle for developers. With a significant cut of the revenue generated

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through in-app purchases, many developers find it difficult to maintain profitability. In addition, this policy limits their ability to explore alternative monetization models such as direct payments through websites or using third-party payment services. As a result, lower revenues can hinder further app development, limit feature improvements, and even cause apps to no longer be updated or abandoned altogether (Lin et al., 2017).

The dominance of Android and Google Play Store in Indonesia exacerbates this situation. With more than 90% of the smartphone market share using Android, developers have almost no other app distribution options other than the Google Play Store. Alternative distribution options such as third-party app stores are rarely used by consumers due to concerns about security and convenience. Thus, developers are forced to comply with Google Play Billing (GPB) policies even though these policies often conflict with their business needs (Rinawan, 2020).

The lack of transparency in the app selection and ranking process on the Google Play Store is also a major challenge for small and independent developers. The opaque algorithm often favors large developers or popular apps that already have many downloads and positive reviews. This makes it difficult for small developers to increase the visibility of their apps, even if they have high quality and innovative features. As a result, consumers are also disadvantaged by having limited and less diverse app choices (Virani et al., 2021; Wykes & Schueller, 2019).

In addition to business and distribution aspects, Google Play Billing (GPB) policies also affect technical aspects in application development. The quality of the application development system and additional tools provided by Google Play affect the freedom of developers to develop applications in an efficient and innovative way. If this system is unstable or has technical limitations, developers will have difficulty optimizing their applications. This can impact application performance, security, and user convenience (Liu, 2023).

Freedom of choice is a key element in supporting developer progress and empowerment. However, the current Google Play Billing (GPB) policy does not create the right balance between the freedom to innovate and the support developers need to thrive. Ideally, a more flexible and transparent policy would allow developers to develop apps with business models that suit their needs without feeling constrained by rigid and detrimental regulations (Huber et al., 2020).

In conclusion, Google Play Billing (GPB) policies in Indonesia have a significant impact on Developers' freedom and choice in terms of app monetization, marketing, design, and distribution. Reliance on a single distribution platform, restrictive revenue sharing policies, and lack of transparency hinder growth and

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innovation in the app development industry. Therefore, fairer and more supportive policies are needed to create a healthier, more innovative, and more diverse app ecosystem in Indonesia.

3.2 Implementation of Google Play Billing Policy for Google Playstore Digital Product Consumers

Google Play Billing (GPB) policies have a significant impact on the freedom and choice of users in Indonesia, especially in how they access, select, and use applications. The centralization of application distribution through the Google Play Store makes it almost the only platform for users to download applications officially and safely. However, the strict policies that developers must adhere to on this platform often limit the availability of various types of applications. For example, applications that have certain features or business models may be prohibited or restricted by Google Play Store guidelines, preventing users from enjoying a variety of applications according to their needs or preferences (Patkar et al., 2020).

In addition, the dominance of the Android platform and the Google Play Store in Indonesia creates a situation where application distribution options are very limited. Although there are alternatives such as third-party application stores, most users tend to avoid them due to security and convenience concerns. This means that users are indirectly forced to accept Google Play Billing (GPB) policies, even though these policies may not be in accordance with their wishes or needs. This policy, for example, stipulates that all in-app payments must go through Google's payment system, which can affect the price of the application or service purchased by the user (Patkar et al., 2020).

The lack of transparency in the app selection and ranking process on the Google Play Store also limits users' ability to make informed decisions. Sometimes, the app ranking algorithm prioritizes apps that are more profitable for Google or apps from large developers, while high-quality apps from small developers often get lost in search results. Users may miss out on apps that are actually better suited to them simply because of their lack of visibility on the Google Play Store. While certain features of popular apps may attract users, this transparency issue can degrade the overall user experience (Virani et al., 2021).

The quality and sustainability of the app development system also affect user freedom and choice. Apps built with poor quality third-party libraries or unstable build systems can introduce technical issues, such as bugs, crashes, or security vulnerabilities. This not only ruins the user experience but can also put their personal data at risk. Google Play Billing (GPB) policies that limit developers' options in choosing certain development tools can result in suboptimal or unsafe apps (Liu, 2023).

The revenue sharing model implemented by Google Play Billing (GPB) also limits developers' flexibility in monetizing their apps. Developers are forced to follow a set revenue sharing policy, which discourages them from developing certain apps due to the small potential for profit. As a result, the diversity of apps on the Google Play Store is reduced, and users lose the opportunity to enjoy innovative or specific apps that may not meet Google's profit criteria (Lin et al., 2017).

The concept of freedom of choice is essential to empowering users. Good policies must balance this freedom with adequate support, such as protection against harmful content and fraud. However, the current Google Play Billing (GPB) policy favors Google's business interests over users' needs. Users often feel trapped in an ecosystem that gives them little control over how apps are accessed, purchased, and used (Huber et al., 2020).

In addition, privacy and data security issues are also a major concern. Many apps on the Google Play Store lack adequate privacy policies or blatantly collect users' personal data without explicit permission. The Google Play Billing (GPB) policy does not directly address these issues, and users are often unaware of the risks they face when using these apps. Studies have shown that many apps ignore good data protection principles, which can undermine user trust and limit their freedom to use apps comfortably and safely (Alamri et al., 2022; O'Loughlin et al., 2019; Shekhawat et al., 2023).

In conclusion, the Google Play Billing (GPB) policy in Indonesia has a major impact on user freedom and choice. Restrictions on app distribution, lack of transparency, app quality issues, and privacy issues make users feel constrained. This policy hinders app diversity and limits users from choosing apps that suit their needs. A more balanced approach is needed, which takes into account the interests of all parties, including Developers and users, to create a healthy, transparent, and diverse app ecosystem in Indonesia.

3.3. Analysis of the Relationship between Google Play Billing (GPB) Policy and Monopoly Violations in accordance with Law No. 5/1999

3.3.1. Case Background and Legal Process

On June 28, 2024, the Business Competition Supervisory Commission (KPPU) began a hearing regarding alleged monopoly in the Google Play Billing (GPB) policy with case number 03/KPPU-I/2024. This case focuses on alleged violations of Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition (Law No. 5/1999). Google LLC as the reported party is suspected of abusing its dominant position by requiring Developers to use GPB as the sole payment method for in-app transactions on the Google Play Store.

The investigation began on September 14, 2022 after KPPU received reports from various parties, including the Developer and Consumer Associations. The Alleged Violation Report (LDP) includes various points highlighting Google's dominance in the Indonesian digital application market and the negative impact of GPB policies on business competition and consumer freedom. The legal process involves several stages, including preliminary examination, evidence collection, and submission of responses from Google LLC. The follow-up hearing is scheduled for July 16, 2024, with a preliminary examination period of 30 working days until July 31, 2024.

3.3.2. Abuse of Dominant Position in GPB Policy

According to Article 25 paragraph (1) of Law No. 5/1999, abuse of a dominant position occurs when a business actor dominates the market and uses that position to limit or inhibit business competition. Google has a dominant position by controlling more than 90% of the market share of application distribution in Indonesia through the Google Play Store. The GPB policy that requires Developers to use Google's payment system limits flexibility in choosing payment methods, which ultimately hinders innovation and business growth for small and medium Developers.

This dominant position is reinforced by the Android ecosystem that is already integrated with the Google Play Store service as a default application on almost all Android devices. This creates a large dependency for Developers and consumers, making it difficult for them to switch to other distribution platforms that have a smaller market share. This policy leaves Developers with little choice but to comply with GPB policies even though it is detrimental to their business.

3.3.3. Conditional Sales Practices (Tying) and Their Impact

The GPB policy can also be categorized as a conditional sales practice (tying), which is prohibited in Article 15 of Law No. 5/1999. Google requires Developers who want to distribute their applications on the Google Play Store to use GPB as an exclusive payment method. If Developers do not comply with this policy, their applications are at risk of being removed from the Google Play Store. This practice limits the freedom of Developers to choose alternative payment solutions that better suit their needs and business strategies.

As a result of this policy, many developers feel pressured because they have to pay commissions of up to 30% of each transaction in the application. This high commission reduces their profit margins and makes the business model unsustainable, especially for small developers with limited resources. In addition, this tying practice also hinders innovation in digital payment systems and makes it difficult for competitors to compete healthily.

3.3.4. Market Entry Barriers and Disadvantages for Developers

The GPB policy creates significant barriers to entry for new and independent developers. High service fees and the requirement to use GPB make it difficult for many developers to compete with large developers who have more resources. This is contrary to the objectives of Law No. 5/1999 which wants equal business opportunities for all business actors.

This barrier also narrows consumer choices due to the reduced diversity of applications available in the market. Many developers are forced to stop developing applications or look for alternative markets that have a smaller share. As a result, consumers lose the opportunity to enjoy innovative and quality applications from local developers.

3.3.5. Impact of GPB Policy on Consumers

The negative impact of the GPB policy is not only felt by Developers, but also by consumers. With this policy, consumers lose the freedom to choose a payment method that is more efficient, economical, or according to their preferences. In addition, additional costs due to service fees charged by Google cause the price of digital services to increase, which ultimately burdens consumers.

This policy also raises concerns about transparency and fairness in the digital application ecosystem. Consumers are often unaware that the prices of the services they pay are higher due to the GPB policy. This is contrary to the principles of consumer protection and freedom of choice stipulated in various competition regulations.

3.3.6. KPPU's Response and Steps

In the face of these alleged violations, KPPU continues to conduct investigations and trial processes to ensure that there is a violation of Law No. 5/1999. If Google LLC is found guilty, the sanctions given could be in the form of a large fine or an order to change the GPB policy to be more in line with the principles of healthy business competition. This case is an important milestone in the enforcement of competition law in the digital era, while also providing protection for Developers and consumers in Indonesia.

Based on the explanation above, it can be concluded that the Google Play Billing (GPB) policy shows strong indications of violations of Law No. 5 of 1999 concerning abuse of dominant position, conditional sales practices, and barriers to market entry. The legal process with case number 03/KPPU-I/2024 which is currently underway at the KPPU is a crucial step to ensure that the principle of healthy business competition is maintained. With a fair decision that favors all business actors, it is hoped that Indonesia's digital ecosystem can develop fairly, innovatively, and sustainably.

4. Conclusion

The Google Play Billing (GPB) policy in Indonesia strongly indicates monopolistic practices and abuse of dominant position as stipulated in Law No. 5 of 1999. By requiring developers to use GPB as the only payment method on the Google Play Store, Google LLC limits developers' freedom to choose monetization strategies and burdens them with high commissions of up to 30%. This situation is exacerbated by the dominance of the Google Play Store, which controls more than 90% of digital application distribution on Android devices in Indonesia, creating barriers to market entry for small and new developers. In addition to harming developers, this policy also has a negative impact on consumers by reducing application diversity, limiting payment method choices, and increasing the price of digital services. Therefore, the implementation of GPB has the potential to violate the principles of healthy business competition and encourages the need for intervention from the Business Competition Supervisory Commission (KPPU) to create a fair, transparent, and competitive digital ecosystem.

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