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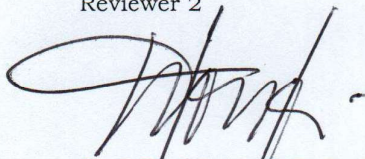
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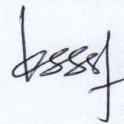
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Reviewer I



Prof. Dr. Budi Santoso, S.H., M.S
NIP. 196110051986031002
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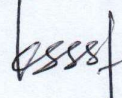
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NIP. 196110051986031002
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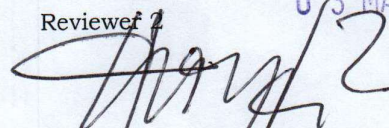
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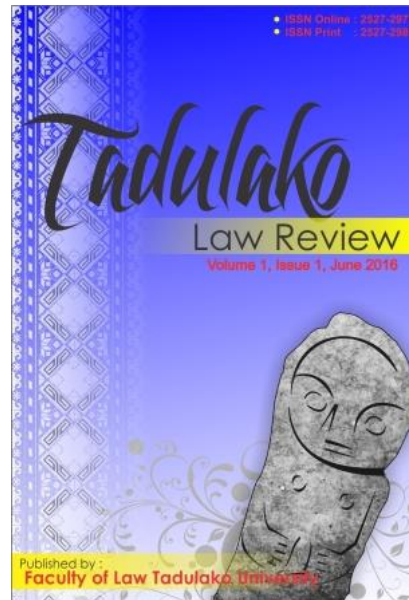
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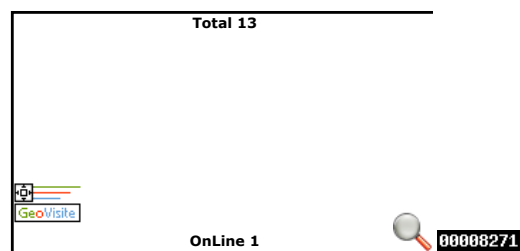
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**REALIZING THE LEGAL CERTAINTY OF CALCULATING FINES
BUSINESS COMPETITION LAW****Hari Sutra Disemadi¹, Kholis Roisah², Paramita Prananingtyas³**¹Diponegoro UniversityJL. Imam Bardjo, S.H, Kampus Pleburan, Semarang, Central Java, 50241, Indonesia
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Telp./Fax: +62-813-25141001 Email: pptyas@yahoo.com*Submitted: Aug 07, 2019; Reviewed: Aug 14, 2019; Accepted: Dec 29, 2019***Abstract**

The Business Competition Supervisory Commission (KPPU) by the Business Competition Law (Law Number 5 Year 1999) has been given the authority to impose sanctions in the form of administrative measures, namely the imposition of administrative fines. The amount is very clearly regulated in the Business Competition Law, which is the lower limit and the upper limit. In fact, prior to the implementation of guidelines for calculating fines, many KPPU's decisions deviated from the amount of sanctions that have been regulated in the Business Competition Law. Therefore, that will raise questions about the quality of the KPPU's decision. Even worse, if the public or business actors no longer trust KPPU, because KPPU acts unfairly against other business actors. Not fair, by looking at the disparity in determining the amount of fines imposed. To minimize the foregoing, the issuance of guidelines for calculating fines is expected to overcome the disparity problem in imposing fines on the Reported Party. The issuance of this guideline does not in fact intend to limit the space and independence of the KPPU but will instead assist the KPPU's tasks.

Keywords: *Business Competition Law; Calculation of Fines; Legal Certainty***INTRODUCTION**

Law Number 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition (Law on Business Competition) which was passed by the President of the Republic of Indonesia on March 5, 1999. This law has long

been awaited by the public. This law was born with a background of unhealthy and anti-competitive business practices. Conflicts of interest between those in power or at least those close to the authorities seem to control the business world in Indonesia.

This has a tremendous impact. Mo-

**HIGH CONSERVATION VALUE (HCV) CONSIDERATION IN THE
EXTRICATION OF FOREST AREA FOR PALM PLANTATION****Muhamad Muhdar¹, Haris Retno S.², Sopialena³**¹Mulawarman UniversityJL. Kuaru, Gn. Kelua, Samarinda Ulu, Samarinta, East Kalimantan, 75119, Indonesia
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Telp./Fax: +62-541-749343 Email: sopialena88@gmail.com*Submitted: Apr 05, 2019; Reviewed: Mei 13, 2019; Accepted: Dec 29, 2019***Abstract**

Planting activities are undergoing in the area of former forest with mechanism of extrication of forest area or non-forest area that commonly has high conservation value or known as High Conservation Value (HCV). However, the extrication of forest area for Palm Plantation has eroded the presence of forest with HCV disrupting ecosystem balance and harming the wellbeing of current and next generations. Legal system does not specifically regulate the limit of application for the use of forest area for palm plantation through the mechanism of forest extrication. Legal provisions at the national and regional levels encounter a difficulty accommodating the existence of area with HCV, especially in terms of regional spatial plans. Moreover, the obscurity of forest distribution and non-forestry areas with HCV also complicates the regulation at the level of imperative provisions.

Keywords: *Extrication; Forest; High Conservation Value; Palm Plantation; Permit***INTRODUCTION****Background**

Indonesia has an oil palm plantation of 12.30 million hectares and produces 34.74 million tons of national production in 2017 which spread across Indonesia's main islands of Kalimantan, Sumatra, Sulawesi and Papua. This fact shows that Indonesia is the largest producer of crude

palm oil (CPO) in the world. The province of East Kalimantan alone has been experiencing significant increase and by the end of 2017 it reached 1.208.697 hectares and contributed 7.53% of national product (2017).¹

From 1987 until the end of 2018 there happened an extrication of

¹ Plantation Office of East Kalimantan Province, December 2018