DETERMINATION OF UPPER LIMIT TARIFF OF THE AIRCRAFT TICKET BASED ON AIRCRAFT TICKET REGULATION UNDERGRADUATE THESIS



Written by:

M. Tri Saputra

NIM. 20160610186

Faculty of Law
International Program For Law And Sharia
Business Law
2020

APPROVAL PAGE DETERMINATION OF UPPER LIMIT TARIFF OF THE AIRCRAFT TICKET BASED ON AIRCRAFT TICKET REGULATION

Undergraduate Thesis

This Undergraduate is submitted as one of the requirements to obtain the degree of Bachelor of Laws at Faculty of Law Universitas Muhammadiyah Yogyakarta

Written by:

M. Tri Saputra

NIM 20160610186

UNIVERSITAS
MUHAMMADIYAH
YOGYAKARTA

This Undergraduate Thesis has been approved by the Advisor $\label{eq:continuous} \text{On February 24th, 2020}$

Advisor

Prof. Dr. Mukti Fajar Nur Dewata, S.H., M.Hum. NIK. 19680929199407

ENDORSEMENT PAGE

DETERMINATION OF UPPER LIMIT TARIFF OF THE AIRCRAFT TICKET BASED ON AIRCRAFT TICKET REGULATION

This undergraduate thesis has been defended in front of the board of examiners

On Tuesday, June 23th, 2020 and stated passed the thesis defense.

Board of Reviewers:

Signature

1. Chairman : <u>H. Nasrullah, SH., S.Ag., MCL.</u> NIK. 1970061720004 153 045

((50))

2. Examiner 1 : Prof. Dr. Mukti Fajar ND, S.H., M.Hum. NIK. 19680929199407

UNIVERSITAS MUHAMMADIYAH YOGYAKARTA

3. Examiner 2 : <u>Dr. Fadia Fitriyanti, SH., M.Hum., M.kn.</u> NIK. 19711127199603 153 026

Endorsed by,
Dean of Faculty of Law
Universitas Muhammadiyah Yogyakarta

Dr. Trisno Raharjo, S.H., M.Hum. NIK. 19710409199702 153 028

DECLARATION PAGE

I am the undersigned:

Name

: M. Tri Saputra

Student Number

: 20160610186

Title of Thesis

: DETERMINATION OF UPPER LIMIT TARIFF OF

THE AIRCRAFT TICKET BASED ON AIRCRAFT TICKET REGULATION

Hereby declare that the writing of this undergraduate thesis is based on the results of my own research, thoughts and original presentation. To the best of my knowledge, there are no works or opinions written and published by others, except as references or quotations by following the usual scientific writing procedures.

I make this statement with truth and if in the future there are deviations and untruths of this statement, then I am willing to accept academic sanctions in the UNIVERSITAS form of revocation of titles that have been obtained because of this paper and other sanctions in accordance with applicable regulations at the University of Muhammadiyah Yogyakarta.

Thus, I make this statement in a conscious state without coercion from any party.

Yogyakarta, June 28th, 2020

M. Tri Saputra NIM. 20160610186

MOTTO PAGE

(Q.S. Al-Baqarah - 286)

لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا وُسْعَهَا لَهَا مَاكَسَبَتْ وَعَلَيْهَا مَا لَا يُحَمِلُ الْكُكَسِبَتُ أَوْ أَخْطَ أَنَا رَبَّنَا وَلَا تَحْمِلُ الْكُسَبَتُ رَبَّنَا وَلَا تَحْمِلُ عَلَيْنَا آوَ أَخْطَ أَنَا رَبَّنَا وَلَا تَحْمِلُ عَلَيْنَا إِصْرًا كَمَا حَمَلْتَهُ عَلَى ٱلَّذِينَ مِن قَبْلِنَا رَبَّنَا وَلَا تُحَمِّلُنَا عَلَيْنَا إِصْرًا كَمَا حَمَلْتَهُ عَلَى ٱلَّذِينَ مِن قَبْلِنَا رَبَّنَا وَلَا تُحَمِّلُنَا مَا كَمَا حَمَلُتَهُ عَلَى ٱلَّذِينَ مِن قَبْلِنَا رَبَّنَا وَلَا تُحَمِّلُنَا مَا كَمَا حَمَلُتَهُ وَعَلَى ٱلَّذِينَ مِن قَبْلِنَا وَالْمَحْمَنَا أَنْ الْمَاقِلَةُ لَنَا وَالْمَعْمِلُ اللَّاطَاقَةَ لَنَا يَهِ مِنْ عَلَى ٱلْقَوْمِ ٱلْكَعْوِينَ ﴿ اللَّاكُ اللَّاطَاقَةَ لَنَا يَا عَلَى ٱلْقَوْمِ ٱلْكَعْوِينَ ﴾ ﴿ اللَّاكُ وَالْمَاتُولُونَ عَلَى اللَّهُ وَالْمَاتِينَا وَالْمَاقِينِ اللَّهُ اللَّالَّالَةُ وَالْمَالُونُ اللَّالَّالُولِينَا عَلَى ٱلْقَوْمِ ٱلْكَعْوِينَ ﴾ اللَّاطَاقَةُ لَنَا عَلَى ٱلْقَوْمِ ٱلْكَعْوِينَ ﴾ ﴿ اللَّالَا عَلَى الْقَوْمِ ٱلْكَافِورِينَ اللَّالَّهُ وَالْمَالَالُكُولُولُولُولُهُ اللَّهُ اللَّهُ وَعَلَى الْمُعْرِينَ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ وَاللَّهُ اللَّهُ اللَّهُ الْمُ الْمُ اللَّهُ الْمُنْ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُلْلُولُ اللَّهُ الْمُؤْمِنَ اللَّهُ الْمُؤْمِلُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُؤْمِلُ اللَّهُ الْمُؤْمِلُ اللَّهُ الْمُؤْمِلُولُ اللَّهُ اللَّهُ الْمُؤْمِلِي اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُؤْمِلُ اللَّهُ الْمُؤْمِلُولُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُؤْمُ اللَّهُ

Allah does not burden a person but according to his ability. He gets (merit) from (the virtue) he does and he gets (torture) from (the evil) he does. (They pray),

"O our Lord, do not rule us if we forget or we make mistakes.

O our Lord, do not burden us with heavy burdens as You have burdened the people before us.

O our Lord, Thou shalt not bear for us what we cannot bear it.

Forgive us, forgive us, and bless us.

You are our protector, so help us face unbelievers. "

DEDICATION PAGE

Alhamdulillahirabbal'alamin

This Undergraduate Thesis is dedicated to

My Lord, Allah Subhanahu wa-ta'ala

Prophet Muhammad Shallallahu 'Alaihi Wa Sallam

My Beloved Parents

Agus, S.sit

Murniati

My Lovely Sisters

Drg. Wahyuni Ridha Ramadhani

Wahyu Ridha Rahma Agustiana, S.H.

Wahyu Ridha Ramadhan Citra

Wahyu Alfiah Katira

FOREWORD

Alhamdulillâhi hamdan yuwâfî ni'amahu wa yukâfiu mazîdah, I am forever grateful for the presence of Allah Subhanahu wa-ta'ala, the Most Merciful and The Most Gracious who has given me His blessings and an opportunity to accomplish my undergraduate thesis as my final work entitled "DETERMINATION OF UPPER LIMIT TARIFF OF THE AIRCRAFT TICKET BASED ON AIRCRAFT TICKET REGULATION" to fulfil the requirement to obtain the degree of Bachelor of Law at the International Program for Law and Sharia, Faculty of Law, Universitas Muhammadiyah Yogyakarta.

I do realize that in the process of writing this thesis, there were many parties who have helped and guided me, thus I would like to express my sincere gratitude to:

- My beloved parents, Agus, S.sit and Murniati, and also my sisters, Drg.
 Wahyuni Ridha Ramadhani, Wahyu Ridha Rahma Agustiana, S.H., Wahyu
 Ridha Ramadhan Citra, and Wahyu Alfiah Katira, whose love, prayers, and
 support to finish this thesis and hold the title of Bachelor of Law.
- Prof. Dr. Mukti Fajar ND, S.H., M.Hum. as my Advisor, who have guided, motivated and taught me about patience, wisdom, and compassion.
- All the lecturers and staff in Faculty of Law, UMY especially IPOLS who have taught and helped me reaching my goals during my study.
- My best friends, Mohamad Aji Santiko, Naufal Bagus Pratama, Malik Maulana
 Ridwan, Nurul Fadli Nugroho, M. Naufal Djatnika, Charles Godang Halomoan

H, Runi Hilda Fadlani Siregar, Ghina Salsabila Aven, Fatimah Nuraini, Grandis Ayuning Priyanto, and Maharani Indhira Astuti. They are amazing souls, who have motivated me motivation: I have never met such a good and wholehearted person like them.

I realized that this writing is still far from perfection, therefore any suggestion is welcome. Finally, I do expect this thesis will give benefits for readers and future researchers.

Wassalamualaikum warahmatullahi wabarakatu.

Yogyakarta, February 29th, 2020

UNIVERSITAS MUHAMMADIYAH YOGYAKARTA

> M. Tri Saputra NIM. 20160610186

TABLE OF CONTENT

APPR	OVAL PAGE	i
ENDO	DRSEMENT PAGE	iii
DECL	ARATION PAGE	iv
MOT	ГО РАСЕ	. v
DEDI	CATION PAGE	vi
FORE	WORD	vii
TABL	E OF CONTENT	ix
LIST	OF STATUES	. X
ABST	RACT	хi
	PTER ONE INTRODUCTION	
A.	Background	
В.	Research Problem.	
C.	Objective of Research	
D.	Benefit of Research	. 4
CHAF	PTER TWO LITERATURE REVIEW	. 5
A.	General Review about Tariff	. 5
B.	General Review about Determination of Aircraft Ticket Tariff	
C.	General Review about Business Competition Law	11
CHAF	PTER THREE RESEARCH METHOD	20
A.	Type of ResearchYOGYAKARTA	20
B.	Type of Data Data Collections	20
C.		
D.	Data Analysis	22
CHAF	PTER FOUR FINDING AND ANALYSIS	23
A.	The Minister of Transportation's regulation on the Establishment of A	٩ir
Trai	nsport Tariff Limits contradict or violate business competition	
В.	ε	
	ister of transportation	35
C.	The Mechanism for determining Tariff by Airlines	42
CHAF	PTER FIVE CONCLUSION AND RECOMMENDATION	
A.	Conclusion	
В.	Recommendation	58
BIBL	IOGRAPHY	59
ΔΤΤΔ	CHMENT	

LIST OF STATUES

Acts

The Law Number 1 of 2009 about Flight

The Law number 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition

Government Regulation

The Minister of Transportation Regulation Number 14 of 2016 concerning the Mechanism for calculating upper and lower limits of passengers in the Class of Economy Services for Domestic Scheduled Commercial Air Transport

The Minister of Transportation Regulation Number 20 Year 2019 concerning Procedures and Formulation of Calculation of Passenger Upper Economy Class Service Limits

The Decree of the Minister of Transportation Number 106 of 2019 concerning the Tariff Limit on Passenger Economy Class Services for Domestic Scheduled Commercial Air Transport.

UNIVERSITAS MUHAMMADIYAH YOGYAKARTA

Unggul & Islami