

Indonesia: KPPU releases 2023 annual report; continued robust enforcements and Competition Law amendment on the horizon

In brief

2023 was a transformative year for the Indonesian Competition Commission (Komisi Pengawas Persaingan Usaha, KPPU). Among others, the KPPU updated its **merger control regulation** and **case handling regulation**, introduced **guidelines to help corporations identify issues in bid rigging**, and updated its **guideline to define the relevant market and mechanism for payment of administrative fines by instalments**. The transformation continues with the **new KPPU leadership** and issuance of regulation on **case handling for unfair contract terms**. In June 2024, the KPPU released its **2023 Annual Report** showcasing trends and statistics in merger control and enforcement.

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2023 KPPU enforcement in numbers

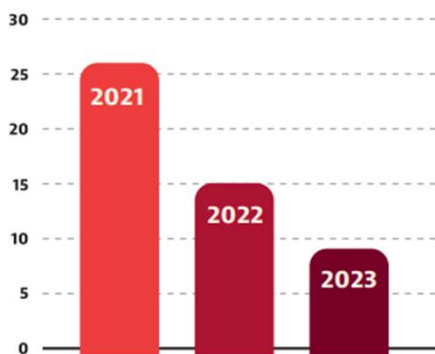
Merger control in 2023

On the horizon

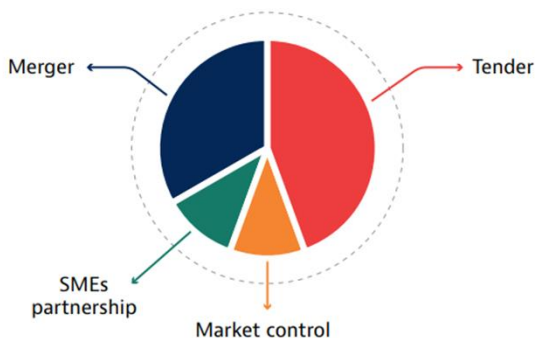
2023 KPPU enforcement in numbers



Number of Issued Decisions (2021-2023)



Trends (2023)



Industry (2023)

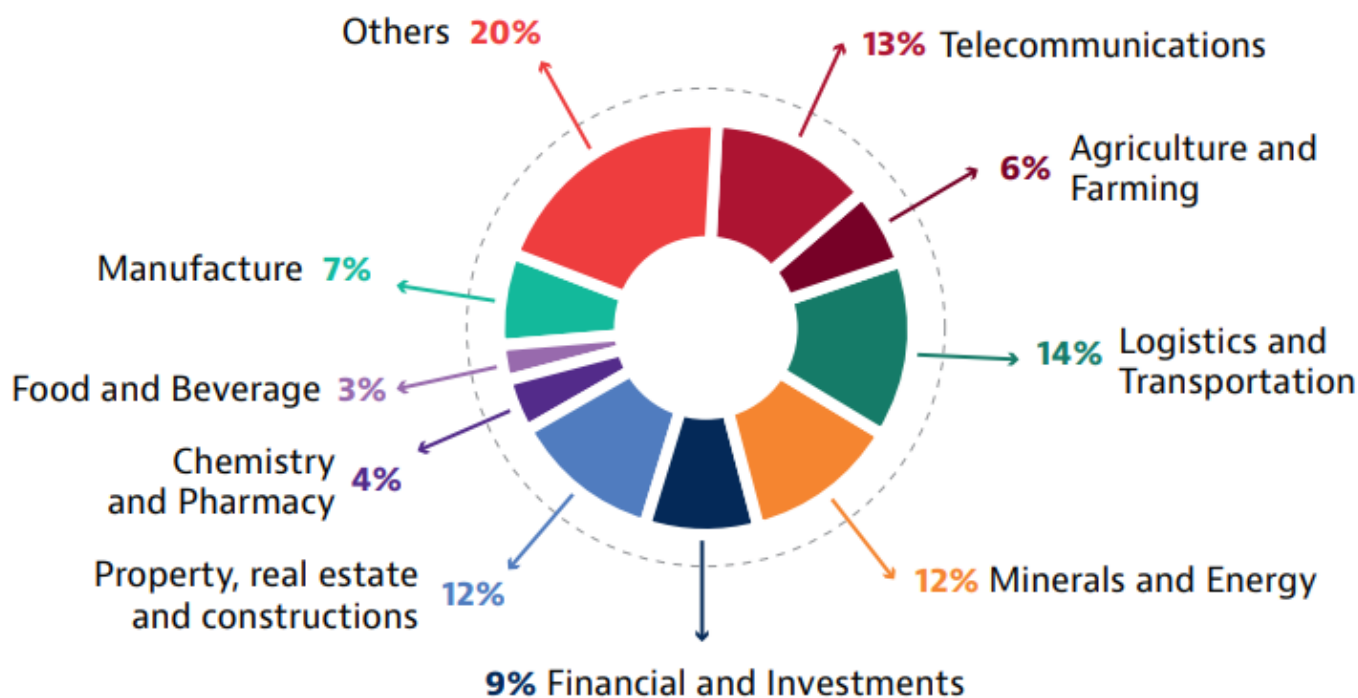


Merger control in 2023

Although the merger filing criteria for assets thresholds has been reversed to only capture Indonesian assets, the number of offshore transaction filings received by the KPPU in 2023 remains significant as they account for up to 43% of the merger filings received throughout the year.



Industry Classification for merger control



Source: KPPU Annual Report 2023 and KPPU's website

On the horizon

In 2024, KPPU has been actively scrutinizing potentially unfair business practices agreements and conducts. KPPU is currently examining three cases sourced from its own initiative and two cases sourced from public reports, in addition to a late notification case and an unfair contract terms case.

Under its new leadership, the KPPU has been actively participating in various international forums, including the [OECD meeting](#) and [ABA Spring Meeting](#). These were followed by [an audience with the House of Representatives to discuss the possible amendment of the Competition Law](#), where the KPPU chairperson raised issues such as overlapping provisions, ineffective post-transaction merger control, and the absence of a leniency procedure as among the reasons why the current Competition Law has become rather obsolete and thus needs updating.

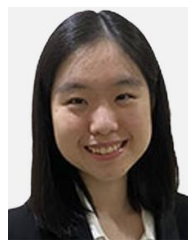
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