ABSTRACT

Conspiracy to obtain secret information from company’s business competitors which leading to unfair market competition is one of prohibited action regarding to article 23 of Undang-Undang Nomor 5 Tahun 1999. Conspiracy could be performed if there are two parties or more performing dishonest cooperation, for an unlawful purpose, and barricading market competition. Term of company's confidential data as stated in article 23 is describes the trade secret which is stated in Undang-Undang Nomor 30 Tahun 2000. One of cases regarding to suspected conspiracy to obtain confidential information from business competitors is the project of beauty contest Donggi-Senoro which involves PT Medco Energi Internasional, PT Medco E&P Tomori Sulawesi, and Mitsubishi Corporation. PT Medco Energi Internasional, Tbk, PT Medco E&P Tomori Sulawesi and Mitsubishi Corporation suspected have performed dissipation through article 23 by performing conspiracy to acquires information from LNGI by due diligence that purposed as consideration motive of Mitsubishi Corporation in arranging proposal whether before and at the event is held. As long as the informations are used by other parties for business and personal purposes, it could be categorized as conspiracy to acquire competitor's confidential informations.

Key words:
Competition law, Conspiracy, Company’s confidential