



**Asia-Pacific  
Economic Cooperation**

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**2013/SOM1/CPLG/033**

Agenda Item: 8

## **Report on Recent Developments in Competition Policy**

Purpose: Information  
Submitted by: Chinese Taipei

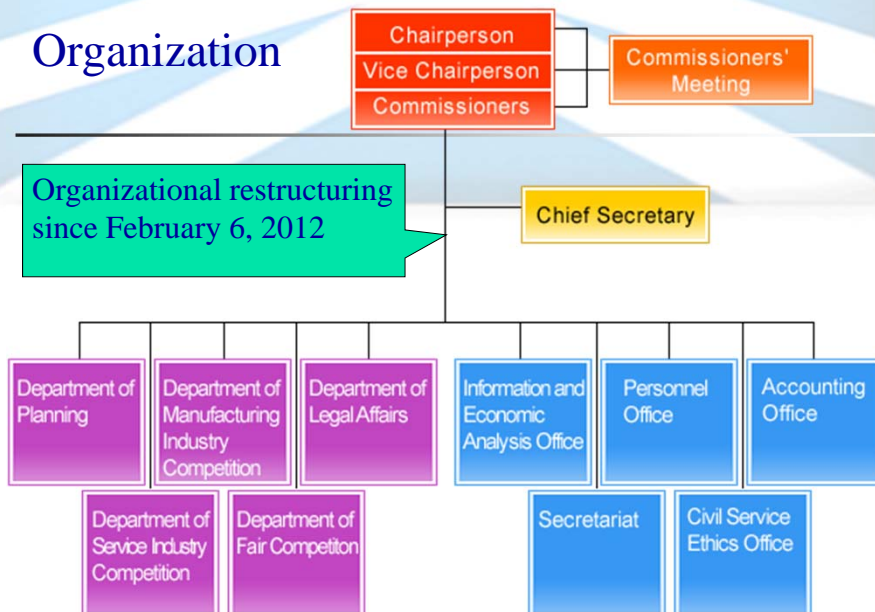


**Competition Policy and Law Group Meeting  
Jakarta, Indonesia  
3-4 February 2013**

# Recent Developments in Competition Policy

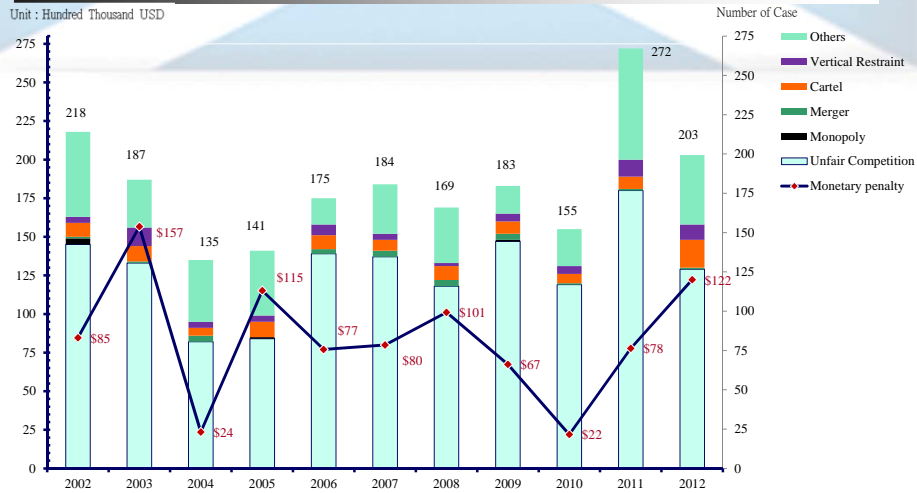
YEN Chia Lin  
 Section Chief, Department of Planning  
 Fair Trade Commission, Chinese Taipei  
 February 4, 2013

## Organization



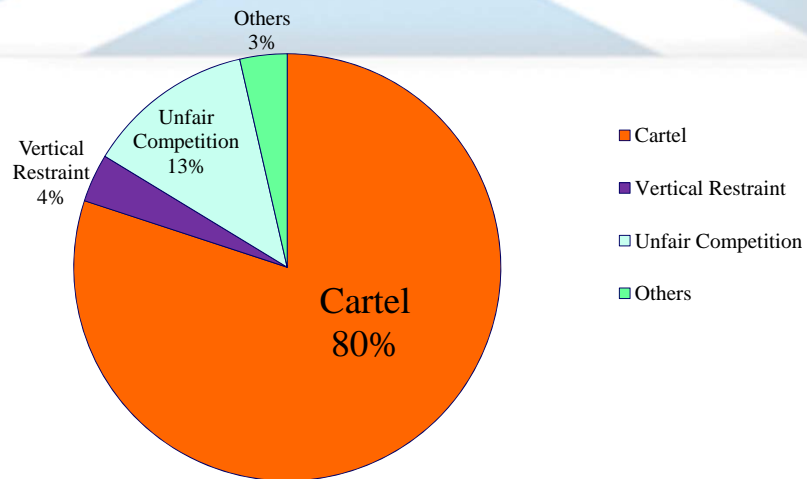
Organizational restructuring since February 6, 2012

# Enforcement



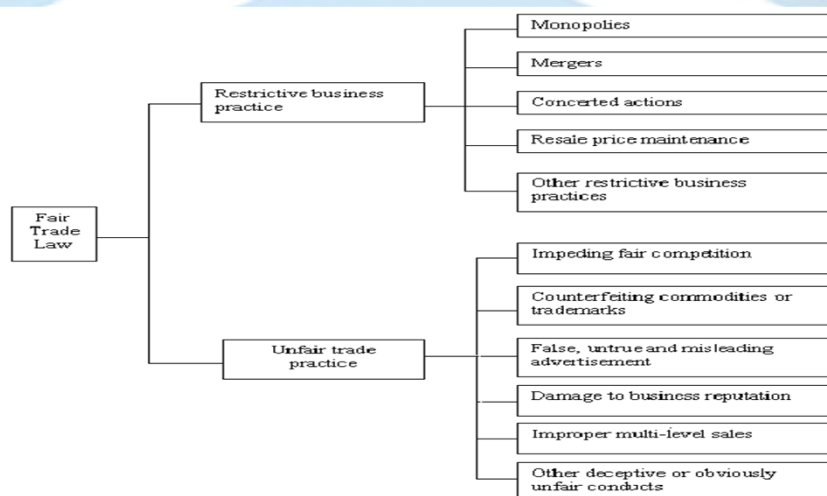
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# Enforcement in 2012



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## Fair Trade Act



## Amendments to the Fair Trade Act

- ◆ Promulgated in February 1991
- ◆ Enacted in February 1992
- ◆ 1999 Amendments
  - replacing criminal penalties for monopolization and concerted action with administrative penalties  
(*administrative action is prior to judicial adjudication*)
  - eliminating the register of monopolistic enterprises
- ◆ 2000 Amendments in response to provincial reform

### ◆ 2002 Amendments

- revising the merger review system from “pre-approval” to “pre-notification”.
- improving procedural transparency in line with the Administrative Procedure Act.

### ◆ 2010 Amendments

- imposing joint and several liability on endorsers in advertising.

### ◆ 2011 Amendments

- increasing the maximum administrative fines for monopolization and concerted action.
- implementing a leniency program.

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## Draft Amendments

- ◆ eliminating market share as a criterion for merger notification and extend waiting period of second request
- ◆ employing search and seizure power
- ◆ extending the expiration length of power to impose administrative penalties
- ◆ differentiating administrative penalties for various violation

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