



**Asia-Pacific
Economic Cooperation**

2010/SOM1/CPLG/021

Agenda Item: 8

An Overview of Competition Bill

Purpose: Information
Submitted by: Malaysia



JAPAN 2010

**Competition Policy and Law Group Meeting
Hiroshima, Japan
28 February-1 March 2010**

AN OVERVIEW OF COMPETITION BILL



Competition Policy & Law
Experts Group
28 Feb – 1 March 2010, Hiroshima, Japan



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PART 1

OBJECTIVE, SCOPE & PROHIBITIONS

OBJECTIVE

- TO PROMOTE ECONOMIC DEVELOPMENT BY PROMOTING AND PROTECTING THE PROCESS OF COMPETITION, THEREBY PROTECTING THE INTERESTS OF CONSUMERS

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SCOPE

APPLY TO ALL COMMERCIAL ACTIVITIES BUT EXCLUDES:

- i. GOVERNMENT AUTHORITY;
- ii. ACTIVITY BASED ON PRINCIPLE OF SOLIDARITY; AND
- III. ANY PURCHASE OF GOODS OR SERVICES NOT FOR THE PURPOSES OF OFFERING GOODS AND SERVICES AS PART OF AN ECONOMIC ACTIVITY

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PROHIBITIONS

ANTI-COMPETITIVE PRACTICES

1. Anti-Competitive Agreements
2. Abuse of Dominant Position

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PROHIBITIONS (CONT.)

ANTI – COMPETITIVE PRACTICES

i) ANTI – COMPETITIVE AGREEMENTS

EFFECT CATEGORY

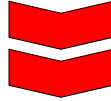
OBJECT CATEGORY

- Price Fixing
- Dividing Market
- Bid-Rigging
- Limit or control supply

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PROHIBITIONS (CONT.)

ABUSE OF DOMINANT POSITION (without any commercial justification)



A firm which is able to control
and dictate prices, outputs or trading terms without
restriction from rival firms

- Specific threshold to be issued in Guidelines

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PART 2

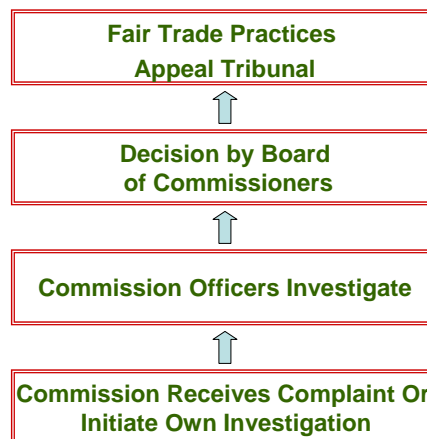
INSTITUTIONAL ARRANGEMENT

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- Competition Commission
- Competition Appeal Tribunal

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OVERALL PROCESS



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PART 3

STATUS UPDATES

STATUS UPDATE

- MDTCC has been actively consulting relevant stakeholders on policy related issues.
- Purpose of Consultation:- encourage all stakeholders to participate actively and gather feedbacks for consideration before finalizing the Bill.
- Currently, Bill has been prepared and subject to final legal scrubbing by the Attorney General Chamber
- Target Submission to Parliament : mid 2010

Thank you!
