



**Asia-Pacific  
Economic Cooperation**

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**2014/SOM1/CPLG/027**

Agenda Item: 8

## **Development of Competition Law in Brunei Darussalam**

Purpose: Information  
Submitted by: Brunei Darussalam



**Competition Policy and Law Group Meeting  
Ningbo, China  
21-22 February 2014**

## Development of Competition Law in Brunei Darussalam

Feb 2014  
Ningbo, China

### Competition Development in Brunei

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- **May 2012** – Brunei formally started the process to draft a national competition law.
- The development of draft law considers:
  - International and regional benchmarking;
  - Expert assistances from UNCTAD, GIZ and ASEAN members;
  - Multiple consultations with national stakeholders; and
  - Taking into consideration needs of local economy and available resources.
- Draft law is now in final stages and waiting to be submitted for approval.



## Draft National Law Framework

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- ▶ The objectives of **Brunei Competition Order** are to :
    - enhance *economic efficiency* and to *improve consumer welfare* through fostering an economy that is free from unfair and unhealthy competition.
  - ▶ The Order will focus on the three main areas of anti-competitive conduct:
    - ▶ Anti-competitive agreements
    - ▶ Abuse of Dominant Position
    - ▶ Anti-competitive mergers
  - ▶ The Order also includes main elements on the establishment of a Competition Commission, scope for investigations and enforcement as well as on the appeal process available.
  - ▶ Include a “phased implementation” provision to ensure readiness of businesses, build up capacity/expertise and promote better awareness and compliance.
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## Current status

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- ▶ **Gazette Competition Order.**

The final draft has been reviewed, amended and checked by AGC.
  - ▶ **Establish a new Unit under PMO.**

To carry out preparatory work for implementation of Competition Order, including advocacy programmes before formal establishment of a Competition Commission.
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