



**Asia-Pacific
Economic Cooperation**

2014/SOM1/CPLG/028

Agenda Item: 7

Overview of ABAC Work Related to Competition Policy

Purpose: Information
Submitted by: ABAC



**Competition Policy and Law Group Meeting
Ningbo, China
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Overview of ABAC Work Related to Competition Policy

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APEC Business Advisory Council (ABAC)

- All private sector body consisting of three senior executives from each APEC economy, 63 in total
- Meets four times a year, develops business focused recommendations for officials, ministers and leaders
- Representatives from a variety of industries: finance, manufacturing, pharmaceuticals, energy, extractive industries etc.

Overview of Prior Engagement

- ABAC Annual Report to Leaders
 - Contains recommendations to APEC Leaders (2009, 2010 and 2011)
- Private Sector Dialogue with CPLG
 - 2010 Hiroshima, Japan
 - 2011 Washington, D.C., USA

ABAC Procedural Fairness Principles

- Ensuring that procedures and agency practices are transparent and open
- Publicizing inquiries and prejudging investigations
- Protecting the confidential information
- Allowing the respondent to respond to evidence gathered against them

ABAC Procedural Fairness Principles

- Giving the respondent a fair and adequate hearing
- Ensuring an agency's decision is public and based on sound economics and objective factors
- Providing an appeal before an impartial court

Next Generation Trade and Investment Issue

- Include competition policy chapters in preferential trade agreements
- Incorporate procedural fairness principles
- Promote and apply competitive neutrality for state-owned enterprises
- Enhance capacity building activities for competition policy agencies in APEC region

Potential ABAC CPLG Activities

- Consider future public private sector dialogues
- Private sector participation in CPLG workshops