



**Asia-Pacific  
Economic Cooperation**

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**2014/SOM1/CPLG/029**

Agenda Item: 8

## **Updates on Philippine Competition Policy and Law**

Purpose: Information  
Submitted by: Philippines



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

## Updates on Philippine Competition Policy and Law (CPL)



OFC Department of Justice  
OFFICE FOR COMPETITION


APEC- COMPETITION POLICY AND LAW GROUP MEETING  
22 February 2014  
Ningbo, China



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### Legal Framework

- **Over 30 competition laws** dealing with monopolies, combinations in restraint of trade, restrictive business practices, price control measures and consumer protection, e.g. Constitution, An Act Prohibiting Monopolies and Combinations in Restraint of Trade (1925), and Revised Penal Code (1932)
- **Sectoral approach** with more than 60 sector regulators



## DOJ as Competition Authority

- **Executive Order No. 45** “Designating the Department of Justice (DOJ) as Competition Authority” on 9 June 2011
- Creation of **Office for Competition (OFC)**
- **Functions:**

<ul style="list-style-type: none"> <li>a. Investigate cases</li> <li>b. Enforce CPL</li> <li>c. Supervise competition in markets</li> </ul>	<ul style="list-style-type: none"> <li>d. Monitor and implement measures</li> <li>e. Prepare studies and reports</li> <li>f. Promote international cooperation and trade relations</li> </ul>
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## Working Groups within OFC


Working Group	Co-Chair
1. Advocacy and Partnerships	Tariff Commission
2. Business and Economics	Securities and Exchange Commission
3. Enforcement and Legal	Bureau of Internal Revenue
4. Consumer Protection and Welfare	Department of Trade and Industry
5. Policy and Planning	Philippine Institute for Development Studies



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## Some OFC Initiatives


1. **Review of competition policy framework**
2. **Mapping of stakeholders** (sector regulators, lawmakers, judges, law enforcers, development partners, business groups, consumer associations, media, academe)
3. **Seminars/fora** on basic CPL, cartel detection/ investigation and competition assessment for sector regulators, media, business groups, consumer associations and other partners
4. Prepared consolidated competition bills of various versions With inputs from stakeholders. Submitted to Congress 4 February 2014.



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## Recently concluded (2014) Capacity Building Activities

- Back-to-back training of judges and prosecutors and investigators in partnership JICA and JFTC Jan. 2014
- Building Competition Law Enforcement Capability through Investigation Skills Training (ECWP-AANZFTA)



**Recently concluded & on-going (2014)  
Capacity Building Activities**

- ❑ Improving the Capacity of Competition Authorities of Developing Economies in Competition Policy Assessment and Advocacy. (APEC)
- ❑ Case studies on ports, energy and telecommunication sectors



**International Initiatives**

1. Chairmanship of the ASEAN Experts Group on Competition (AEGC) for 2013-2014
2. Active participation in the International Competition Network, OECD Global Competition Forum, UNCTAD Intergovernmental Group of Experts, East Asia events, APEC Competition Policy and Law Group, WTO Trade Policy Review, among others
3. Joint conduct of international CPL trainings (with OECD-KPC, TFTC, JFTC, ADBI, ASEAN Secretariat)
4. UNCTAD Peer Review



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## Moving Forward

1. Resolution and monitoring of complaints
2. Supervision of competition in markets
3. Basic and advanced capacity building
4. Adoption of OFC and Sector Regulators cooperation guidelines
5. Issuance of enforcement rules, policy papers, case studies and advisory opinions
6. Support to the enactment of a comprehensive competition law