



**Asia-Pacific  
Economic Cooperation**

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**2015/SOM1/EC/035**

Agenda Item: 1

## **Work Plan - FotC on Competition Policy and Law Group**

Purpose: Consideration  
Submitted by: Papua New Guinea



**First Economic Committee Meeting  
Clark, Philippines  
4-5 February 2015**

## **Work Plan -FotC on Competition Policy and Law Group**

**Name of the FotC-** Competition Policy and Law Group

**Coordinating Economy-** Papua New Guinea

### **Principles**

For effective implementation of competition policy there is a need for economies to have a process in place, supported by appropriate remedies, for the monitoring or approval/ control of mergers and acquisitions.

The purpose of this proposal is to allow members (including those that do not currently have a regime place) to consult, share experiences and to develop or strengthen mechanisms for effectively addressing mergers and acquisitions.

### **Membership**

Members who have participated in the past include Brunei, Thailand, Philippines, Chinese Taipei, New Zealand and the United States of America. Enforcement agencies and policy makers of other member countries are invited to participate at the EC level.

### **Objectives:**

Competition policy is a broad set of principles designed to bring about micro economic reform and enhanced economic efficiency. Broadly, competition policy is designed to achieve structural reform through the processes of competition. Competition law is the main legislative tool for implementing competition policy.

Mergers and acquisitions, particularly in small and or developing economies have the potential to adversely affect the balance of the economy where such mergers and acquisitions allow a firm to acquire market power that can be used to the detriment of competition or to the detriment of the interests of the community.

As part of APEC's New Strategy for Structural Reform, the FoTC on competition policy has initiated discussions on *Merger Control Regimes*. A Discussion Paper has been prepared for consideration and comments by members. This discussion paper outlines the objectives of merger and acquisition monitoring/ control and sets out some issues that economies need to consider.

### **Scope:**

A questionnaire on *Merger Control Regulation* has been developed by Papua New Guinea and sent to members. The purpose of the questionnaire is to develop an appreciation of the background, experience and requirements of member regimes and to understand the assessment process. Responses are due by the end of January. Members are invited to complete the questionnaire and include any other comments they might have.

### **List of Work Plans for 2015:**

1. Circulation of questionnaire on merger control – EC 1- completed- one response received- other members to be reminded.
2. Collation and report on responses to questionnaire
3. Policy dialogue on merger control in the margins of EC2/ EC3
4. Information sharing workshop in SOM3
5. Consider developing APEC Guidelines (thresholds etc.) on merger control
6. Capacity building on merger control regime implementation, transition and review
7. Discussion for interagency cooperation for mergers across borders.