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CPL DEVELOPMENT -1980s -2018

Selamat Datang ke Portal Rasmi
TRIBUNAL RAYUAN PERSAINGAN
 Kementerian Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan

#BEBASKARTEL ESSAY WRITING COMPETITION 2018

PRIZES*
 1st Prize - RM 1,000.00
 2nd Prize - RM 800.00
 3rd Prize - RM 600.00
 4th Consolation Prize - RM200.00
 5th Consolation Prize - RM100.00

REGISTRATION
 Maximum from 12 participants in a group with a minimum of at least 05 persons.
SUBMISSION DATE : 16 MARCH 2018
 For further information, please visit the MyCC website at mycc.gov.my and mycc.gov.my or call the helpline at 1-800-88-1000.

#BEBASKARTEL CHORAL SPEAKING COMPETITION 2018

PRIZES
 1st Prize - RM 2,000.00
 2nd Prize - RM 1,500.00
 3rd - 5th - Consolation Prize

REGISTRATION
 The application forms can be downloaded at the MyCC's website and the full registration form should be submitted before 10 March 2018 to reg@mycc.gov.my and mycc.gov.my.

DATE OF COMPETITION : 28 March 2018 (Wednesday)

MyCC Malaysia Competition Commission

Strategic Plan for Competition Advocacy

- MyCC issued two handbooks on Competition Advocacy Strategic Plan in 2012 and 2015.
- Sets out the rationale and framework for the work program of the MyCC in first and second phases of the implementation of the Competition Act 2010.



First Prohibition: Horizontal Agreements

S.4(1) prohibits **anti-competitive agreements** that have the **object or effect of significantly preventing, restricting or distorting competition**.

*source: S.4 of the Competition Act 2010



Key point: Horizontal agreements between enterprises which have the object to:-

- Price fixing
- Fix trading conditions
- Limit or control production, market outlets, market access, development, technology, investments
- Bid rigging

ARE PROHIBITED

Examples of prohibited horizontal agreements



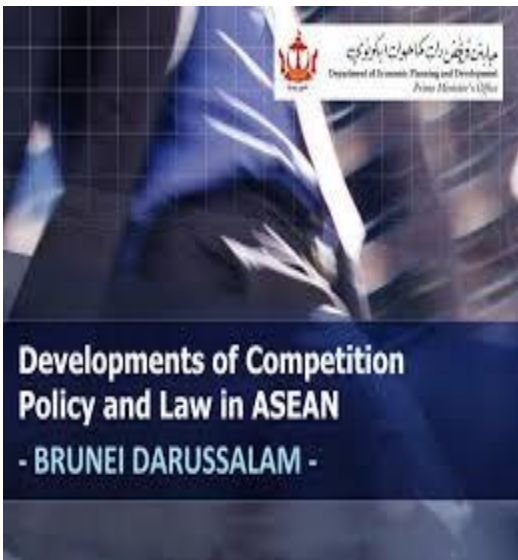
*source: Japan Free Trade Booklet, Japan Fair Trade Commission

Courses



Workshops





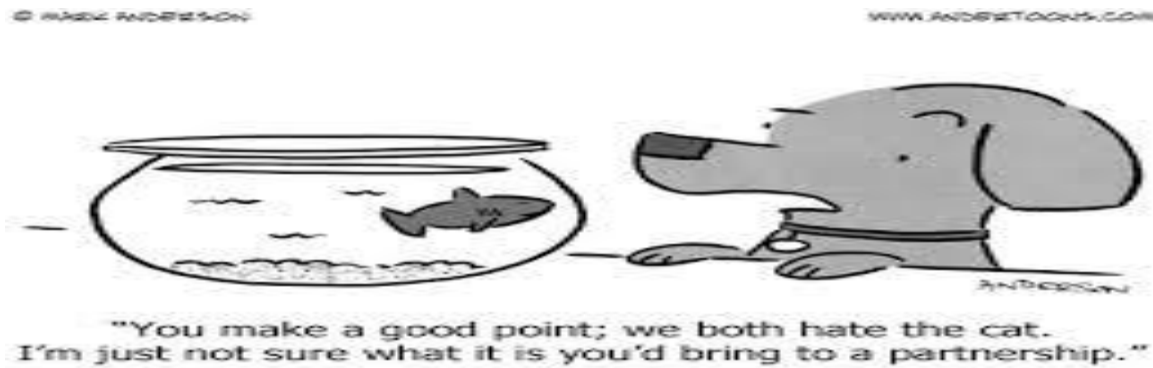
And while the law of competition may be sometimes hard for the individual, it is best for the race, because it ensures the survival of the fittest in every department.

Andrew Carnegie

meetville.com

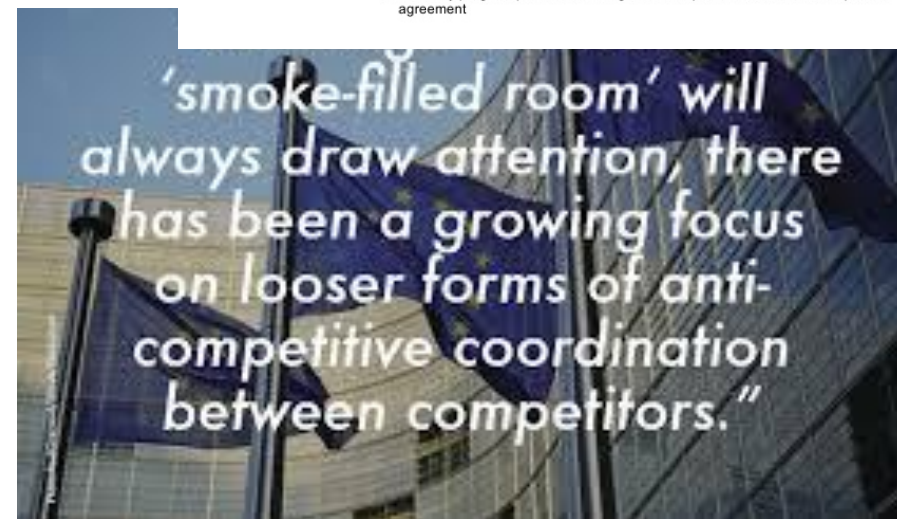
Overview of Competition Act 2010

- Objective of the Act**
1. Making markets work efficiently
 2. Encouraging innovation & entrepreneurship
 3. Create a level playing field
 4. Promotes welfare of consumers with competitive prices & consumer choice
- How does it work?**
- The Act prohibits :-
1. Anti-competitive agreements between enterprise
 2. Abuse of dominant position
- Scope of the Act:-**
- a) **Apply to:-**
1. Covers enterprises (private or GLC) which engages in a commercial activity relating to goods & services.
 2. Also applies to commercial activities outside Malaysia (which has effect in any market in Malaysia)
- b) **Does not apply to:-**
1. Commercial activity regulated under the Communications & Multimedia Act 1998 & Energy Commission Act 2001
 2. Any activity in the exercise of governmental authority
 3. Any agreement or conduct complying with a legislative requirement
 4. Collective bargaining activities
- Why should comply?**
1. Penalties capped at 10% of worldwide turnover of an enterprise over the period of infringement
 2. Invalid agreements
 3. Exposure to private actions
 4. Bad publicity
 5. Intrusive investigations
- Exemptions?**
1. Individual & block exemptions
 2. Leniency program provide for infringements of prohibitions on anti-competitive agreement



	Competition Law - Ex post	Competition Law - Ex ante	Sector Regulation/ SMP regime
Objective	Maintain competition Increase competition → Market structure is broadly satisfactory		Increase competition Mimic competition → Market structure is not satisfactory
Burden of proof to intervene	1. Market definition 2. Dominant position 3. Anti-competitive conduct: agreement or abuse of dominance (high)	1a. Notified concentration 1b. Market definition 2. Significant impediment to effective Competition (low) (Conduct presumed)	1a. Market selection (very high) 1b. Market definition 2. SMP-dominant position (Conduct presumed)
Remedies	Mainly behavioural Fines Private damages	Mainly structural	Mainly behavioural

Note: The *italics* area is the triggering factor for each legal instrument.



WHAT'S ON THIS WEEK

Check out our events page to see what the EUI has on offer.

W@CompetitionDE Talk
Intel Damage Claims in Germany
19 October, 2017