



# **IMPORTANCE OF COMPETITION FOR ASEAN & FOR INDIVIDUAL COUNTRIES TO DEVELOP STRONG COMPETITION REGIME & AUTHORITY**

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## **NATIONAL COMPETITION DAY**

**4 OCTOBER 2019**

**GRAND BALLROOM, CENTRA BY CENTARA GOVERNMENT COMPLEX  
HOTEL & CONVENTION CENTRE, CHAENG WATTANA,  
BANGKOK, THAILAND**



## MAIN OBJECTIVES AND BENEFITS OF COMPETITION POLICY

**ECONOMIC  
EFFICIENCY**

**ECONOMIC  
GROWTH &  
DEVELOPMENT**

**CONSUMER  
WELFARE**

**PROVIDES THE RULES OF THE GAME**

**PROTECTS THE  
COMPETITION  
PROCESS**

**CREATES A LEVEL PLAYING FIELD.**



## COMPETITION ENHANCED OPTIMAL PRODUCTION

# ECONOMIC EFFICIENCY

ENHANCED  
EFFECTIVE USE  
AND ALLOCATION  
OF ECONOMY'S  
RESOURCES

DISCIPLINE FIRMS  
TO PRODUCE AT  
LOWEST COSTS &  
PASS COSTS  
SAVINGS TO  
CONSUMERS

MOTIVATE FIRMS  
TO UNDERTAKE  
RESEARCH AND  
DEVELOPMENT TO  
MEET CONSUMER  
NEEDS



COMPETITION STIMULATE ECONOMIC DEVELOPMENT

# ECONOMIC GROWTH & DEVELOPMENT

INCREASE IN VALUE  
OF GOODS AND  
SERVICES PRODUCED  
BY AN ECONOMY

EMPLOYMENT  
GROWTH, LITERACY,  
MORTALITY RATES,  
OTHER MEASURES  
ENHANCED QUALITY  
OF LIFE

IMPROVEMENT IN  
ECONOMIC  
EFFICIENCY AND  
REDUCTION IN  
WASTE IN THE  
PRODUCTION OF  
GOODS & SERVICES



## COMPETITION ENHANCED CONSUMER WELFARE

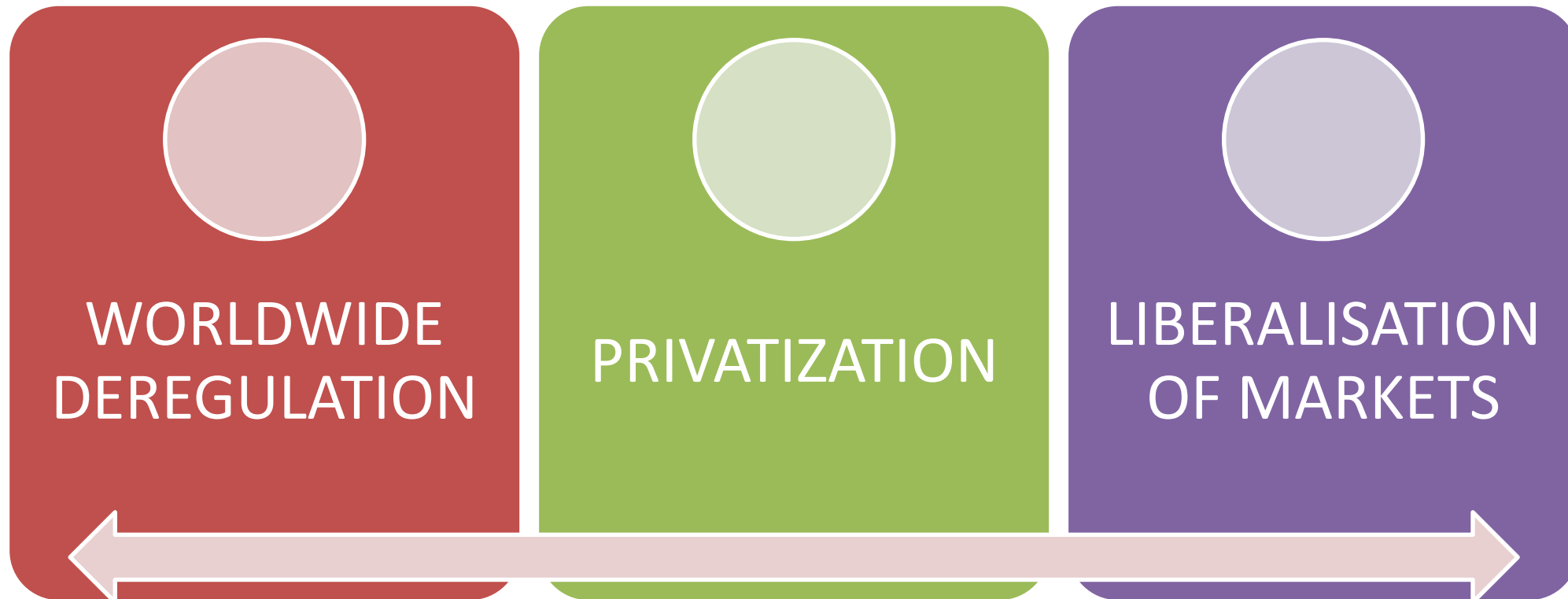
# CONSUMER WELFARE

BETTER CHOICES,  
NEW PRODUCTS,  
BETTER QUALITY AND  
LOWER PRICES

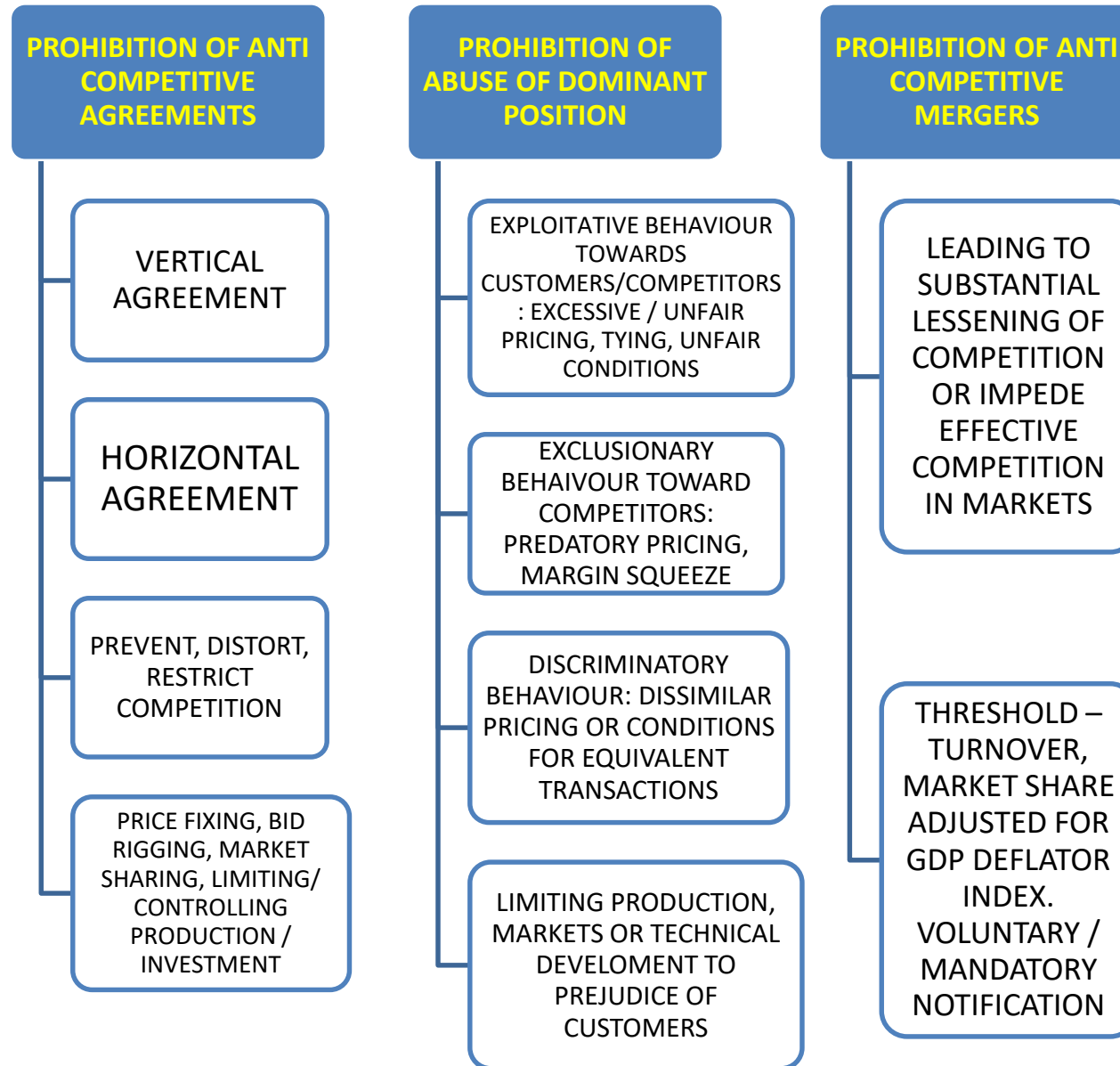
CONSUMER  
PROTECTION.  
CORRECT IMBALANCE  
BETWEEN MARKET  
POWER OF  
CONSUMERS AND  
PRODUCERS

CORRECT MARKET  
FAILURES:  
INFORMATION  
ASYMMETRIES, LACK  
OF BARGAINING  
POSITION AND HIGH  
TRANSACTION COSTS

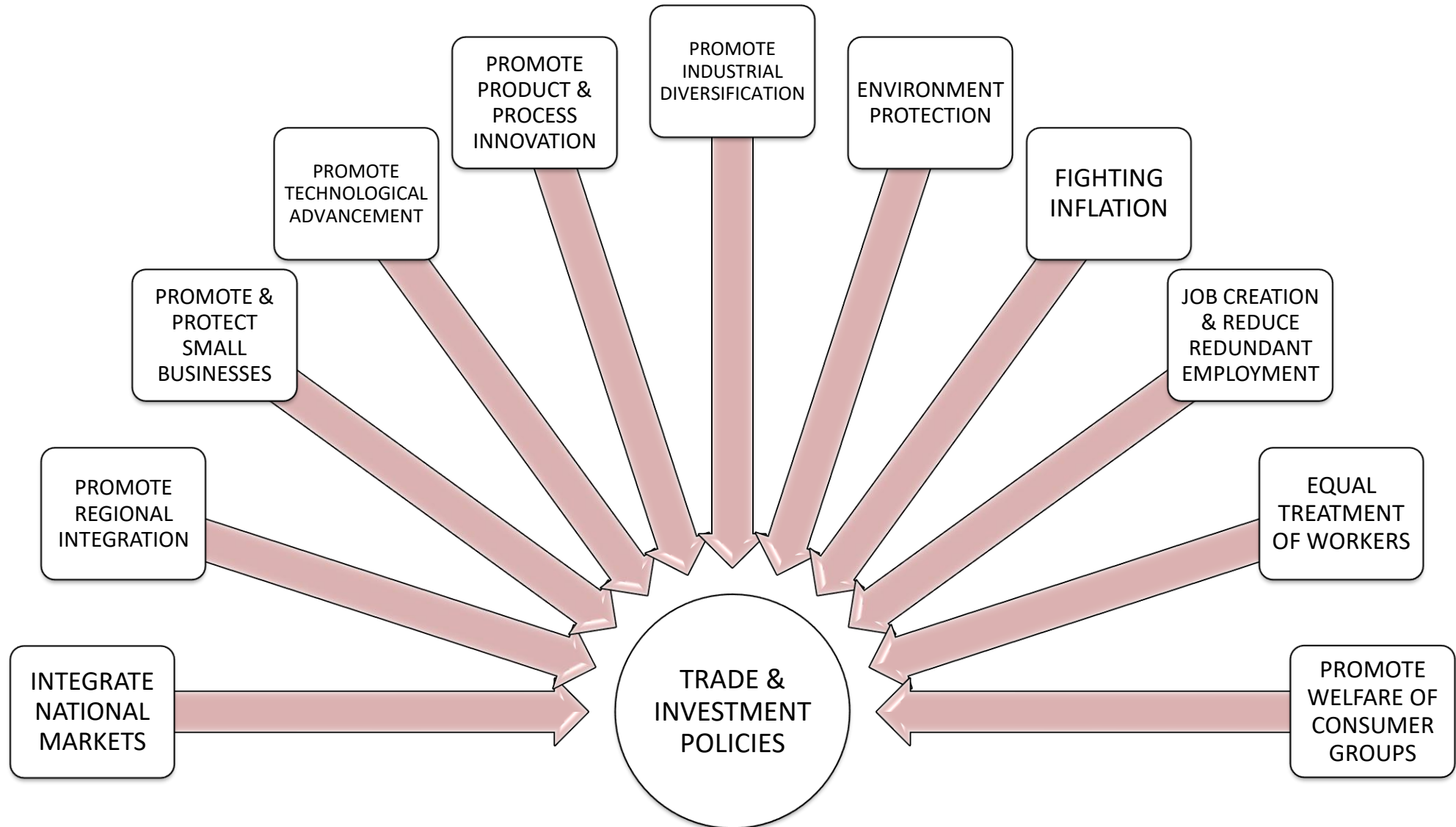
COMPETITION POLICY ENABLE DEVELOPING COUNTRIES TO  
**CONTROL AND MONITOR GROWING ROLE OF  
PRIVATE SECTOR**



# SCOPE OF COMPETITION POLICY

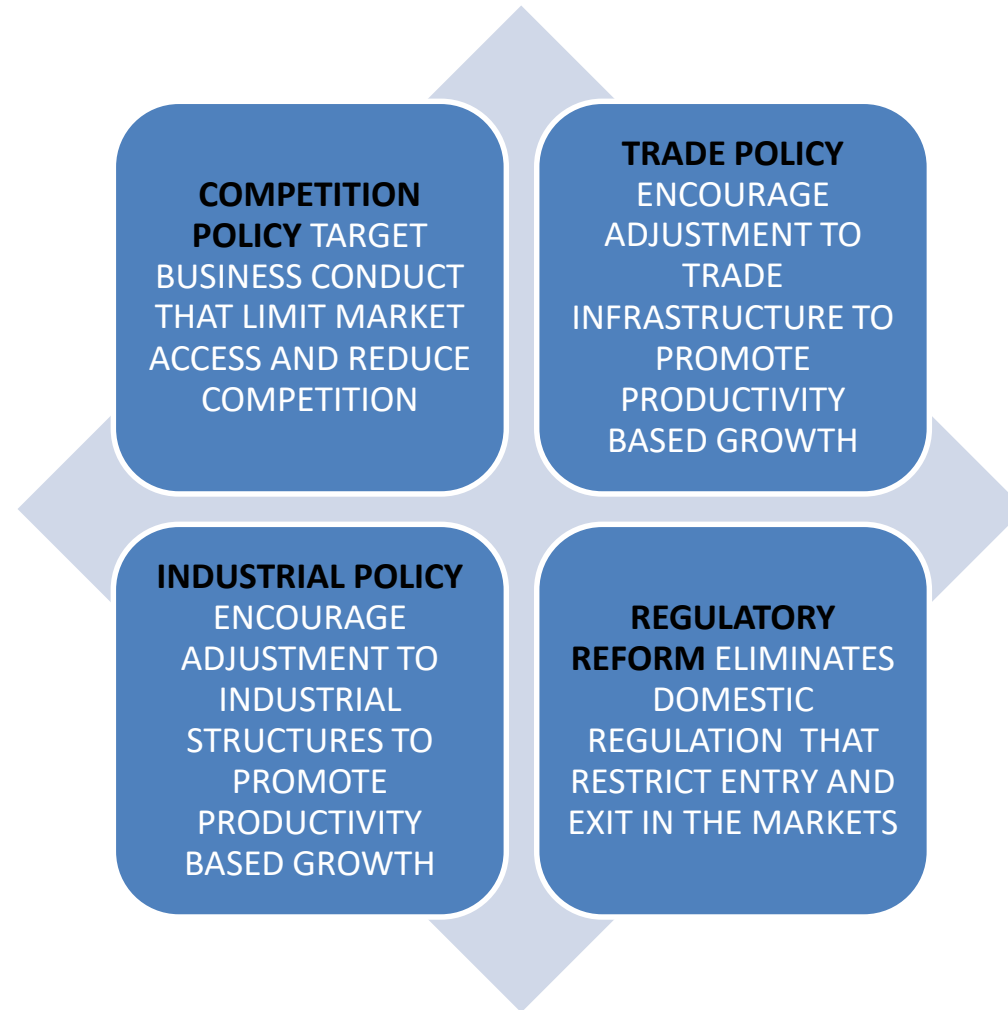


# COMPETITION POLICY ACCOMMODATE & SUPPORT OTHER POLICY OBJECTIVES





# COMPETITION POLICY COMPLEMENT TRADE POLICY, INDUSTRIAL POLICY AND REGULATORY REFORM



# GUIDING PRINCIPLES TO ENHANCE COMPETITION INSTITUTIONAL FRAMEWORK AND PROCESS

## ACCOUNTABILITY

- OBLIGATIONS TO REPORT REGULARLY TO (WHERE APPLICABLE) MINISTER / NATIONAL LEGISLATIVE BODY, HEADS OF STATE.
- PUBLICATION OF ANNUAL REPORTS/PLANS. PUBLICLY AVAILABLE.

## ADMINISTRATIVE REVIEW

- COMPETITION REGULATORY BODY MAY REVIEW OWN DECISION

## CONFIDENTIALITY

- MAINTAIN CONFIDENTIALITY OF THIRD PARTY OR IDENTITY

## INDEPENDENCE

- BUDGETARY INDEPENDENCE, ADMINISTRATIVE AUTONOMY, FIXED TERM OF REASONABLE DURATION FOR BOARD OF COMMISSIONERS WITHOUT POSSIBILITY OF BEING DISMISSED

## NATURAL JUSTICE

- RIGHT TO BE HEARD, RIGHT TO BE INFORMED, NO CONFLICT OF INTEREST, EVIDENCE BASED INVESTIGATION

## TRANSPARENCY & CONSISTENCY

- PUBLICATION OF GUIDELINES, DECISION, POLICIES, ENFORCEMENT PROTOCOLS.
- WEBSITE, CERTAINTY OF POLICIES, ACCESS TO FILES, ALLOW THIRD PARTY INTEREST TO ACCESS FILES

## TIMELINESS

- COMPLY WITH PREDETERMINED TIMELINES.
- INTERNAL TIMELINE PROJECTIONS TO EXPEDITE CASES AND ALLOCATE RESOURCES EFFICIENTLY

## CHECKS & BALANCES

- ALLOW FOR REASONABLE APPEAL PROCEDURES

## **ASEAN Competition Landscape**

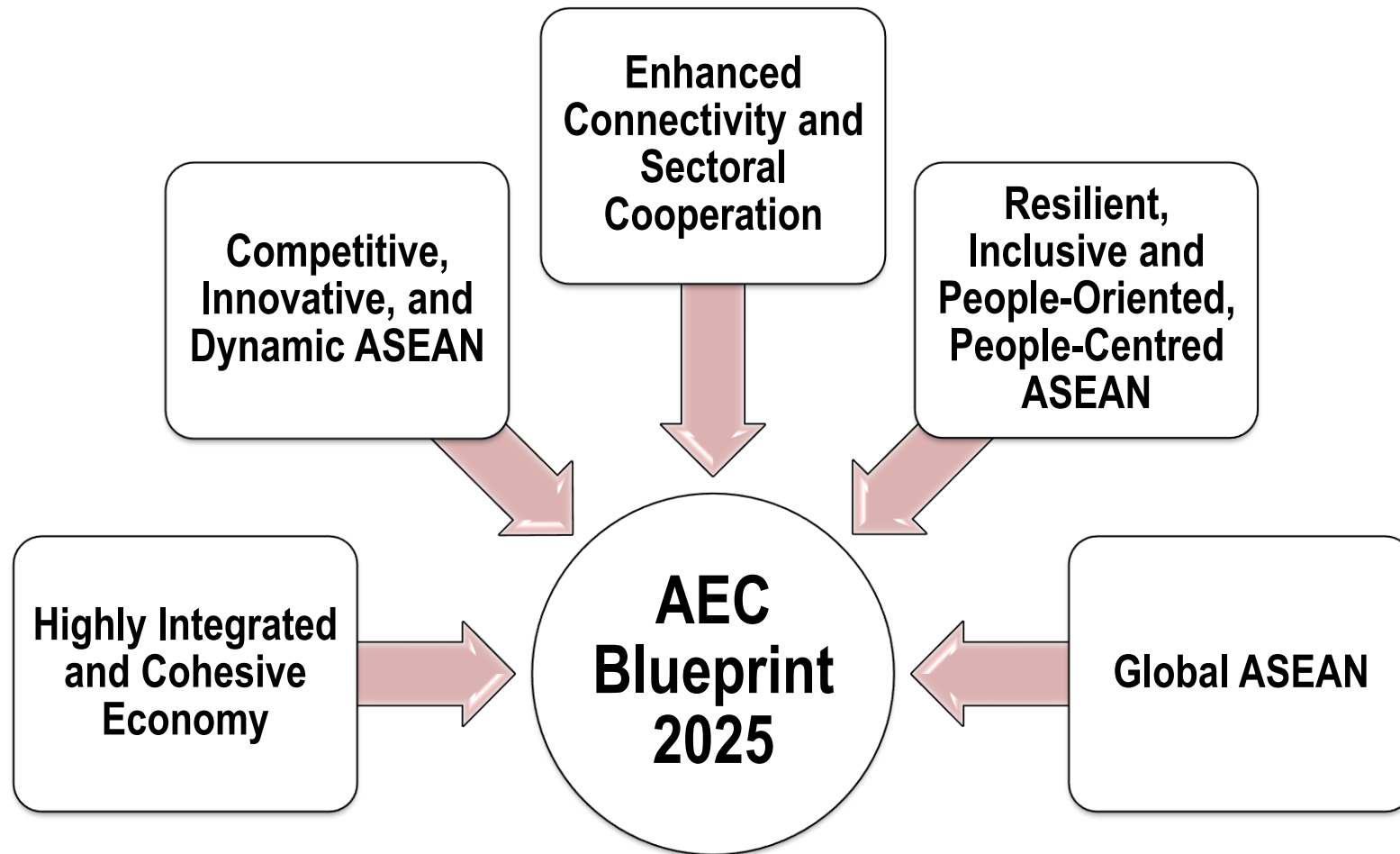
**AEC Blueprint 2025**

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graph TD; A[AEC Blueprint 2025] --> B[PROMOTE effective Competition Policy]; B --> C[ASEAN Competition Action Plan 2016-2025];
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**PROMOTE effective Competition Policy**

**ASEAN Competition Action Plan 2016-2025**

# ASEAN Economic Community Blueprint 2025



## ASEAN Economic Community (AEC) Blueprint 2025



### **Strategic Measures (section B.1. on Competition Policy) under the AEC Blueprint 2025:**

- i. Establish effective competition regimes
- ii. Strengthen capacities of competition-related agencies in AMS
- iii. Foster a “competition-aware” region
- iv. Establish Regional Cooperation Arrangements on competition policy and law
- v. Achieve greater harmonisation of competition policy
- vi. Ensure alignment of competition policy chapters under ASEAN FTAs
- vii. Continue to enhance competition policy and law taking into account international best practices.

# 5 STRATEGIC GOALS OF THE ASEAN COMPETITION ACTION PLAN 2025

1



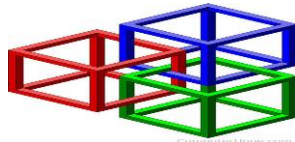
**Effective ASEAN Competition Regimes are established in all ASEAN Member States**

2



**Capacities of Competition-Related Agencies in AMS are Strengthened to Effectively Implement CPL**

3



**Regional Cooperation Arrangements on CPL Matters Are in Place**

4



**Fostering a Competition-Aware ASEAN Region**

5



**Moving towards greater harmonization of competition policy and law in ASEAN**

# STATUS OF ASEAN'S COMPETITION REGIMES

## Anti competitive agreements

- Brunei

- Indonesia

- Lao PDR

- Malaysia

- Myanmar

- Philippines

- Singapore

- Thailand

- Viet Nam

## Abuse of dominant position

- Brunei

- Indonesia

- Lao PDR

- Malaysia

- Myanmar

- Philippines

- Singapore

- Thailand

- Viet Nam

## Anti Competitive Mergers

- Brunei

- Indonesia

- Lao PDR

- Myanmar

- Philippines

- Singapore

- Thailand

- Viet Nam

## Leniency

- Brunei

- Lao PDR

- Malaysia

- Myanmar

- Philippines

- Singapore

- Viet Nam

## Scope/Coverage

- BN -ALL

- Lao PDR -ALL

- ID -ALL

- MY -energy, TEL

- MM -ALL

- PH – ALL\*

- CCS –civil aviation,, transport, energy and TEL

- TH - TEL and Energy

- VN -ALL\*

## Competition Authority

- Competition Comission of Brunei

- Lao PDR – TBC

- ID - KPPU

- MY- MyCC

- MM - MmCC

- PH – PCC/OFC

- SG- CCCS

- TH - OTCC

- VN - VCCA

## LONGER TERM DIRECTION

### LAWS

- COMPETITION LAWS IN ALL AMS
- CAMBODIA'S COMPETITION LAWS PENDING.

### AWARENESS

- ENHANCE AWARENESS AND COMPLIANCE AMONG BUSINESSES

### COOPERATION

- FUNCTIONAL REGIONAL COOPERATION MECHANISM OF CPL ENFORCEMENT

### CONVERGENCE I

- CONVERGENCE (SOFT HARMONISATION) OF PRACTICES AND PROCEDURES

### CONVERGENCE II

- HARMONISATION OF SELECTED PROVISIONS





*Thank you*

[www.asean-competition.org](http://www.asean-competition.org)