

(Courtesy translation)

**Memorandum of Understanding
between the Competition Commission of the Hong Kong Special
Administrative Region and the Guangdong Administration for Market
Regulation on Promoting Effective Implementation of Competition Policy
and Law in the Guangdong-Hong Kong-Macao Greater Bay Area**

To strengthen the effective implementation of competition policy and law in Guangdong, Hong Kong and the Guangdong-Hong Kong-Macao Greater Bay Area (referred to as “Greater Bay Area”), a consensus has been reached between the Competition Commission of the Hong Kong Special Administrative Region and the Guangdong Administration for Market Regulation (referred to as the “Participant” or collectively “Participants”) after discussion to sign this Memorandum of Understanding (referred to as “MOU”), with the support from the State Administration for Market Regulation.

I. Consensus on Collaboration

1. To ensure full implementation of the Greater Bay Area national strategy and in accordance with the basic principles of the Outline Development Plan for the Guangdong-Hong Kong-Macau Greater Bay Area, the Participants consider that it is necessary for the competition authorities in Guangdong and Hong Kong to set up an effective communication mechanism and to conduct exchanges and collaboration activities in relation to competition policy and law, with a view to strengthening implementation effectiveness, promoting a level-playing field for all businesses, as well as enhancing vibrancy of the markets and social welfare as a whole in Guangdong, Hong Kong and the Greater Bay Area.

2. This MOU accords with the principle of “one country, two systems”. This MOU does not create any legally binding rights or obligations, change existing laws or agreements or restrict the Participants from seeking assistance from or providing assistance to the other Participant under other bilateral or multilateral agreements or arrangements, nor does it exclude other technical cooperation projects.

II. Content of Collaboration

3. The collaboration consists of two major parts: holding regular meetings, and initiating exchanges and collaboration activities in relation to competition policy and law.

4. Regular meetings will be held by the Participants alternating in Guangdong and Hong Kong, on an annual basis in principle. At the meetings, the Participants will if necessary evaluate and discuss the effectiveness of this MOU, to resolve any issues related to the implementation hereof and to give suggestions on amending this MOU. Task forces may be created, upon mutual consent, to discuss specific competition policy and law topics suggested by Participants. A task force meeting may be held in parallel with the regular meetings or organised separately subject to agreement of the Participants.

5. Exchanges and collaboration activities related to competition policy and law will be conducted between the Participants, which include:

- (i) exchanges on key developments regarding competition policy, competition legislation and competition enforcement in each Participant's jurisdiction;
- (ii) technical cooperation on implementation of competition policy and law to enhance capacity building of the Participants. This may include field visits, secondment of staff, experience sharing and other similar activities;
- (iii) training sessions, seminars, conferences and other similar activities related to competition advocacy to increase awareness of competition policy and law among businesses, government agencies and the general public in the Greater Bay Area. The audiences may include government officials and representatives from the business sector, the legal sector, the academia.

6. An annual work plan with more detailed arrangements related to the foregoing activities will be formulated and carried out upon discussion and mutual consent by the Participants. It is subject to amendments when necessary.

7. A contact point will be designated by each Participant to facilitate the implementation of this MOU. Communications between the Participants could be made by phone calls, emails, video conferences, meetings or other means, as appropriate.

8. Participants may invite representatives from relevant bodies in Macao to attend foregoing activities.

III. Nature of Exchanged Information

9. Nothing herein shall constitute a mandatory requirement for a Participant to exchange information which is deemed confidential by it or the other Participant.

IV. Miscellaneous

10. This MOU will come into effect on the date of signature.

11. A Participant may terminate this MOU by giving a 60-day written notice to the other Participant.

12. Any issues of concern arising from the interpretation or implementation hereof shall be resolved by discussion between the Participants.

13. The Participants may amend this MOU upon mutual consent.

14. This MOU is signed on 19/7/2023 in Guangzhou, written in Chinese in duplicate (in traditional and simplified Chinese).

Competition Commission
of the Hong Kong Special
Administrative Region

Guangdong Administration
for Market Regulation