



سوروهنجاي قرسايغن برونبي دارالسلام  
COMPETITION COMMISSION  
BRUNEI DARUSSALAM

# Brunei Darussalam: Progress of Competition Law Implementation

Competition Enforcers and Academics Summit  
1 – 2 August 2019  
Hong Kong

# A commitment to Strengthen Market; Sustainable Economic Growth

## Borneo Bulletin

THE INDEPENDENT NEWSPAPER IN BRUNEI DARUSSALAM, SABAH AND SARAWAK

National

### Commission set up to uphold competitiveness

August 7, 2017

HIS Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam has consented to the establishment of the Competition Commission of Brunei Darussalam, an independent body that is mandated to promote business competition in Brunei Darussalam economic landscape through the enforcement of the Competition Order 2015.

The Prime Minister's Office announced that His Majesty also consented to the appointment of Dato Paduka Eddie bin Dato Paduka Haji Sunny as the Chairman of the Competition Commission, together with six members of the commission. They are Haji Mohamad Azmi bin Haji Mohd Hanifah, the Permanent Secretary (Industry) at the Prime Minister's Office; Dr Haji Abdul Manaf bin Haji Metussin, the Permanent Secretary at the Ministry of Primary Resources and Tourism; Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin, the Assistant Solicitor General at the Attorney General's Chambers, Prime Minister's Office; Director General of Department of Economic Planning and Development (JPKE), Prime Minister's Office; Mohammad Harris bin Brigadier General (Rtd) Dato Paduka Haji Ibrahim, Head of FDI Action and Support Centre (FAST) Division, Prime Minister's Office; and Dr Joyce Teo Siew Yean, Assistant Vice Chancellor (Global Affairs), Universiti Brunei Darussalam.



**PRESS RELEASE**

### **ESTABLISHMENT OF COMPETITION COMMISSION OF BRUNEI DARUSSALAM**

***Bandar Seri Begawan, Thursday, 03 August 2017***

By command of His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam, the Prime Minister's Office hereby announces that His Majesty has consented to the establishment of the Competition Commission of Brunei Darussalam, an independent body that is mandated to promote business competition in Brunei Darussalam economic landscape through the enforcement of the Competition Order 2015.



*“An Order to promote and protect competition in markets in Brunei Darussalam, to promote economic efficiency, economic development and consumer welfare” Section 1 (3)*

## National Economic Strategies:

1. Public Private Partnership Projects



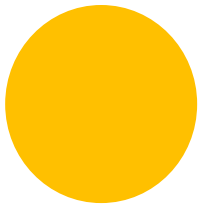
2. Export



3. Dynamic Global Environment

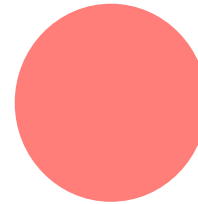


## Competition Commission of Brunei Darussalam



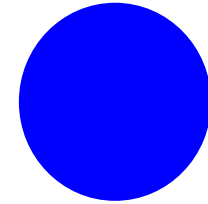
### **The Competition and Consumer Affairs Department (CCAD)**

Executive Secretariat of the Commission  
Administer & enforce



### **The Board of Commissioners**

Conducts hearings, case decisions and penalties

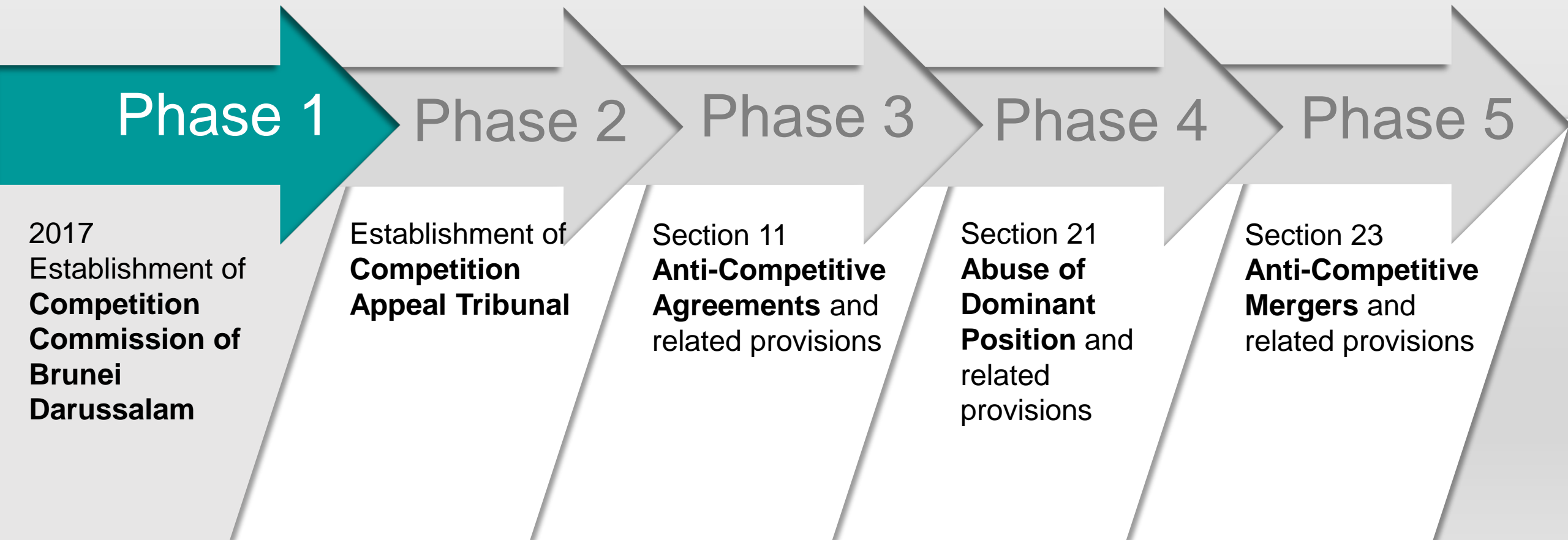


### **The Competition Appeal Tribunal**

Hears appeal cases decided by the Competition Commission

# Competition Order: Phase implementation

*Section 1 (2) "... appoint the different dates for the commencement of the different Parts of provisions of this Order..."*



# Phase 1: Pre enforcement stage

**Strengthened Institutional Building**



Equip the institution with relevant technical knowledge and enforcement capacities

**Effective Advocacy and Outreach**



Media and focused group engagements

**Efficient Work Processes and Procedures**



Regulations & guidelines, internal work procedures

**Priority settings**



Identify markets issues/sector with potential competition concerns through market review/studies

1. Competition Regulations;
2. Competition (Transitional Provisions for Section 11) Regulations;
3. Competition (Composition of Offences) Regulations; and
4. Competition (Appeals) Regulations

# Frequently raised concerns



Recurring participants



'Sister Companies'



Tender Specification



Sub-contracting work

Bid Rigging



# Frequently raised concerns



Price recommendation  
by Board or Association



Sole Distributor



Government Policies

# 2019 Priorities: Anti-Competitive Agreement, Section 11

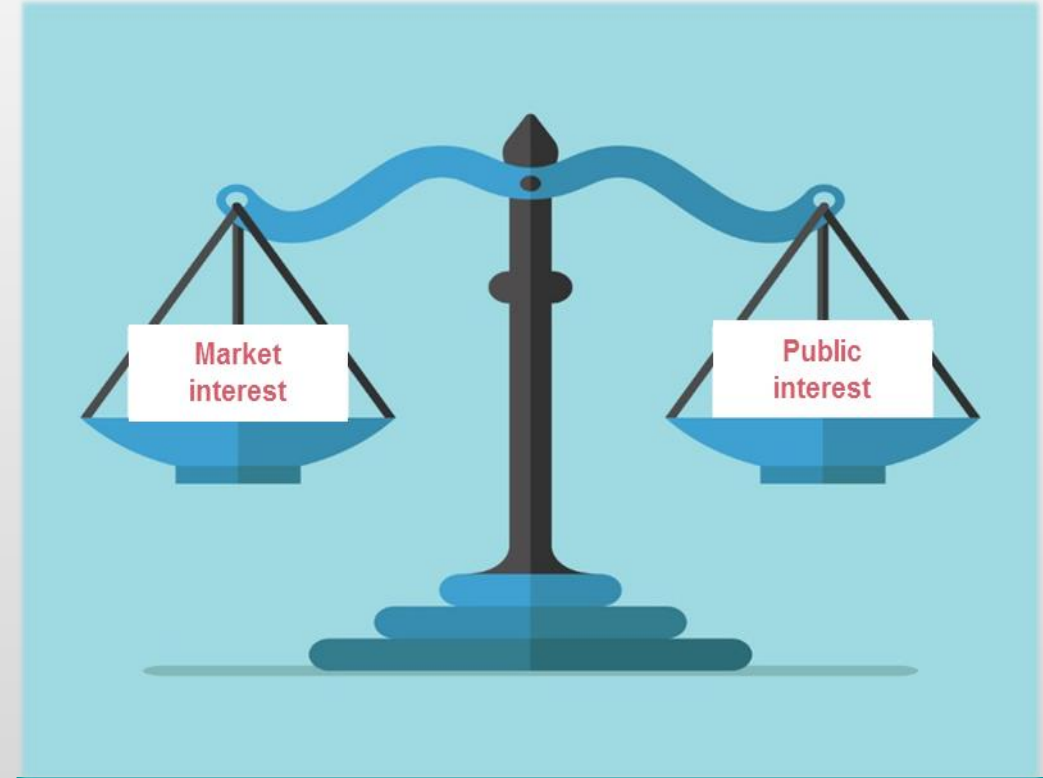


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## Public procurement efficiency through competition

- Bid rigging awareness and preventive measures
- Reviewing market of essential goods & services
- government savings and opportunities in SMEs' growth



## Policies with impact on competition

- Advisories role
- Policies to promote competitive markets, lower cost, enhance quality and drive innovation
- Balancing economic benefits and public interest



# Strategies and Tools



## Advocacy & dialogues

- Target audience – policy makers, public procurement officers, and vendors



## Capacity building

- Reviewing market of essential goods & services
- Building capacity to detect bid rigging involving public procurement officers
- Effective bid rigging prevention



## Guidelines & educational materials

- Enhance awareness and understanding in plain language



# Thank you

## Competition Commission Brunei Darussalam

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