

27 July 2015

For Immediate Release

**Competition Commission and Communications Authority
Issue Guidelines under the Competition Ordinance**

The Competition Commission and the Communications Authority* today (27 July) issued six Guidelines under the Competition Ordinance (Cap. 619) (Ordinance).

The Guidelines describe how the Commission expects to interpret and give effect to the three competition rules in the Ordinance (First Conduct Rule, Second Conduct Rule and Merger Rule), and explain the procedures for handling complaints, conducting investigations and considering applications relating to exclusions and exemptions. The Guidelines are applicable to all sectors and industries in Hong Kong.

Ms. Anna Wu Hung-yuk, Chairperson of the Commission, said, “The release of the Guidelines is a major milestone on the road to the full commencement of the competition law. We are grateful to all those who participated in the consultations on earlier drafts of the Guidelines. The submissions and feedback we received have played a significant role in shaping the guidance that we release today. The Commission is ready to commence operation and implement the Ordinance on 14 December 2015, the date set by the government for full commencement of the Ordinance.”

The publication of the Guidelines is a result of successive rounds of consultation with a wide spectrum of stakeholders including businesses, trade associations, chambers of commerce, professional bodies, the Legislative Council and the general public since mid-2014. Following the first draft Guidelines which were released in October 2014, the Revised Draft Guidelines were published in March 2015 and presented to the Legislative Council for consultation.

Dr. Stanley Wong, Chief Executive Officer of the Commission, said, “With detailed explanations and numerous hypothetical examples, we believe the Guidelines published today will help businesses understand how the Commission will enforce the law. We hope that businesses in Hong Kong will review their business conduct and practices and make any necessary changes to ensure that they will be in compliance with the new law upon its full implementation.”

The Guidelines in English and Chinese are available on the Commission’s website www.compcomm.hk and the Communications Authority’s website www.coms-auth.hk.

**While the Commission is the principal competition authority responsible for enforcing the Ordinance, it has concurrent jurisdiction with the Communications Authority in relation to the conduct of certain undertakings operating in the broadcasting and telecommunications sectors. Unless stated otherwise, so far as a matter relates to areas falling within this concurrent jurisdiction, references in this press release to the Commission are to be read as applying also to the Communications Authority.*

Note to the Editor

About the Commission

The Commission is an independent statutory body established to enforce the Competition Ordinance (Cap. 619), which was enacted in June 2012. The objective of the Ordinance is to prohibit conduct that prevents, restricts or distorts competition and mergers that substantially lessen competition in Hong Kong. At the present time, the Merger Rule applies only to a merger involving an undertaking that directly or indirectly holds a carrier licence issued under the Telecommunications Ordinance (Cap. 106).

About the Communications Authority

The Communications Authority is an independent statutory body established under the Communications Authority Ordinance (Cap. 616) on 1 April 2012. It is a unified regulatory body overseeing the telecommunications and broadcasting sectors.