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For Immediate Release

Competition Commission welcomes judgments in Hong Kong's first two competition cases

The Competition Commission (Commission) welcomes the judgments handed down by the Competition Tribunal (Tribunal) today (17 May) in Hong Kong's first two competition cases involving bid-rigging, market sharing and price fixing.

In the first (*bid-rigging*) case, the Tribunal found the four respondent information technology (IT) companies, namely *Nutanix Hong Kong Limited*, *BT Hong Kong Limited*, *Innovix Distribution Limited* and *Tech-21 Systems Limited*, liable for contravening the First Conduct Rule of the Competition Ordinance (Ordinance) by engaging in bid-rigging concerning a tender related to the supply and installation of a new IT system for the Hong Kong Young Women's Christian Association (YWCA).

In the second (*market sharing and price fixing*) case, the Tribunal found the ten respondent construction companies liable for contravening the First Conduct Rule of the Ordinance by engaging in market sharing and price fixing in relation to the provision of renovation services at Phase 1 of On Tat Estate, a public rental housing estate in Kwun Tong, Kowloon.

Ms Anna Wu, Chairperson of the Commission, said, "Today's judgments represent a key milestone for the Hong Kong competition law regime. The Tribunal's decisions are very important in setting legal precedents and providing helpful guidance and clarity on important aspects of the Ordinance."

"The Commission believes that these two cartel cases are just the tip of the iceberg in their respective sectors and, as a matter of fact, of the complaints and enquiries received by the Commission so far, construction and information technology are among the most complained-against sectors involved. We are very pleased with the Tribunal's rulings today which not only send a powerful warning to businesses that cartel conduct is a blatant violation of the law, they also serve as a guide to the respective sectors as well as relevant authorities on the proper standards of behaviour under the Ordinance."

"Discovered as a result of complaints from members of the public, these two cases are also testimonies of the increasing public awareness of the Ordinance and the importance of reporting. To combat anticompetitive practices, we call on all parties to stay alert and report suspected cases to the Commission. Market participants should steer clear of anticompetitive practices while cartel members should come forward to apply for leniency and cooperate with the Commission."

The Tribunal will schedule another hearing to determine the pecuniary penalty in due course.
