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For Immediate Release

Competition Commission welcomes the appointment of new Chairperson Mr Samuel Chan and expresses gratitude to founding Chairperson Ms Anna Wu

The Competition Commission (Commission) welcomes the appointment of Mr Samuel Chan Ka-yan as the new Chairperson, and Professor Vincent Lau Kin-nang, Mr Patrick Law Fu-yuen, Mr Jimmy Ng Wing-ka and Professor Anna Wong Wai-kwan as new Members of the Commission for a term of two years, effective from 1 May 2020.

Mr Samuel Chan Ka-yan has been a Member of the Commission since May 2016 and Chairman of the Commission's Enforcement Committee since May 2019. Mr Chan is a practising barrister and has served in various advisory and statutory bodies. He has a wealth of experience in public services, particularly in promoting consumer interests and competition.

The Commission is also deeply grateful to its founding Chairperson Ms Anna Wu Hung-yuk for her distinguished leadership and immense contributions to the development of a robust competition regime in Hong Kong.

Ms Wu played a pioneer role in advocating for fair competition in the marketplace in the 1990s and has been the principal driving force behind the establishment, development and consolidation of a competition framework in the territory. As founding Chair of the Commission in 2013, she took the lead in laying the foundation of a functional competition authority and drawing a roadmap to guide the preparatory work for the full implementation of the Competition Ordinance (Ordinance). These included the setting up of the necessary infrastructure and a governance framework, recruiting a quality professional team, and engaging businesses and the general public in drawing up a set of practical and locally-focused Guidelines to the Ordinance that bode well for the development of the competition regime in Hong Kong.

The Ordinance entails a paradigm shift in deep-rooted business practices and behaviours and the ability to drive change requires vigorous and strategic enforcement and litigation, as well as effective advocacy. Under her leadership, the Commission, though nascent and relatively small in size, has demonstrated its effectiveness, bringing six cartel cases to court and publishing three Decisions¹ in just over four years of full implementation of the Ordinance. The first two cases involving bid-rigging, market sharing and price fixing have already been ruled by the Competition Tribunal with outcomes largely in favour of the Commission. The judgments have set important early precedents that provide guidance for the Commission's enforcement work as well as for the business and legal communities.

¹ The Ordinance provides that undertakings may apply to the Commission under section 9 and/or section 24 for a decision as to whether or not an agreement or conduct is excluded or exempt from the Conduct Rules. The three Decisions so far covered practices in the liner shipping industry, banking and the pharmaceutical sectors.

During Ms Wu's chairmanship, the Commission has seen to fruition its advocacy efforts reflected by increased community awareness of the Ordinance as well as a growing compliance culture by businesses. With the Commission's extensive and proactive engagement with the public sector and policy makers over the years, competition consideration also plays an increasingly important role in the formulation and execution of public policies and schemes that affect the daily lives of the people in Hong Kong.

Internationally, spearheaded by Ms Wu, the Commission has been actively establishing strong ties with its overseas counterparts since inception and has benefitted greatly from such interactions, not only on policy and enforcement issues but also in terms of capacity building. As a young agency, the Commission is also humbled by the recognitions from its peers for its advocacy work, winning awards three years in a row in the Competition Advocacy Contest co-organised by the World Bank Group and International Competition Network. The Commission is assuming an increasingly active role in sharing experience with other young jurisdictions in the Asia-Pacific region and is committed to promoting collaboration across sectors and jurisdictions.

Ms Wu said, "I am privileged and honoured to have served the Commission in the last seven years. It was an extremely challenging yet rewarding experience from seeing the introduction of the cross-sector competition regime to the legislation coming into full action, with effects seen across the community."

"I am a firm believer in the values of competition and the key role the Ordinance has in ensuring Hong Kong remains a competitive, dynamic and free market. I am confident that under the leadership of Mr Samuel Chan, the Commission will be able to capitalise on its knowledge, resources and experience and continue to excel in its various functions, bringing the full benefits of effective market competition to everyone in Hong Kong."

The Commission would also like to thank its outgoing Members, Dr Anthony William Seeto Yiu-wai, Professor Suen Wing-chuen and Mr Dennis Kwok Wing-hang, for their sage counsel, support and commitment over the years, and all past and current Members for their contribution in this new area of law. The Commission wishes them all the best in their future endeavours.
