競爭事務委員會
COMPETITION COMMISSION

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For Immediate Release

Competition Commission conducts search in case relating to bid-rigging over building maintenance

The Competition Commission (Commission) executed search warrants this morning at four premises, including the offices of a building maintenance contractor and a building maintenance consultant, as well as the residences of the individuals involved. The case concerns a tender exercise conducted for a building maintenance project of a private housing estate in the Kowloon City District, with the bid amount reaching HK$40 million approximately. The companies involved were suspected of having engaged in bid-rigging, in contravention of the First Conduct Rule under the Competition Ordinance (Ordinance).

The Commission received a referral earlier. Upon closely following up on the case, it was found that a building maintenance consultant might have colluded with a building maintenance contractor in manipulating the tender result. They used violent means to coerce potential bidder to refrain from bidding.

As the Commission was satisfied that there is "reasonable cause to suspect" a contravention of a competition rule, it therefore decided to escalate the case to the investigation phase. During today's operation, in addition to executing the search warrants, the Commission also exercised its compulsory powers to request relevant parties to produce documents and information, and to attend before the Commission to provide relevant information. The Commission has also approached the Owners' Corporation of the housing estate in question and remains in close liaison with them. As the investigation is ongoing, the Commission does not rule out the possibility of taking further enforcement actions.

Cartel conduct in the building maintenance market is a grave concern for property owners in Hong Kong. The Commission has spared no effort in pursuing such cases, as exemplified in the two joint operations conducted with the ICAC over the past year which successfully neutralised a newly-rising syndicate engaging in bid-rigging in building maintenance works. The Commission remains fully committed to combating anti-competitive practices that seek profit at the expense of property owners, with a view to safeguarding a level-playing field in the building maintenance sector.

The Commission calls on anyone who can provide information on the case or the relevant practices to contact the Commission as soon as possible by telephone at 3462 2118, e-mail (complaints@compcomm.hk), post, or in person at the Commission's office (by appointment only). Those who may have engaged or been involved in cartel conduct should approach the Commission as soon as possible for leniency or cooperation (Leniency Hotline: 3996 8010; e-mail: leniency@compcomm.hk).

No further comment will be made at this stage as the investigation is ongoing. The Commission stresses that existence of the investigation does not prejudge its outcome.

The search operation today was all conducted indoor. In the face of the bad weather today, the Commission has taken into consideration the circumstances and has taken all necessary measures to ensure safety of our staff and subject individuals throughout the operation.

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