

SUMMARY OF ANNUAL REPORT 2023/2024



Enforcement Investigations

The Competition Commission (Commission) conducts thorough investigations into potential contraventions of the Competition Ordinance (Ordinance) and implements appropriate enforcement measures where contraventions have been identified. Investigations may be initiated following complaints from businesses and individuals, or of the Commission's own proactive investigations based on information from other sources such as the Commission's own research, market intelligence gathering, or referrals from the Government and other public authorities.

During the year, the Commission received and processed **320** complaints. A total of **13** cases¹ which warrant further assessment were escalated to the Initial Assessment phase. Where the Commission has reasonable cause to suspect a contravention of a conduct rule, it will resolutely proceed to the Investigation Phase. During the period, the Commission has commenced investigation in **4** cases.

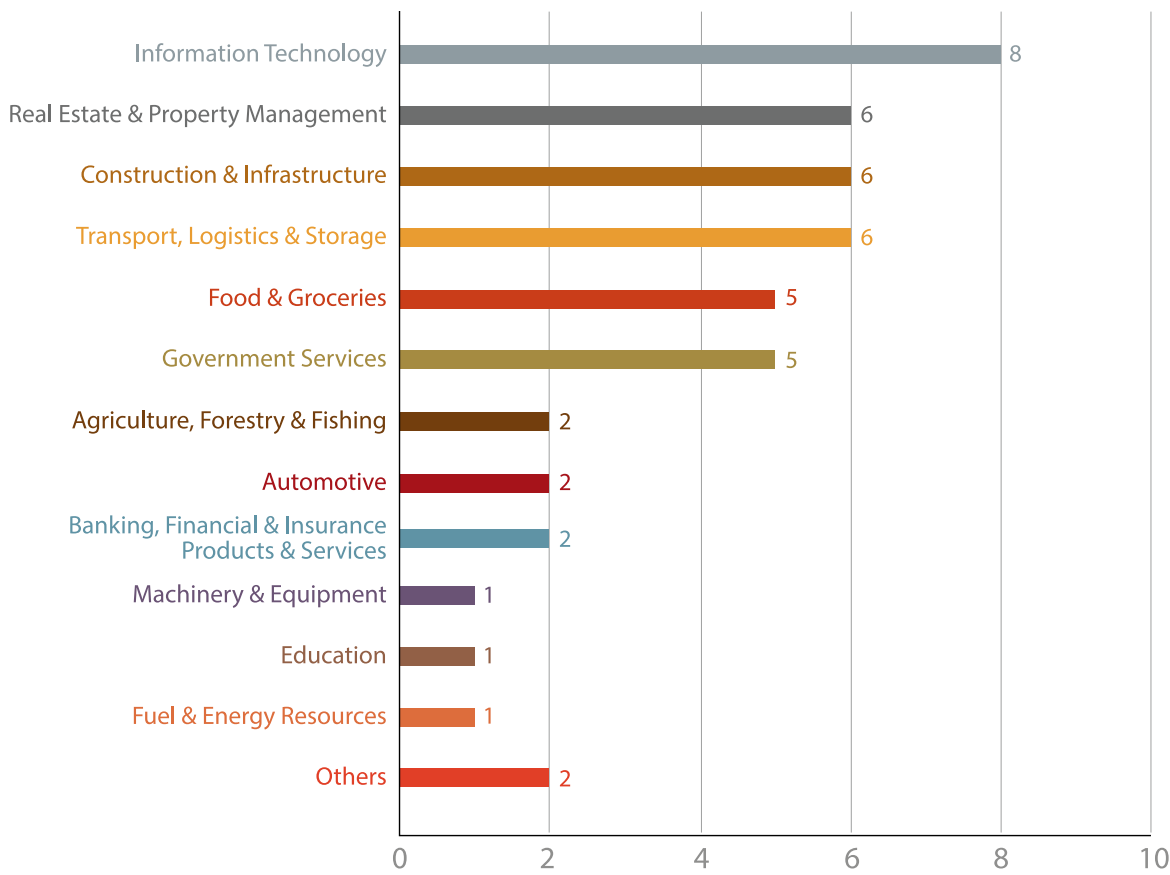
Figure 1: Complaints – nature of alleged conduct² (1 April 2023 to 31 March 2024)

First Conduct Rule		Second Conduct Rule	
Cartel Conduct	146	Exclusive Dealing	46
Exclusive Dealing	48	Refusal to Deal	14
Exchange of Information	18	Tying and Bundling	9
Resale Price Maintenance	17	Predation	7
Group Boycott	10	Resale Price Maintenance	1
Others	35	Others	13
Others			
General Nature	57	Not related to a Conduct Rule	132

¹ Including cases arising from complaints and other sources.

² Each complaint may involve allegations of multiple types of anti-competitive conduct.

**Figure 2: Sectors involved in ongoing Initial Assessment and Investigation cases
(1 April 2023 to 31 March 2024) ³**



³ Each case may involve multiple industry sectors.

Cases filed in the Competition Tribunal

The Commission filed **2** new cases with the Competition Tribunal during the year:



1

Competition Commission v ATAL Building Services Engineering Ltd and Others

The second set of proceedings relating to price fixing, market sharing and bid-rigging in the supply of air-conditioning works in Hong Kong



2

Competition Commission v Midland Realty International Limited and Others

A price fixing cartel case regarding the fixing of the net commission rate for the sale of first-hand residential properties in Hong Kong

Other enforcement highlights

Accepted commitments offered by two leading online food delivery platforms, resulting in the amendment and/or removal of specific provisions in their agreements with partnering restaurants that may harm competition

Concluded an investigation into a proposed joint business agreement between two airlines



Conducted another **joint operation** with the Hong Kong Police Force and the Immigration Department at the Aberdeen Wholesale Fish Market

Initiated investigations into suspected anti-competitive conduct in the funeral service industry



Advisory

The Commission advises the Government on competition matters in Hong Kong and outside Hong Kong. Major initiatives during the past year included:



Provided competition-related advice to the Government and public bodies on more than **30 public policies and initiatives**, including the Producer Responsibility Scheme on Retired Electric Vehicle Batteries, the Building Maintenance Grant Scheme for Needy Owners and water pipes-related regulations



Conducted a **briefing session for senior government officials** from over 45 departments on public procurement and bid-rigging

International and Mainland Liaison

The Commission has remained committed to building rapport with Mainland and overseas counterparts.

Signed a **Memorandum of Understanding** with the Guangdong Administration for Market Regulation and co-published the **Competition Compliance Manual for Businesses in Guangdong and Hong Kong**



Organised the **2023 Competition Enforcers and Academics Summit**, bringing together leading scholars and senior enforcement officials from 12 Asia-Pacific economies to exchange ideas and experiences

Advocacy

During the year, the Commission intensified its efforts to help businesses and the general public understand the key elements of the Ordinance and the importance of compliance through events in either physical or online format. The Commission also developed new initiatives on different platforms to raise public awareness as well as to promote a pro-competition culture in the community.

Engagement events

Engagement Facts and Figures (as at 31 March 2024)

42 briefings/meetings

8 major webinars

7 school workshops

9,400*

representatives of major chambers of commerce, trade and industry associations, businesses including SMEs, public sector, as well as students and members of the public reached.

* The figure includes participants of both physical and online events.

Key campaigns and publicity initiatives



Launched a **citywide educational campaign** to enhance public awareness and understanding of resale price maintenance

Rolled out the **“Post to Compete” Social Media Advocacy Challenge** for senior secondary school students. Close to 200 teams from more than 80 secondary schools participated in the event



In collaboration with the Education Bureau, conducted an **inaugural training course** on competition law for secondary school teachers in Hong Kong

Enhanced the promotion on **social media** with around 160 feeds about competition law and the Commission's work posted on its online platforms



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