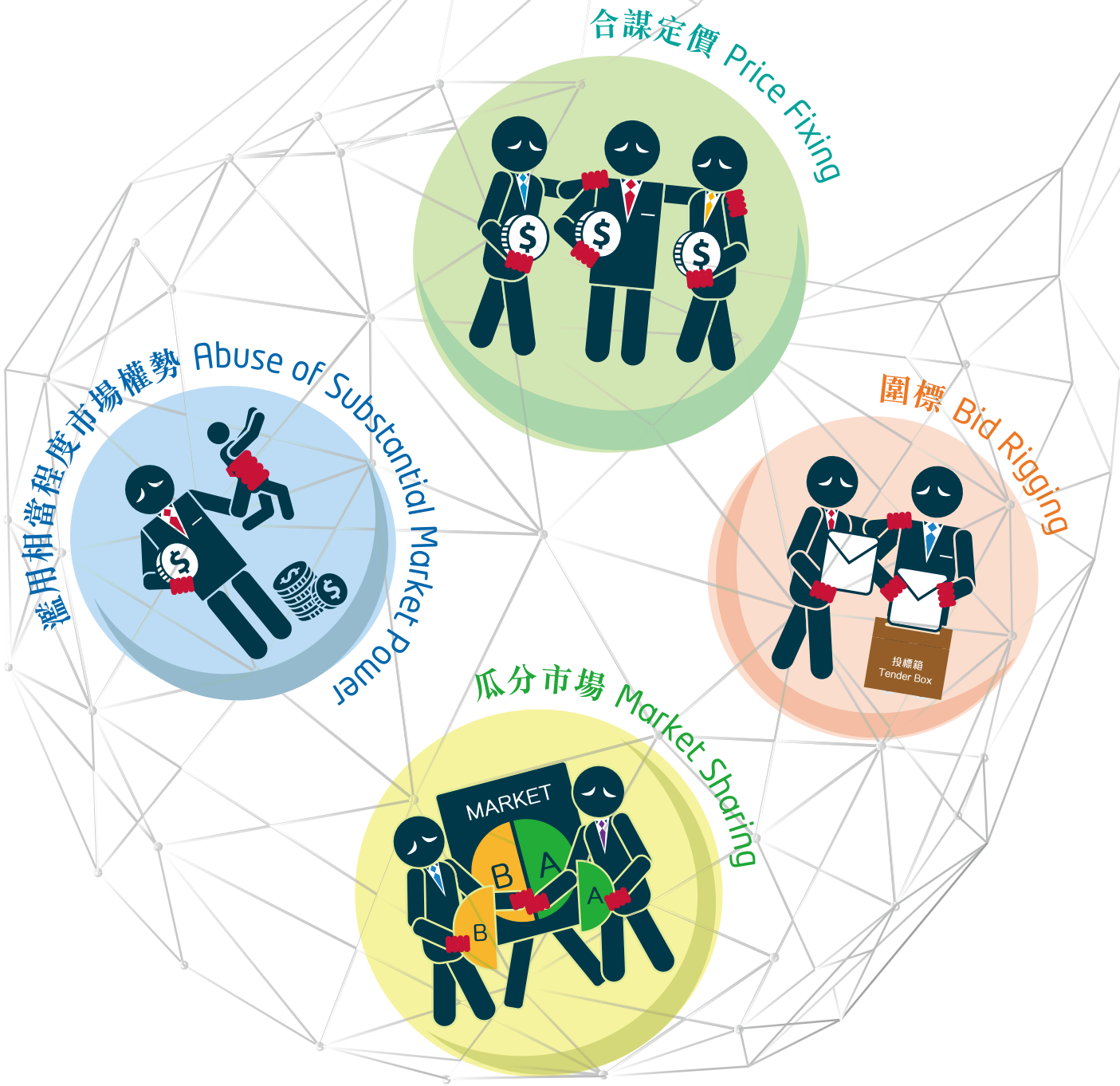
競爭事務委員會
COMPETITION
COMMISSION



年報 ANNUAL REPORT 2020/2021

封面繪圖象徵競爭事務委員會正日趨成熟成為強而有力的執法機構，揭發反競爭行為，並向涉案企業及人士追究責任。過去一年，競爭事務審裁處首次就數宗合謀案件頒下罰則，懲處違法者。步入全面運作的第六個年頭，除了執法工作外，競委會亦會加強推展提供政策意見及宣傳倡導的工作，令市場不受合謀及濫用市場權勢的行為影響，讓每一位香港市民都能享受競爭所帶來的好處。

The graphics on the cover depict the idea that the Competition Commission is rapidly maturing as a robust law enforcement agency, uncovering anti-competitive conduct and capturing businesses and individuals engaged in such behaviours. Over the past year, a number of judgments on sanctions were handed down for the first time by the Competition Tribunal penalising cartelists. Ushering in its sixth year of full operation, the Commission looks forward to accomplishing more not only on its enforcement, but also its policy and advocacy work so that everyone in Hong Kong can benefit from competitive markets free of collusions and abusive conduct.

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關於競爭事務委員會
About the Competition Commission

我們的角色

競爭事務委員會（競委會）是根據《競爭條例》（《條例》）（第 619 章）成立的獨立法定團體，《條例》於 2015 年 12 月 14 日全面生效。競委會致力推動有利於自由貿易、高效率及創新的競爭環境，以祈為本港消費者帶來更多選擇、更佳價格與更具質素的商品及服務。

我們的工作

《條例》旨在禁止妨礙、限制或扭曲香港競爭的協議、做法及行為，以及禁止大幅削弱香港競爭的合併行為。合併守則目前只適用於涉及直接或間接持有根據《電訊條例》（第 106 章）發出的傳送者牌照的業務實體的合併。

根據《條例》，競委會須履行以下職能：

- 調查可能違反《條例》所訂競爭守則的行為，及執行《條例》的條文；
- 提高公眾對競爭的價值及《條例》如何促進競爭的了解；
- 推動在香港經營業務的業務實體採納適當的內部監控及風險管理制度，以確保該等業務實體遵守《條例》；
- 就在香港境內及境外的競爭事宜，向特區政府提供意見；
- 就影響香港市場競爭的事宜，進行市場研究；以及
- 促進對香港競爭法的法律、經濟及政策方面的研究，以及促進該等方面的技巧發展。

WHO WE ARE

The Competition Commission (Commission) is an independent statutory body established under the Competition Ordinance (Ordinance) (Cap. 619) which came into full effect on 14 December 2015. The Commission is committed to promoting a competitive environment that is conducive to free flow of trade, efficiency and innovation, bringing increased choice and better quality and lower prices of goods and services to consumers in Hong Kong.

WHAT WE DO

The objective of the Ordinance is to prohibit agreements, practices and conduct that prevent, restrict or distort competition, and to prohibit mergers that substantially lessen competition in Hong Kong. The scope of application of the Merger Rule is currently limited to mergers involving undertakings directly or indirectly holding carrier licences issued under the Telecommunications Ordinance (Cap. 106).

The Commission is tasked with the following functions under the Ordinance:

- To investigate conduct that may contravene the competition rules of the Ordinance and enforce the provisions of the Ordinance;
- To promote public understanding of the value of competition and how the Ordinance promotes competition;
- To promote the adoption by undertakings carrying on business in Hong Kong of appropriate internal controls and risk management systems and to ensure their compliance with the Ordinance;
- To advise the Government on competition matters in Hong Kong and outside Hong Kong;
- To conduct market studies into matters affecting competition in markets in Hong Kong; and
- To promote research into and the development of skills in relation to the legal, economic and policy aspects of competition law in Hong Kong.

關於競爭事務委員會
About the Competition Commission

競委會的抱負、使命及信念體現了我們履行職責的精神，即透過執行《條例》來維護香港的競爭環境。

抱負

為香港消費者及商界維護平等競爭環境，以提升經濟活力、激勵創新，及促進消費者利益。

使命

透過培養有利競爭的文化、倡導守法及有效執法，以防止反競爭的協議、做法及行為。

信念

- **獨立**：按照法律的規定獨立自主地行事；
- **專業**：以不偏不倚、客觀專業的態度作行動和決策；
- **透明**：持高透明度、並會為我們的決定及行動承擔責任；及
- **正直**：尊重所有人士，保障個人利益，並恪守道德準則。

The Commission's Vision, Mission and Values embody the spirit in which we carry out our duties to safeguard competition in Hong Kong by enforcing the Ordinance.

VISION

To safeguard a level-playing field for consumers and businesses in Hong Kong, enhancing economic vibrancy, stimulating innovation and delivering consumer benefits.

MISSION

To prevent anti-competitive agreements, practices and conduct through nurturing a culture conducive to competition, advocating compliance and engaging in effective law enforcement.

VALUES

- **Independent:** We will act independently within the confines of the law;
- **Professional:** We will take action and make decisions in an impartial, objective and professional manner;
- **Transparent:** We will make ourselves accessible and accountable for our decisions and actions; and
- **Integrity:** We will treat all people with respect, protect personal interests and uphold ethical standards.

主席的話
Chairman's Statement



陳家殷

Samuel CHAN Ka-yan

2020/2021 年度的競爭事務委員會年報是我出任競委會主席後的首份年報。

過去一年，縱然面對 2019 新冠病毒疫情的挑戰，競委會各方面的工作均進展良好，並達至多個里程碑。競爭事務審裁處亦作出了多個重要裁決，為本港競爭法體系確立重要案例。

競委會全面運作未及六年，便已就七宗案件展開訴訟。在審裁處已經作出裁決的五宗案件中，除了一宗較早期入稟的案件就其中一名答辯人的裁決外，競委會均全獲判勝訴；其餘兩宗案件則有待聆訊。年內，審裁處亦就其中四宗案件的罰則作出裁決，頒令業務實體及個人繳付 1,440 萬港元罰款及逾 860 萬港元訟費。審裁處亦在其中一宗案件，頒下香港首個因違反《競爭條例》「第一行為守則」而發出的取消董事資格令。

除以上具標誌性的裁決外，競委會在去年 12 月就香港首宗濫用相當程度市場權勢而違反「第二行為守則」的案件，入稟審裁處，成為香港競爭法體系另一重要里程碑，亦反

I am pleased to present to you the Annual Report 2020/2021 of the Competition Commission, the first annual report since I took up the chairmanship of the Commission.

Despite the challenges posed by the COVID-19 pandemic over the past year, the Commission has progressed well with numerous milestones achieved across its different facets of work. A number of important judgments have also been handed down by the Competition Tribunal, setting landmark precedents for the jurisprudence of Hong Kong's competition regime.

In less than six years of its full operation, the Commission has commenced proceedings in seven cases and was successful in all five cases already ruled by the Tribunal, except as against one respondent in one of the earlier cases. The other two cases are yet to be determined at full trial on dates to be fixed. During the year, the Tribunal has handed down judgments on pecuniary penalties in four cases, ordering both undertakings and individuals to pay HK$14.4 million of fines together with legal costs of more than HK$8.6 million. In one of these cases the Tribunal has also issued Hong Kong's first director disqualification order for contravention of the First Conduct Rule of the Competition Ordinance.

On top of the above landmark decisions, Hong Kong's competition regime reached a pivotal milestone last December when the Commission filed the city's first abuse of substantial market power case in contravention of the Second Conduct Rule before the Tribunal. It is a solid testimony to the

映競委會致力全面執行《條例》的決心，從而為商界及法律界提供更清晰的指引。

Commission's commitment to enforce the full spectrum of the Ordinance and provide greater guidance to the business and legal communities in Hong Kong.

除入稟法庭外，在過去一年，競委會在合適的情況下，亦採用了訴訟以外的強制執行方法，透過與案件性質相稱的措施，以迅速及合符比例的手法處理反競爭事宜。其中一個很好的例子，是競委會以接納承諾的方式，完成對香港海港聯盟的調查。該聯盟是由四間主要貨櫃碼頭營運商所組成的聯營安排，聯盟成員作出了一系列嶄新而有力的承諾，適時及有效地釋除競委會對競爭的疑慮。這宗調查涉及多個複雜問題，包括市場界定、競爭效果、經濟效率及制定補救方法。調查能順利完成，足證競委會有能力處理複雜的競爭事宜。

Over the past year, in addition to bringing cases to court, the Commission also endeavoured to resolve competition issues promptly and proportionately by using non-litigation remedies provided under the Ordinance where appropriate. One good example was the Commission's conclusion of its investigation into the Hong Kong Seaport Alliance, a joint venture formed between four major container terminal operators, by accepting a novel and robust set of commitments from the parties, thus addressing the Commission's competition concerns in an effective and timely manner. The investigation into the case involved complex issues of market definition, competitive effects, efficiencies and remedy design, and its successful conclusion is a testament to the Commission's capacity to handle highly complex competition matters.

此外，競委會亦接納了三間在全球具領導地位的網上旅行社所作出的承諾，移除它們與香港住宿提供者在合約中所訂定可能損害競爭的廣義平等條款（涉及房間價格、房源及房間條件）。在回顧年度內，競委會亦向其中幾個全港最大的酒店集團及一家旅遊櫃檯營辦商發出違章通知書，指他們促成兩間互為競爭對手的旅遊服務供應商作出合謀定價安排。這是競委會首次向合謀行為的促成者追究法律責任，並帶出了一個重要訊息：除合謀者本身外，任何第三方若促成反競爭行為，亦可能要面對競委會的執法行動。

The Commission has also accepted commitments offered by three of the world's leading online travel agents which resulted in a complete abandonment of wide parity clauses (regarding room prices, availability and room conditions) in their contracts with accommodation providers in Hong Kong that may harm competition. During the year under review, infringement notices have also been issued to some of Hong Kong's largest hotel groups and a tour counter operator for facilitating a price fixing cartel between two competing travel service providers. This is the first time the Commission pursues facilitators of cartel conduct, driving home the message that not only cartelists, but third parties who facilitate anti-competitive conduct will also run the risk of facing enforcement action.

為進一步提高執法效率及成效，競委會於過去幾年，已將著重守法的要求和誘因，納入其執法政策文件。2020 年 4 月，競委會修訂了為業務實體而設的寬待政策，亦推出為個人而設的寬待政策，以優化為合謀行為所提供的寬待政策框架。競委會於 2020 年 6 月發表建議罰款政策，概述在釐定向審裁處建議的罰款水平時，所採用的計算方法，以提高透明度。為加強阻嚇力，競委會在合適的情況下會追究個人法律責任，幾宗較近期的案件便是很好的例子。此外，競委會亦會就附屬公司的違法行為，向對其有決定性影響的母公司追究法律責任。

To further enhance enforcement effectiveness and efficiencies, over the last couple of years the Commission has incorporated compliance oriented requirements and incentives into its enforcement policy instruments. In April 2020, the Commission enhanced its leniency framework for cartel conduct by revising the Leniency Policy for Undertakings as well as publishing a new Leniency Policy for Individuals. A Policy on Recommended Pecuniary Penalties was also published in June 2020 to provide transparency on the methodology the Commission will use in making fine recommendations to the Tribunal. To strengthen deterrence, the Commission will not hesitate to pursue the liability of individuals, where appropriate, as exemplified in our recent cases. We will also seek to hold parent companies accountable for contraventions committed by their subsidiaries over which they exercise decisive influence.

主席的話
Chairman's Statement

在提供政策意見方面，競委會繼續與政府部門及公營機構緊密溝通，以期促進政策制定者及行業監管機構考慮市場競爭因素的文化。經過競委會的努力，公營界別對於把競爭準則納入公共政策制定過程的意識及能力，正不斷提高。

為應對疫情所帶來的挑戰，競委會發出了兩份公告，提醒參與政府「防疫抗疫基金」資助計劃的企業，必須遵守《條例》，並提防會損害採購過程的反競爭行為。競委會亦與負責執行相關計劃的公營機構緊密接觸，加強他們對防範反競爭行為的考慮，並就如何防止合謀行為提供意見，慎防用於協助商界渡過難關的公帑，被從事合謀行為的不法分子所牟取。

宣傳倡導方面，競委會繼續透過多個平台，以不同方式積極接觸社會各界別人士，並加強運用社交媒體。尤其值得注意的是，競委會於本年度推出了打擊合謀定價的大型宣傳活動，以及舉辦了一項挑戰賽，讓大專學生有機會一展創意，透過社交媒體推廣競爭法。年內另一重點活動，是為未有競爭法經驗或相關經驗較淺的律師，舉辦一系列網上培訓，以提升他們為客戶（尤其是中小企客戶）就競爭法事宜提供意見的能力。

自《條例》於 2015 年 12 月全面生效以來，競委會的工作確實已取得重大進展。衆人的努力及貢獻 — 包括上屆主席胡紅玉女士、競委會歷任及現屆委員、行政總裁畢仲明先生以及前任行政總裁冼博崙先生所帶領的專業團隊 — 實在功不可沒。我亦衷心感謝商務及經濟發展局一直以來的支持。我很有信心，隨著不斷累積更多打擊反競爭行為的經驗和知識，競委會將繼續在維護和推廣香港市場競爭方面，發揮日益重要的作用。



主席
陳家殷

With respect to its policy advisory functions, the Commission continues to liaise closely with Government departments and public bodies with the aim of fostering a culture of factoring in competition considerations among policy makers and sectoral regulators. As a result of the Commission's efforts, there has been a continuous increase in the awareness and capability of the public sector in integrating competition principles into policy making.

In response to the challenges brought by the pandemic, the Commission has issued two statements to remind participants in the Government's subsidy programmes under the Anti-epidemic Fund of the importance of complying with the Ordinance and being vigilant against potential anti-competitive practices that may undermine procurement processes. The Commission also works closely with public bodies which are tasked to administer these programmes to take competition concerns into consideration and provides advice on collusion prevention so that public money being channelled to alleviate the unusual hardship faced by the business sector will not be exploited by cartelists.

As regards public advocacy, the Commission continues to actively engage with a wide spectrum of audience via different initiatives delivered on multiple platforms, with a strengthened use of social media. Notably, we have rolled out an anti-price fixing advocacy campaign and an education programme where tertiary students were given the opportunity to unleash their creativity to promote competition law on social media. Another signature event of the year was a webinar series tailored for lawyers with no or limited competition law experience so that they would be better equipped to advise their clients, in particular SMEs, on competition law matters.

It would be fair to say that the Commission has made great strides since the Ordinance came into force in December 2015. These would not have happened without the invaluable contribution of my predecessor Ms. Anna Wu, the past and current Members of the Commission as well as the professional and dedicated staff led by our Chief Executive Officer Mr. Rasul Butt and our former Chief Executive Officer Mr. Brent Snyder. I would also like to express my sincere gratitude to the Commerce and Economic Development Bureau for its continuing support. I am confident that as the Commission keeps accumulating its experience and knowledge in combating anti-competitive practices, it will continue to play an increasingly important role in safeguarding and promoting the value of market competition in Hong Kong.



Samuel Chan Ka-yan
Chairman

行政總裁的話
CEO's Statement

競爭事務委員會
COMPETITION
COMMISSION



畢仲明
Rasul BUTT

競爭事務委員會於 2020/2021 年度迅速發展成為日漸成熟的執法機構。總括來說，新冠病毒疫情未有影響競委會的調查及執法工作，競委會於年內，在執法、提供政策意見及倡導工作方面均取得進展。

The year of 2020/2021 saw the Competition Commission rapidly maturing as a robust law enforcement agency amid adversity during the COVID-19 pandemic. In general, the Commission's investigations and operations have not been negatively impacted and it managed to achieve numerous accomplishments in enforcement, as well as policy advisory and advocacy work over the year.

競委會至今已就七宗案件入稟競爭事務審裁處，當中六宗為合謀案件，涵蓋了圍標、合謀定價及瓜分市場等最嚴重的反競爭行為。早期的幾宗案件均涉及合謀行為，展示了競委會重點打擊對香港經濟及民生構成最大威脅的反競爭行為，以及將公然違法者繩之於法的決心。審裁處已就當中五宗案件裁定競委會勝訴，這是對企業及個別人士發出的警號：但凡從事合謀行為，便須面對競委會的執法行動，後果可能相當嚴重。

The Commission has so far brought seven cases before the Competition Tribunal, of which six were cartel cases covering the most egregious types of anti-competitive conduct involving bid-rigging, price fixing and market sharing. The focus on cartel conduct in these initial cases reflects the Commission's determination to pursue perpetrators of the most flagrant contraventions of the law as well as those that pose the greatest threat to Hong Kong's economy and people's livelihood. The favourable judgments in five of these cases already ruled by the Tribunal come as a warning to both businesses and individuals that engaging in cartel conduct will be subject to the Commission's action and potentially result in serious consequences.

競委會在嚴打合謀行為的同時，亦已開始將訴訟及執法範圍擴展至「第二行為守則」，打擊濫用相當程度市場權勢的行為。在最近入稟審裁處的一宗案件中，一間具市場領導地位的跨國醫療氣體供應商，涉嫌利用其在醫療氣體供應市場近乎壟斷的地位，影響下游氣體管道保養市場，向其他潛在的保養服務供

While disrupting hard core cartels will remain a priority, the Commission has started to broaden its scope of enforcement and litigation to the Second Conduct Rule that targets abuse of substantial market power. Our most recent case before the Tribunal alleges that a leading multinational medical gas supplier used its near-monopoly position in the supply of medical gases and engaged in exclusionary acts against the other potential service provider in the downstream medical gas pipeline system maintenance market. The

行政總裁的話
CEO's Statement

應商作出多項排除競爭的行為。其行為嚴重影響為本港病人提供近九成醫院服務的公立醫院，突顯競委會採取執法行動的必要性。

need to bring enforcement action in this case was particularly pronounced given the fact that the blatant conduct seriously affected public hospitals which provide close to 90% of hospital services to patients in Hong Kong.

除訴訟以外，競委會亦透過《競爭條例》所提供的其他執法方式，解決及處理競爭問題，包括在多宗案件中發出違章通知書及接受企業所作出的承諾，有關案件涉及資訊科技界交換商業敏感資料、貨櫃碼頭業界以合約形式進行聯營安排、旅遊業界的平等條款和促成合謀定價的行為等。該等執法方式能讓較不嚴重的競爭問題得以迅速及合乎比例地解決。

On top of litigation cases, the Commission has also resolved and addressed competition concerns through alternative modes of resolution provided under the Competition Ordinance. These included issuing infringement notices as well as accepting commitments in a number of cases which involved exchange of commercially sensitive information in the information technology sector, a contractual joint venture in the port terminal industry as well as parity clauses and facilitation of a price-fixing cartel in the travel sector. These enabled competition concerns of a less serious nature to be addressed swiftly and proportionately.

年內，競委會分別與證券及期貨事務監察委員會及菲律賓競爭委員會簽署諒解備忘錄，以提高競委會的整體執法能力及處理競爭問題的效率。競委會內部亦透過增聘人手及加強專業訓練，持續提升調查能力，以應付複雜多變及日益繁重的調查工作。

In strengthening the Commission's overall capability and effectiveness in handling competition issues, the Commission signed a Memorandum of Understanding with the Securities and Futures Commission and the Philippine Competition Commission respectively during the year. Internally the Commission has also been actively strengthening its investigative capabilities by continued capacity and expertise building to cope with investigations that are growing in number, variety and complexity.

在推展執法工作及立下勝訴案例的同時，競委會在政策及倡導方面的工作，在年內亦取得了一定成果。

While the Commission is building a solid pipeline of cases and setting precedents with favourable judgments by the Tribunal, its policy and advocacy work has also been moving ahead with a number of achievements during the year.

在提供政策意見方面，競委會繼續與政府部門緊密接觸，以識別及處理一些新公共政策所引起的競爭疑慮，以及鼓勵將競爭準則納入制訂公共政策的過程。除了就多項影響香港消費者及商界的公共政策及措施提供意見外，競委會亦因應疫情，於本地及國際層面迅速採取相關行動。

On the policy front, the Commission continued to work closely with government departments in identifying and addressing competition concerns arising from new public policies, as well as to encourage the integration of competition principles into the public policy-making process. In addition to providing competition advice on dozens of public policies and initiatives which concern Hong Kong's consumers and the business environment, the Commission also took prompt actions both locally and internationally in response to the COVID-19 outbreak.

年內，競委會向本港商界及負責執行政府「防疫抗疫基金」資助計劃的公營機構發出指引，以在疫情期間維護市場競爭及保障消費者利益。另一方面，為促進各地競爭法機構分享如何應付在疫情下執法常遇到的挑戰，競委會舉辦了兩場網上研討會，匯聚世界各地的執法人員和學者，就疫情所引起的各種執法及政策事宜展開討論。

During the year, the Commission issued relevant guidance and advice to the local business community and public bodies which are tasked to administer the Government's anti-epidemic subsidy programmes with an aim to safeguarding market competition and consumer welfare during this critical period. Internationally, competition authorities exchanged their views on how to tackle common enforcement challenges presented by the pandemic. To this end, the Commission hosted two webinars, bringing together competition enforcers and academics around the globe to discuss a wide range of enforcement and policy issues arising from the pandemic.

行政總裁的話
CEO's Statement

在宣傳倡導方面，競委會繼續透過一連串跨平台宣傳活動，提高公眾對《條例》的認識，並鼓勵各界守法。年內的焦點工作是一項主題式大型宣傳活動，當中包括製作一系列電影預告片形式的教育短片，讓社會大眾認識和了解合謀定價及其禍害。競委會亦利用新興及傳統平台，推出具創意的活動，廣泛接觸本港青少年。

As for advocacy, the Commission carried on its momentum to increase public awareness of the Ordinance and to encourage compliance through a series of outreach and engagement programmes on multiple platforms. Highlight of the year was a multi-pronged thematic advocacy campaign featuring an infotainment series packaged in movie trailer style to raise community awareness and understanding of price fixing and its harm. The Commission has also extensively reached out to the younger generation through creative programmes leveraging on both innovative and conventional platforms.

雖然去年未能舉辦實體活動，競委會改以網上形式進行講座及其他活動，成效同樣顯著，接觸層面亦更為廣泛。年內其中一項主要活動，是以本地律師為對象的培訓。隨着競爭法案例漸多，擅長競爭法的律師在這數年間不斷累積經驗，然而，除少數國際律師行，本港法律界在競爭法方面的專業知識及經驗仍有待提高。有見及此，競委會舉辦了一系列網上培訓課程，協助非專注於競爭法的律師，提升他們就競爭法事宜向客戶提供意見的能力。我們相信，加強本地法律界在競爭法方面的專業知識，能讓眾多企業（尤其是中小企）獲得更適切的服務，因其相熟律師將有能力提供意見並協助他們遵守《條例》。

Although in-person events were not feasible in the past year, the Commission switched to using webinars and online engagement events which have proved to be equally effective and even reaching a wider audience. One of the major events of the year was targeted at local lawyers. While competition lawyers are gaining more experience with precedents established over the years, it was observed that there was a relative dearth of competition law expertise and experience within the local legal community outside a handful of international law firms. With that in mind, the Commission has organised an online training series to equip lawyers who are not competition law specialists to advise their clients on competition matters. By strengthening the competition law expertise amongst the local legal fraternity, we believe a lot of companies especially SMEs would be better served as lawyers they are familiar with will be able to advise and help them in complying with the Ordinance.

回顧過去一年，縱使競委會的工作充滿挑戰，但仍能穩步向前，我對此感到自豪。我有信心，競委會能善用累積到的經驗及知識繼續向前，確保一個充滿活力的公平競爭環境，保障每一位香港市民的利益。

Looking back, it was a challenging year for the Commission and I am proud to say that the Commission has fared considerably well. With the accumulation of experience and knowledge, I am confident that we can drive this momentum forward ensuring that competition is vibrant and fair for the benefits of everyone in Hong Kong.

最後，我謹在此感謝主席陳家殷先生、首任主席胡紅玉女士、前任行政總裁冼博崙先生，以及現屆及歷任委員多年來的貢獻及寶貴意見。我亦衷心感謝商務及經濟發展局一如既往的支持。

In closing, I would like to express my gratitude and appreciation to the Chairman, Mr. Samuel Chan, founding Chairperson, Ms. Anna Wu, my predecessor Mr. Brent Snyder as well as current and previous Commission Members for their contribution and wise counsel over the years. I would also like to register my deep appreciation for the continuing support of the Commerce and Economic Development Bureau.



行政總裁
畢仲明



Rasul Butt
Chief Executive Officer

年度重點
Highlights of the Year

執法 ENFORCEMENT

收到及處理了 555 宗投訴 / 查詢；對 10 宗個案進行了初步評估 / 調查

Received and processed 555 enforcement contacts; 10 cases were escalated to the Initial Assessment / Investigation phases

就香港首宗濫用相當程度市場權勢案件入稟競爭事務審裁處

Filed Hong Kong's first abuse of substantial market power case in the Competition Tribunal

競爭事務審裁處在三宗合謀案件中裁定競委會勝訴，並就四宗案件的罰款及其他罰則作出裁決

Competition Tribunal ruled in favour of the Commission in three cartel cases and handed down judgments on pecuniary penalties and other sanctions in four cases

在涉及旅遊業、貨櫃碼頭業及資訊科技行業的數宗個案中，發出違章通知書及接受承諾

Issued infringement notices and accepted commitments in cases involving the travel, port terminal and information technology sectors

優化了合謀行為寬待政策，並增設個人寬待政策

Enhanced the leniency programme for cartels and expanded its coverage to individuals

分別與證券及期貨事務監察委員會及菲律賓競爭委員會簽署諒解備忘錄

Signed Memorandums of Understanding with Securities and Futures Commission and Philippine Competition Commission

政策意見 ADVISORY

就超過 30 項公共政策及計劃向政府及公營機構提供意見，多項建議獲有關當局考慮及採納

Provided competition advice to the Government and public bodies on over 30 public policies and initiatives with many recommendations well received

向申領政府「防疫抗疫基金」資助的企業發布指引，提醒相關人士必須遵守《競爭條例》

Issued statements to remind applicants for subsidies under the Government's Anti-epidemic Fund of the importance of competition law compliance

與政策制定者及負責執行抗疫資助計劃的公營機構緊密合作，加強防範及偵測合謀行為

Worked closely with policy makers and public bodies tasked to administer anti-epidemic subsidy programmes to mitigate the likelihood of collusions and strengthen detection

宣傳倡導 ADVOCACY

舉辦了近 50 場不同形式的活動，廣泛接觸社會各界

Conducted nearly 50 engagement events reaching different sectors across the community

展開多元化大型宣傳活動，讓社會大眾認識和了解合謀定價及其禍害

Launched a multi-pronged advocacy campaign to raise public awareness and understanding of price fixing and its harm

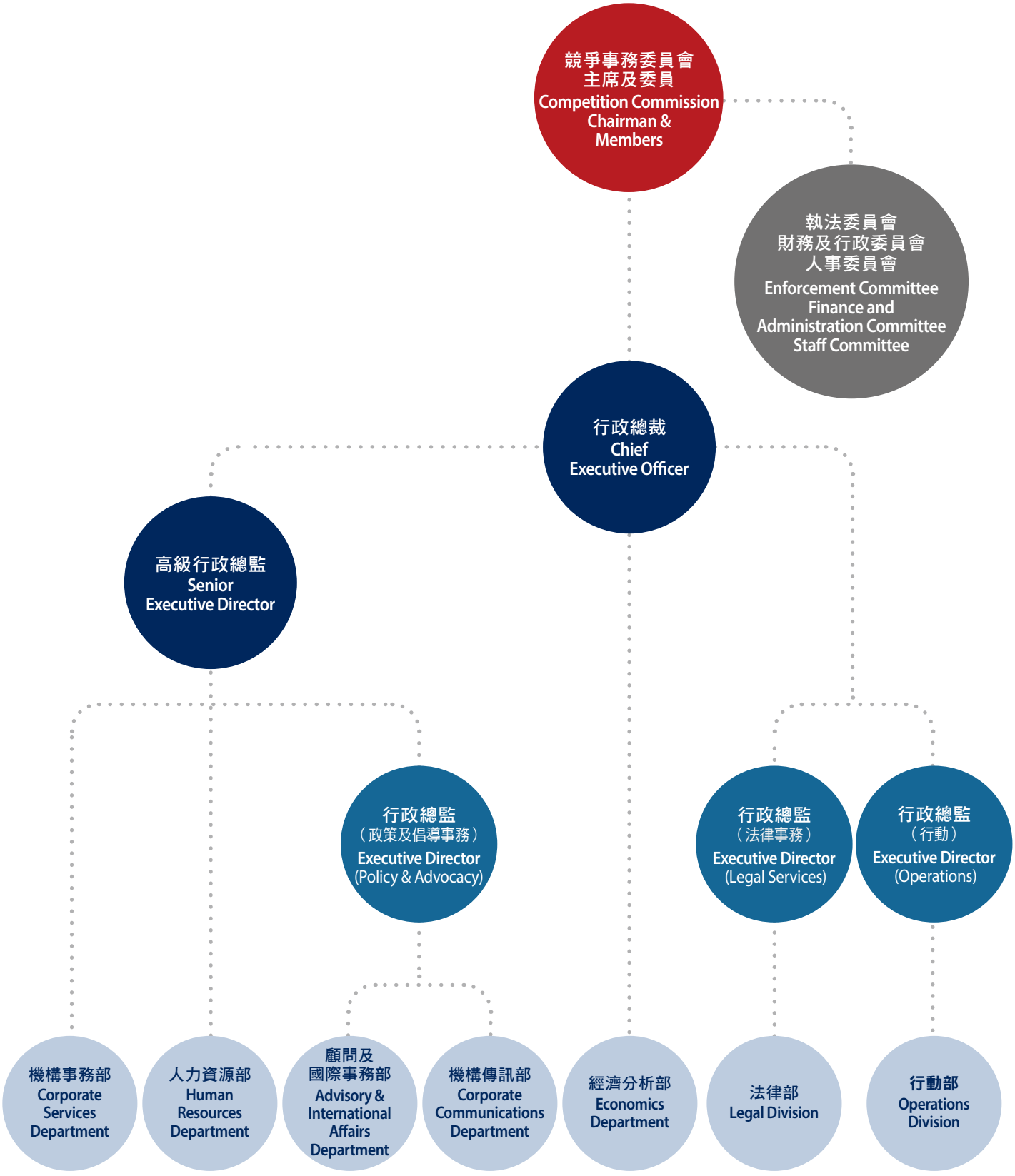
舉辦「玩 • PO • 競」宣傳創作比賽，邀請各大專院校學生於社交媒體推廣競爭法

Rolled out the "Post to Compete" advocacy contest engaging tertiary students to promote competition law on social media

為未有競爭法經驗或相關經驗較淺的本地律師舉辦了一系列網上培訓，提升他們在競爭法方面的能力

Conducted a tailored online training series to strengthen the capability of local lawyers who have limited or no competition law experience

組織架構
Organisation Structure



機構管治
Corporate Governance

競委會恪守良好的機構管治標準履行其職責，以求符合公眾及持份者的最佳利益。我們致力提升機構的管治成效，適當披露營運及管治的資料，確保競委會對公眾的問責性並維持其運作透明度。《條例》對競委會運作以及轄下工作委員會多方面事宜所作出的規管，我們均加以遵循。我們亦採納適當原則及最佳慣例，包括適用於一般公共機構的監控機制、行為守則及機構管治安排。

The Commission is committed to high standards of corporate governance in conducting its duties in the best interest of the public and its stakeholders. It strives to enhance the effectiveness of the management of the organisation, ensure its accountability to the public and transparency of its operations through the disclosure of appropriate information on its operation and governance. The Commission abides by the Ordinance which governs many aspects of its operations and the supporting functional committees. It also adopts appropriate principles and best practices including control mechanisms, codes of conduct and corporate governance arrangements that are applicable to public bodies.

競委會主席及委員的委任

香港特別行政區（香港特區）行政長官已委任陳家殷先生為競委會新任主席，接替擔任主席七年的胡紅玉女士。陳先生的任期由 2020 年 5 月 1 日起生效，為期兩年。

劉堅能教授、羅富源先生、吳永嘉先生與黃慧群教授同期獲委任為新任委員。

司徒耀煒博士、孫永泉教授及郭榮鏗先生則於 2020 年 4 月 30 日卸任競委會委員。

APPOINTMENT OF CHAIRMAN AND MEMBERS TO THE COMMISSION

The Chief Executive of the Hong Kong Special Administrative Region (HKSAR) appointed Mr. Samuel Chan Ka-yan as the new Chairman of the Commission for a term of two years from 1 May 2020. Mr. Chan succeeded Ms. Anna Wu Hung-yuk, who stepped down after a seven-year chairmanship.

Four new Members were also appointed for the same term period, including Professor Vincent Lau Kin-nang, Mr. Patrick Law Fu-yuen, Mr. Jimmy Ng Wing-ka and Professor Anna Wong Wai-kwan.

Dr. Anthony William Seeto Yiu-wai, Professor Suen Wing-chuen and Mr. Dennis Kwok Wing-hang stepped down as Members of the Commission on 30 April 2020.

競委會成員（截至 2021 年 3 月 31 日）

競委會履行《條例》訂明的職能，監督轄下行政機關的工作，並核准所有重大決定。截至 2021 年 3 月底，競委會有 14 名委員，包括一名主席，全部由行政長官委任，為期兩年。競委會委員來自不同界別，包括在工商、經濟、法律、中小型企業、會計、金融和消費者保障等範疇有相關專業知識和經驗的人士。

COMMISSION MEMBERS (AS AT 31 MARCH 2021)

The Commission exercises the functions as provided in the Ordinance. It oversees the work of the executive arm of the Commission and approves all major decisions. As at the end of March 2021, the Commission has 14 Members including the Chairman, who were appointed by the Chief Executive of the HKSAR for a period of two years. Commission Members are drawn from different fields, including those who have relevant expertise and experience in industry, commerce, economics, law, SMEs, accounting, finance and consumer protection.

主席



陳家殷先生，BBS，JP
（由 2020 年 5 月 1 日起就任）

陳家殷先生為執業大律師，曾出任多個公共諮詢及法定組織成員。他曾擔任消費者委員會副主席及平等機會委員會委員，現任保險業監管局非執行董事及城市規劃上訴委員會副主席。陳先生擁有英國特許仲裁司學會院士及香港仲裁司學會資深會員的專業資格。

CHAIRMAN

Mr. Samuel CHAN Ka-yan, BBS, JP
(Since 1 May 2020)

Mr. Samuel Chan is a practising barrister and has been appointed to many advisory and statutory bodies. He was former Vice-Chairman of the Consumer Council and Member of the Equal Opportunities Commission, and currently serves as Non-Executive Director of the Insurance Authority and Deputy Chairman of the Town Planning Appeal Board. He is a Fellow of the Chartered Institute of Arbitrators and the Hong Kong Institute of Arbitrators.

委員

委員兼任執法委員會主席



黃幸怡女士，JP

黃幸怡女士為廖何陳律師行顧問律師及美心食品有限公司的前顧問及法律總監。

黃女士為香港女律師協會前會長，現為該會婦女權益小組、反販賣人口小組主席及法改小組、慈善小組聯席主席。黃女士亦為香港城市大學法律學院校友會和香港理工大學活齡學苑的顧問。黃女士為法律教育基金董事。她亦是城市規劃委員會、香港中醫藥管理委員會、香港愛滋病顧問局、西九文化區管理局審計委員會和香港吸煙與健康委員會的委員，以及香港浸會大學校董會及諮議會成員及人體器官移植委員會主席。

MEMBERS

Member, Chairperson of Enforcement Committee

Ms. Sandy WONG Hang-yee, JP

Ms. Sandy Wong is a consultant at Liau, Ho & Chan, and former consultant and Head of Legal of Maxim's Caterers Limited.

Ms. Wong is the Past President of Hong Kong Federation of Women Lawyers and current Chair of its Women's Rights Committee, Anti-Human Trafficking Committee, Co-Chair of Law Reform Committee and Charity Committee. She is advisor to The Alumni Association of the School of Law of the City University of Hong Kong and Institute of Active Ageing of Hong Kong Polytechnic University. She is a Director of Legal Education Trust. She is a member of Town Planning Board, Hong Kong Advisory Council on AIDS, Audit Committee of the West Kowloon Cultural District Authority, the Chinese Medicine Practitioners Board, Hong Kong Council on Smoking and Health, a Council and Court member of Hong Kong Baptist University, and Chairman of Human Organ Transplant Board.

機構管治
Corporate Governance

委員兼任財務及行政委員會主席



雷紹麟先生

雷紹麟先生現為富融銀行市務總裁，同時擔任香港房屋委員會、工業貿易諮詢委員會及消費者委員會委員。雷先生亦為紀律人員薪俸及服務條件常務委員會委員。

委員兼任人事委員會主席



許華傑先生，MH，JP

許華傑先生是福登實業有限公司董事總經理，現任香港中華出入口商會副會長、工業貿易署中小型企業委員會主席、進出口行業培訓諮詢委員會主席及香港浸會大學中國研究諮委會主席。許先生曾擔任香港青年聯會主席、中央政策組非全職顧問、香港貿易發展局理事會理事、香港浸會大學校董會成員、大珠三角商務委員會委員、西九文化區管理局諮詢會成員、共建維港委員會委員、香港出口信用保險局諮詢委員會委員，以及「發展品牌、升級轉型及拓展內銷市場的專項基金」計劃管理委員會委員。



陳家強教授，GBS，JP

陳家強教授現任香港科技大學工商管理學院兼任教授及院長資深顧問。於 2007 年 7 月至 2017 年 6 月，他曾擔任香港特區政府財經事務及庫務局局長。加入政府前，陳教授是香港科技大學工商管理學院院長。他於 1993 年加入科大商學院之前曾在美國俄亥俄州立大學任教九年。

陳教授於美國 Wesleyan 大學取得經濟學學士學位，其後在芝加哥大學獲授工商管理碩士和財務學哲學博士學

Member, Chairperson of Finance and Administration Committee

Mr. Alan LUI Siu-lun

Mr. Alan Lui is now Chief Marketing Officer with Fusion Bank. He is currently a member of the Hong Kong Housing Authority, Trade and Industry Advisory Board and Consumer Council. Mr. Lui is also a member of the Standing Committee on Disciplined Services Salaries and Conditions of Service.

Member, Chairperson of Staff Committee

Mr. Michael HUI Wah-kit, MH, JP

Mr. Michael Hui is the Managing Director of Freedom Industrial Corporation Ltd. He is the Vice President of the Hong Kong Chinese Importers' and Exporters' Association, Chairman of the Small and Medium Enterprises Committee of the Trade and Industry Department, the Import and Export Industry Training Advisory Committee and Joint Programme Advisory Committee of China Studies of Hong Kong Baptist University. Mr. Hui was the Chairman of the Hong Kong United Youth Association, Central Policy Unit's Part-time Member, Council member of the Hong Kong Trade Development Council and Hong Kong Baptist University. He was also a member of the Greater Pearl River Delta Business Council, the West Kowloon Cultural District Authority Consultation Panel, the Harbour Front Enhancement Committee, the Hong Kong Export Credit Insurance Corporation Advisory Board and the Programme Management Committee of the Dedicated Fund on Branding, Upgrading and Domestic Sales (BUD Fund).

Prof. K. C. CHAN, GBS, JP

Prof. K. C. Chan is Adjunct Professor and Senior Advisor to the Dean at the Hong Kong University of Science and Technology (HKUST) Business School. He was appointed as Secretary for Financial Services and the Treasury of the Government of the HKSAR from July 2007 to June 2017. Prior to that, he was Dean of Business and Management in the HKUST. Before joining the HKUST Business School in 1993, Prof. Chan had spent nine years teaching at Ohio State University in the United States.

Prof. Chan received his bachelor's degree in economics from Wesleyan University and his M.B.A. and Ph.D. in finance from the University of Chicago. He specialised in

位。陳教授專長研究資產定價、交易策略評估及市場效率，並曾發表不少有關文章。

陳教授曾擔任多項重要公職，包括消費者委員會主席、香港期貨交易所董事、策略發展委員會委員、扶貧委員會委員、外匯基金諮詢委員會委員、恆生指數顧問委員會委員及香港學術評審局委員。此外他曾出任亞太金融學會主席及亞太商學院聯會主席。

assets pricing, evaluation of trading strategies and market efficiency and has published numerous articles on these topics.

Prof. Chan held a number of public service positions including Chairman of the Consumer Council, Director of the Hong Kong Futures Exchange, and Member of the Commission on Strategic Development, Commission on Poverty, the Exchange Fund Advisory Committee, the Hang Seng Index Advisory Committee, and the Hong Kong Council for Academic Accreditation. He was former President of the Asian Finance Association and President of Association of Asia Pacific Business Schools.



陳佩君女士

陳佩君女士為鼎立資本有限公司主席。她亦於其他機構擔任顧問。現時，她為香港總商會理事會理事之一。2020 年 7 月，她獲邀成為民政事務總署「伙伴倡自強」社區協作計劃諮詢委員會委員並於同年 10 月成為香港荷蘭商會諮詢委員會的委員。陳女士現為創新及科技局的創新、科技及再工業化委員會委員。

陳女士於內地、香港、荷蘭及其他地方獲頒授不同獎項，作為對其成就的認可。於 2010 年，她獲選為「中國百名傑出女企業家」之一。

Ms. Jennifer CHAN Pui-kwan

Ms. Jennifer Chan is Chairman of DT Capital Ltd. She also holds advisory positions in various institutions. At present, she is one of the General Committee members of the Hong Kong General Chamber of Commerce. Starting from July 2020, Ms. Chan is also an Advisory Committee Member of Enhancing Self-Reliance Through District Partnership Programme (ESR). In addition, Ms. Chan is also a Member of the Advisory Board of the Dutch Chamber of Commerce from October 2020. She is currently a Member of the Committee on Innovation, Technology & Re-industrialisation of the Innovation and Technology Bureau.

As recognition of her achievements, Ms. Chan has received numerous awards in the Mainland, Hong Kong and the Netherlands, amongst which she was selected as one of "China's 100 Outstanding Female Entrepreneurs" in 2010.



巢國明先生，JP

巢國明先生是維雅製衣廠有限公司及維雅亞洲有限公司董事總經理，現任香港中小型企業總商會永遠榮譽會長、香港工業總會中小企委員會主席及選聘理事。巢先生亦是工業貿易署中小型企業委員會委員、香港貿易發展局一帶一路和大灣區委員會中小企製造伙伴及投資工作小組委員，以及「發展品牌、升級轉型及拓展內銷市場的專項基金」計劃管理委員會委員。巢先生曾擔任職業訓練局出入口及批發業訓練委員會副主席及香港貿易發展局製衣行業諮詢委員會委員。

Mr. Joe CHAU Kwok-ming, JP

Mr. Joe Chau is the Managing Director of Reer Garment Manufactory Limited and Reer Asia Limited. He is the Honourable Life President of the Hong Kong General Chamber of Small and Medium Business, Chairman of Small and Medium Enterprises (SME) Committee of the Hong Kong Federation of Industries and a co-opted member of its General Committee. He is also a member of the SME committee of the Trade and Industry Department, SMEs' Manufacturing Partnership and Investment Task Force of the Hong Kong Trade Development Council (HKTDC) Belt and Road & Greater Bay Area Committee and the Programme Management Committee of the Dedicated Fund on Branding, Upgrading and Domestic Sales (BUD Fund). Mr. Chau was the Vice-Chairman of the Import / Export / Wholesale Trades Training Board of Vocational Training Council and member of the HKTDC Garment Advisory Committee.

機構管治
Corporate Governance



林欣琪女士，SC

林欣琪女士為執業資深大律師，主要執業範圍包括清盤事宜、公司法、商業糾紛及證券法。她在香港及英國擁有大律師執業資格，並於美國紐約州擁有律師執業資格，自 2005 年起於香港執業。她是香港大律師公會公司法專業委員會的成員。她亦向法律界中關於公司和商業糾紛的專業文本投稿。

林女士亦是慈善團體「弘哲基金」的執行委員會成員，「弘哲基金」向有需要的學生提供獎學金及助學金。

Ms. Rachel LAM Yan-kay, SC

Ms. Rachel Lam SC is a practising barrister, focusing on insolvency matters, company and commercial litigation, and securities law. She is qualified in three jurisdictions – Hong Kong, England & Wales, and New York State – and has practised in Hong Kong since 2005. She serves on the Committee on Companies Law of the Hong Kong Bar Association. She is also a contributing author on a number of practitioner's texts in company law and litigation.

In addition to her practice as a barrister, she is also a member and part of the Executive Committee of Invenio Foundation Limited, a charitable foundation whose primary purpose is to support students in their education.



劉堅能教授
（由 2020 年 5 月 1 日起就任）

劉堅能教授於 2004 年 8 月加入香港科技大學電子與計算機工程系，目前擔任講座教授。他曾擔任多家公司的技術顧問，並致力研究多種先進的無線技術，如長期演進技術（4G LTE）及 5G + 系統。他亦曾任職香港電訊和美國貝爾實驗室。

劉教授於 1992 年在香港大學電機電子工程系獲得工學學士學位，並於 1997 年在劍橋大學取得博士學位。他曾在國際頂級期刊和會議上發表超過 400 篇論文，著有三本有關通訊技術的著作，並參與研發逾 50 項有關無線通訊的美國專利。劉教授是電機電子工程師學會院士、香港工程師學會院士及長江講座教授，並獲頒裘槎基金會「優秀科研者獎」。

劉教授現任通訊事務管理局的委員及該局電訊事務委員會的主席。他亦同時擔任由創新科技署管理的創新及科技基金研究項目評審委員會電子組別的委員。

Prof. Vincent LAU Kin-nang
(Since 1 May 2020)

Prof. Vincent Lau joined the Department of Electronic and Computer Engineering of the Hong Kong University of Science and Technology in August 2004 and is currently a Chair Professor. He has been the technology advisor and consultant for a number of companies. He has worked on various advanced wireless technologies, such as the Long Term Evolution (4G LTE) and the 5G+ systems. He had worked at Hong Kong Telecom and Bell Labs – Lucent Technologies in the United States.

Prof. Lau obtained his bachelor's degree in electrical and electronic engineering from the University of Hong Kong in 1992 and received his Ph.D. from the University of Cambridge in 1997. He has published over 400 articles in top international journals and conferences, and is the author of three books on communication technologies. He has contributed more than 50 US patents on wireless communication systems. He is a Fellow of Institute of Electrical and Electronics Engineers and the Hong Kong Institution of Engineers, the Croucher Senior Research Fellow and a Changjiang Chair Professor.

Prof. Lau is a member of Communications Authority and the Chairperson of its Telecommunication Affairs Committee. He is also a member of Innovation Technology Fund Research Projects Assessment Panel (Electronics Subgroup) of the Innovation and Technology Fund administered by the Innovation and Technology Commission.



羅富源先生
(由 2020 年 5 月 1 日起就任)

羅富源先生現為安永香港及澳門地區審計服務副主管合夥人。羅先生於 1993 年加入安永審計服務部，自 2003 年成為安永審計服務部合夥人。他從事會計專業超過 27 年，累積了豐富的審計及商業顧問經驗，包括協助客戶在香港上市。他的客戶主要來自香港及內地，涵蓋零售、消費品製造、物業發展等行業及大型國有企業。

羅先生一直積極支持會計專業發展，他是前任香港會計師公會會長，現為該會管治委員會委員。羅先生於 2019 年擔任該會會長，並於 2017 及 2018 年為副會長。他亦曾擔任該會註冊及執業核准委員會、提名委員會及專業操守委員會主席。

羅先生亦一直積極參與公職，他現為保險業監管局及財務匯報局程序覆檢委員會成員。

Mr. Patrick LAW Fu-yuen
(Since 1 May 2020)

Mr. Patrick Law is the Deputy Assurance Leader of Ernst & Young (EY) Hong Kong and Macau. He joined EY Hong Kong Assurance in 1993 and has been an assurance partner of EY Hong Kong since 2003. He has over 27 years of practical experience in assurance and business advisory services, including assisting clients to seek listings in Hong Kong. His major clients include listed companies located in Hong Kong and the Mainland, mainly engaged in retailing, consumer products manufacturing and property development, as well as large state-owned enterprises.

Mr. Law has been actively involved in the development of accounting profession. He is a Past President of the Hong Kong Institute of Certified Public Accountant (HKICPA) and currently serves as a member of its Governance Committee. He was its President in 2019, and Vice-President in 2017 and 2018. He was the Chairman of Registration and Practising Committee, Nomination Committee and Professional Conduct Committee of the HKICPA.

Mr. Law is also active in public service. He is a member of Process Review Panel for the Insurance Authority and the Financial Reporting Council.



伍俊達先生

伍俊達先生畢業於加州柏克萊大學，至今擁有超過 30 年豐富國際及亞太區零售業管理經驗。伍先生憑其國際化的工作背景及經驗，先後被多間國際品牌公司邀請加入管理層工作，並獲香港特別行政區政務司司長頒發企業管治獎項。其他獎項包括零售業界頂級優質服務大獎、香港零售管理協會香港服務業獎—優質顧客服務大獎、最佳倉庫物流運作躍進獎、美容護理及化妝品業界最佳優質客戶服務獎等。他目前主管的業務包括零售、科技及醫療。

Mr. Roy NG Chun-tat

Mr. Roy Ng graduated from University of California, Berkeley. He began his retail career in San Francisco and has accumulated 30 years of retail management experience. With his international background, Mr. Ng has led multi-national retail groups and developed brands covering international and Asia Pacific markets. He was awarded the corporate governance award by the Chief Secretary of the Hong Kong Special Administrative Region. Other retail awards include: The Service for Excellence Award for retail business achievement; The Hong Kong Retail Management Association Customer Service Award; The Best Turnaround Award for warehouse and logistics operation improvement; The Best Customer Service Award in the skincare and cosmetics industry. At present, Mr. Ng's businesses encompass Retail, Technology and Medicine.

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吳永嘉議員，BBS，JP
（由 2020 年 5 月 1 日起就任）

吳永嘉先生為香港執業律師及現為董吳謝林律師事務所合夥人。他是現任代表工業界（第二）功能界別立法會議員。吳先生為延長石油國際有限公司、旭日企業有限公司及香港鐵路有限公司的獨立非執行董事。他為香港—台灣商貿合作委員會及香港特別行政區護照上訴委員會主席、獨立監察警方處理投訴委員會副主席、香港科技園公司董事，亦為香港大學校董會成員、香港理工大學校董會成員及中華人民共和國中國人民政治協商會議重慶市委員會委員。

吳先生持有香港大學法律學士學位及法律深造文憑。他於 2015 年獲委任為太平紳士，並於 2019 年獲頒銅紫荊星章。

The Hon Jimmy NG Wing-ka, BBS, JP
(Since 1 May 2020)

Mr. Jimmy Ng is a solicitor admitted to practice in Hong Kong and currently is a partner of Messrs. Tung, Ng, Tse & Lam, Solicitors. He is a Legislative Council member representing the Industrial (Second) Functional Constituency. Mr. Ng is an Independent Non-Executive Director of Yanchang Petroleum International Limited, Glorious Sun Enterprises Limited and MTR Corporation Limited. He is the Chairman of Hong Kong – Taiwan Business Cooperation Committee and the Hong Kong Special Administrative Region Passports Appeal Board, Vice President of Independent Police Complaints Council and a Director of Hong Kong Science and Technology Parks Corporation. He is also a member of the Court of the University of Hong Kong, the Council of the Hong Kong Polytechnic University and the Chinese People's Political Consultative Conference of Chongqing City, the People's Republic of China.

Mr. Ng holds a Bachelor of Laws degree and a Post-graduate Certificate in Laws from the University of Hong Kong. He was appointed a Justice of the Peace in 2015 and awarded the Bronze Bauhinia Star medal in 2019.



黃慧群教授
（由 2020 年 5 月 1 日起就任）

黃慧群教授為現任港大經管學院金融實務教授兼香港大學金融學學士（資產管理及私人銀行）課程總監，在學院任教金融監管、合規及信貸風險管理。

黃教授擁有豐富的銀行和金融業工作經驗，曾任職於多間主要金融機構，包括花旗銀行、滙豐銀行、瑞士信貸、法國巴黎銀行以及美國大通銀行，涵蓋私人銀行、資產管理、證券經紀、企業銀行、信用及風險管理等範疇。黃教授曾任瑞士信貸私人銀行大中華市場主管、滙豐金融服務（亞洲）有限公司行政總裁。

Prof. Anna WONG Wai-kwan
(Since 1 May 2020)

Prof. Anna Wong is a Professor of Practice in Finance at the HKU Business School and the Program Director of the Bachelor of Finance (Asset Management and Private Banking) at the University of Hong Kong. She teaches financial regulations, compliance and credit risk management at the Faculty.

Prof. Anna Wong has an extensive experience in banking and finance. She had worked in major financial institutions including Citigroup, HSBC, Credit Suisse, BNP Paribas and the Chase Manhattan Bank, covering private banking, asset management, securities brokerage, corporate banking, credit and risk management. She was the Head of Private Bank, Greater China at Credit Suisse and the CEO of HSBC Broking Services (Asia) Limited.

黃教授現為保險業監管局非執行董事、中銀國際有限公司獨立非執行董事及風險委員會主席。黃教授過往曾任香港證券及期貨事務監察委員會諮詢委員會委員、財務匯報局臨時成員、香港證券及投資學會董事以及香港證券業協會有限公司董事。

Prof. Anna Wong is a Non-Executive Director of the Insurance Authority, an Independent Non-Executive Director and Chairman of the Risk Committee of the Bank of China International Limited. Her previous appointments included member of the Advisory Committee of the Securities and Futures Commission, a temporary member of the Financial Reporting Council, Director of the Hong Kong Securities and Investment Institute and Director of the Hong Kong Securities Association Limited.



翁錦輝先生

翁錦輝先生從事生物科技工作，是本港一位企業家。翁先生曾於香港中文大學及威爾斯親王醫院修讀生物科技，專門研究基因及癌症領域，在大中華地區的科技業務投資、醫療產品發展及技術授權方面具豐富經驗。他曾擔任位於香港科學園、提供家庭醫療服務的雅士能基因公司總經理，亦聯合創辦了癌症檢測分析公司－善覓，並擔任行政總裁。翁先生亦曾服務於來自美國的生物科技公司 GRAIL, Inc.，擔任亞洲業務及市場發展董事總經理。翁先生目前擔任得易健康有限公司的行政總裁。此外，翁先生亦是 Oxford Venture Capital (Greater China) Limited、視盈網通科技公司有限公司的董事及香港醫務行政學院的成員。

Mr. Tony YUNG Kam-fai

Mr. Tony Yung is a biotechnology practitioner and entrepreneur in Hong Kong. He received his biotechnology education in the Chinese University of Hong Kong and the Prince of Wales Hospital, specialising in genetics and cancer research. He has extensive experience in technology business investment, medical product development and technology licensing in the Greater China region. He was the General Manager of Xcelom, a family care biotechnology company in the Hong Kong Science Park. He was also the Co-founder and former CEO of Sanomics, a cancer management company. Mr. Yung has also served in GRAIL, Inc., a US-based biotechnology company, as Managing Director of Asia Business and Market Development. Mr. Yung is currently CEO of Take2 Health Ltd. He is also the Director of Oxford Venture Capital (Greater China) Limited and Luxagain Technology Limited, and a Fellow of the Hong Kong College of Health Service Executives.

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工作委員會

執法委員會

執法委員會（執委會）就調查可能違反《條例》中行為守則的事宜，及要求競委會作出決定的申請事宜，執行多項職能。

成員名單（截至 2021 年 3 月 31 日）

黃幸怡女士，JP（主席）
陳家殷先生，BBS，JP
陳家強教授，GBS，JP
陳佩君女士
巢國明先生，JP
林欣琪女士，SC
劉堅能教授
伍俊達先生
黃慧群教授

財務及行政委員會

財務及行政委員會就財務及行政事宜，包括財務管理、會計程序和一般行政管理事宜，制訂規管原則和指引。

成員名單（截至 2021 年 3 月 31 日）

雷紹麟先生（主席）
巢國明先生，JP
羅富源先生
黃幸怡女士，JP

人事委員會

人事委員會就人力資源管理事宜，包括為競委會行政機關招聘員工和人事管理等事宜，制訂規管原則和指引。

成員名單（截至 2021 年 3 月 31 日）

許華傑先生，MH，JP（主席）
陳佩君女士
伍俊達先生
吳永嘉議員，BBS，JP
翁錦輝先生

FUNCTIONAL COMMITTEES

Enforcement Committee

The Enforcement Committee (EC) exercises a number of functions in relation to the investigation of conduct that may contravene the conduct rules in the Ordinance and the applications for a Commission decision.

Membership list (as at 31 March 2021)

Ms. Sandy WONG Hang-yee, JP (Chairperson)
Mr. Samuel CHAN Ka-yan, BBS, JP
Prof. K. C. CHAN, GBS, JP
Ms. Jennifer CHAN Pui-kwan
Mr. Joe CHAU Kwok-ming, JP
Ms. Rachel LAM Yan-kay, SC
Prof. Vincent LAU Kin-nang
Mr. Roy NG Chun-tat
Prof. Anna WONG Wai-kwan

Finance and Administration Committee

The Finance and Administration Committee (FAC) formulates principles and guidelines governing financial and administrative matters, including financial management control, accounting procedures and general administration management.

Membership list (as at 31 March 2021)

Mr. Alan LUI Siu-lun (Chairperson)
Mr. Joe CHAU Kwok-ming, JP
Mr. Patrick LAW Fu-yuen
Ms. Sandy WONG Hang-yee, JP

Staff Committee

The Staff Committee (SC) formulates principles and guidelines governing human resources management matters, including recruiting staff to the executive arm of the Commission and staff management.

Membership list (as at 31 March 2021)

Mr. Michael HUI Wah-kit, MH, JP (Chairperson)
Ms. Jennifer CHAN Pui-kwan
Mr. Roy NG Chun-tat
The Hon Jimmy NG Wing-ka, BBS, JP
Mr. Tony YUNG Kam-fai

競委會及委員會會議

於回顧年度內，競委會召開了 12 次會議。執委會、財務及行政委員會和人事委員會，分別召開了 5 次、3 次及 2 次會議。各委員的出席紀錄列示如下：

COMMISSION AND COMMITTEE MEETINGS

In the year under review, a total of 12 Commission meetings were convened. The EC, FAC and SC convened 5, 3 and 2 meetings respectively. Attendance records of Members are shown as follows:

競爭事務委員會會議出席記錄 2020年4月至2021年3月（共12次會議）

Attendance Record of Competition Commission Meetings April 2020 to March 2021 (12 meetings)

成員 Member		出席次數 No. of times present
陳家殷先生	Mr. Samuel CHAN Ka-yan	12
陳家強教授	Prof. K. C. CHAN	10
陳佩君女士	Ms. Jennifer CHAN Pui-kwan	12
巢國明先生	Mr. Joe CHAU Kwok-ming	12
許華傑先生	Mr. Michael HUI Wah-kit	9
林欣琪女士	Ms. Rachel LAM Yan-kay	5
劉堅能教授（由 2020 年 5 月 1 日起就任）	Prof. Vincent LAU Kin-nang (since 1 May 2020)	6
羅富源先生（由 2020 年 5 月 1 日起就任）	Mr. Patrick LAW Fu-yuen (since 1 May 2020)	11
雷紹麟先生	Mr. Alan LUI Siu-lun	3
伍俊達先生	Mr. Roy NG Chun-tat	10
吳永嘉議員（由 2020 年 5 月 1 日起就任）	The Hon Jimmy NG Wing-ka (since 1 May 2020)	9
黃幸怡女士	Ms. Sandy WONG Hang-yee	10
黃慧群教授（由 2020 年 5 月 1 日起就任）	Prof. Anna WONG Wai-kwan (since 1 May 2020)	11
翁錦輝先生	Mr. Tony YUNG Kam-fai	9
郭國全先生（就任至 2021 年 1 月 17 日）	Mr. KWOK Kwok-chuen (until 17 January 2021)	10
司徒耀煒博士（就任至 2020 年 4 月 30 日）	Dr. Anthony William SEETO Yiu-wai (until 30 April 2020)	1
孫永泉教授（就任至 2020 年 4 月 30 日）	Prof. SUEN Wing-chuen (until 30 April 2020)	1
胡紅玉女士（就任至 2020 年 4 月 30 日）	Ms. Anna WU Hung-yuk (until 30 April 2020)	1

執法委員會會議出席紀錄 2020年4月至2021年3月（共5次會議）

Attendance Record of Enforcement Committee Meetings April 2020 to March 2021 (5 meetings)

成員 Member		出席次數 No. of times present
黃幸怡女士	Ms. Sandy WONG Hang-yee	5
陳家殷先生	Mr. Samuel CHAN Ka-yan	5
陳家強教授	Prof. K. C. CHAN	3
陳佩君女士	Ms. Jennifer CHAN Pui-kwan	5
巢國明先生	Mr. Joe CHAU Kwok-ming	5
伍俊達先生	Mr. Roy NG Chun-tat	5
劉堅能教授（由 2020 年 5 月 1 日起就任）	Prof. Vincent LAU Kin-nang (since 1 May 2020)	4
林欣琪女士	Ms. Rachel LAM Yan-kay	5
黃慧群教授（由 2020 年 5 月 1 日起就任）	Prof. Anna WONG Wai-kwan (since 1 May 2020)	5
郭國全先生（就任至 2021 年 1 月 17 日）	Mr. KWOK Kwok-chuen (until 17 January 2021)	3

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財務及行政委員會會議出席紀錄
2020年4月至2021年3月
（共3次會議）

Attendance Record of Finance and Administration Committee Meetings
April 2020 to March 2021 (3 meetings)

成員 Member		出席次數 No. of times present
雷紹麟先生	Mr. Alan LUI Siu-lun	3
巢國明先生	Mr. Joe CHAU Kwok-ming	3
羅富源先生（由 2020 年 5 月 1 日起就任）	Mr. Patrick LAW Fu-yuen (since 1 May 2020)	3
黃幸怡女士	Ms. Sandy WONG Hang-yee	3

人事委員會會議出席紀錄
2020年4月至 2021年3月（共2次會議）

Attendance Record of Staff Committee Meetings
April 2020 to March 2021 (2 meetings)

成員 Member		出席次數 No. of times present
許華傑先生	Mr. Michael HUI Wah-kit	2
陳佩君女士	Ms. Jennifer CHAN Pui-kwan	2
伍俊達先生（由 2020 年 5 月 1 日起就任）	Mr. Roy NG Chun-tat (since 1 May 2020)	0
吳永嘉議員（由 2020 年 5 月 1 日起就任）	The Hon Jimmy NG Wing-ka (since 1 May 2020)	1
翁錦輝先生	Mr. Tony YUNG Kam-fai	2
陳家殷先生（就任至 2020 年 4 月 30 日）	Mr. Samuel CHAN Ka-yan (until 30 April 2020)	1
郭榮鏗先生（就任至 2020 年 4 月 30 日）	Mr. Dennis KWOK Wing-hang (until 30 April 2020)	1
孫永泉教授（就任至 2020 年 4 月 30 日）	Prof. SUEN Wing-chuen (until 30 April 2020)	1

對公眾保持高透明度

競委會認為，保持透明度乃良好機構管治的基本要素，故在披露其運作資料方面，一直採取開放的態度。競委會致力與公眾及持份者保持互動溝通，透過各種渠道，包括傳媒發布會、新聞稿、年報、正式公告及雙語網站 (www.compcomm.hk) 等，適時提供恰當的資料。

競委會的網站提供一個全方位平台，為本地及海外瀏覽者提供第一手資訊，內容包括《條例》、指引、各樣政策及與營運有關的文件、新聞稿、刊物、諮詢文件及申述、教材，以及其他最新動態與活動等。有關執法的最新資訊，如競爭事務審裁處處理中的個案、競委會所收到的申請的狀況以及競委會的決定，均上載於該網站。公眾人士亦可登記電郵提示，以取得競委會活動及各項發展的最新資料。

TRANSPARENCY TO THE COMMUNITY

The Commission considers transparency a foundation of good corporate governance and has taken an open approach to disclosing information about its operations. The Commission endeavours to maintain interactive communication with the public and stakeholders by providing timely and appropriate information through various channels including media briefings, press releases, annual reports, formal announcements and the Commission's bilingual website (www.compcomm.hk).

The Commission's website presents a comprehensive platform to provide local and overseas visitors with first-hand information, including the Ordinance and Guidelines, various policies and operational documents, press releases and publications, consultation submissions and representations, educational materials as well as other news and activities. Enforcement updates such as current cases in the Competition Tribunal, status of applications received and the Commission's decisions are also available on its website. Members of the public can sign up for email alerts to receive current information on the Commission's activities and developments.

鑑於企業及公眾人士的查詢及投訴眾多，為了能更有效及迅速地處理，有關《條例》及競委會工作的一般查詢與涉及本地競爭問題的投訴，均會透過聯絡中心特設的電話熱線及電郵帳戶作分流處理。於回顧年度內，競委會共收到 592 宗一般查詢。

To handle the increasing number of enquiries and complaints from business and the general public more effectively and efficiently, general enquiries regarding the Ordinance and the Commission's work as well as complaints on local competition issues are streamlined by a contact centre with a designated telephone hotline and an email account. A total of 592 general enquiries were received during the year under review.

監控機制

財務監控

競委會屬政府資助的法定機構，為確保公帑的運用依循物有所值的原則，競委會參考政府部門、法定機構及同類非政府機構的做法，制定了嚴格的財務監控制度。而政府與競委會簽署的「行政安排備忘錄」亦就財務事宜訂立了管治框架。

CONTROL MECHANISMS

Financial Control

As a statutory body supported by Government subvention, the Commission adopts a stringent financial control system with reference to that of the Government and other statutory bodies as well as non-governmental organisations of similar nature to ensure the public money is being used in accordance with the value for money principle. The Memorandum of Administrative Arrangement signed between the Government and the Commission also provides a governing framework for financial matters.

預算控制

每一財政年度開始之前，競委會會結合業務計劃來為開支制定年度開支預算，業務計劃會闡明計劃年度內要達成的目的及各項工作。預算案及業務計劃經財務及行政委員會審批後，再交競委會批准。預算案年度的收支預算其後會提交政府批准。競委會進行採購前須參考經審批的開支預算，以確定有充足的款項可供動用。管理層會定期提交報告，概述預算撥款的使用情況及分析預算上的偏差，供競委會審閱及作出決策。

Budgetary Control

Before the start of a financial year, the Commission prepares the annual budget on expenditures in conjunction with the business plan which sets forth the objectives to be achieved and actions to be taken in the planning year. The budget and business plan are reviewed and endorsed by the FAC before submission to the Commission for approval. The estimates of income and expenditure for the budget year will then be submitted to the Government for approval. Procurement is made after confirmation of availability of funds with reference to the approved expenditure budget. Management reports outlining budget utilisation and analysing budget variances are prepared regularly for the Commission's review and decision making.

採購及開支監控

競委會參考政府相關制度，採取嚴謹的財務和採購政策及程序，並作適當的修改以符合實際需要，但根本的監控原則維持不變。競委會會為不同種類和金額的採購訂明清晰的程序、指引以及審批權，除了定期進行循規審查以確保現行的採購政策及相關程序得以遵守外，亦定期擬備開支報告讓行政團隊作出持續監察及資源管理。為確保競委會能充分監察財務事宜，團隊每季會向財務及行政委員會、及每半年向競委會提交「財務狀況概要」。

Procurement and Expenditure Control

The Commission adopts stringent financial and procurement policies and procedures of the Government with appropriate modifications to suit its practical needs while leaving the underlying control principles intact. Clear procedures, guidelines and approval authorities are set for the procurement of different types and amounts of expenditure. Compliance check is performed periodically to ensure the established procurement policies and relevant procedures are being followed. Regular reports on expenditures are prepared for on-going monitoring and resource management by the executive team. To ensure proper scrutiny is exercised by the Commission, a "Summary of Financial Position" is submitted to the FAC quarterly and the Commission semi-annually.

機構管治
Corporate Governance

投資監控

競委會依循經財政司司長審批的指引，為非即時需要使用的補助金作投資。投資的目的、策略、管治架構和政策及程序均有清楚記錄，並會定期作檢視和更新。競委會透過審批所有投資計劃書，及檢視每半年的「投資活動報告」，來密切監察競委會的投資活動。

內部監控

競委會需要一個高效率、有效及各委員和員工均清楚明白的內部監控制度，以保障資產及確保遵守《條例》及其他法定要求。競委會日常運作事務的規則、政策及程序均包含適當的監察與制衡元素，並定期進行循規審查，以確保員工遵從相關政策。此外，競委會就各類規則及做法為員工安排簡報會、網上學習課程、在職培訓及定期提供最新資訊，以確保員工了解各自的權限、角色及責任。

外部監察與制衡

競委會的財務報表須由外聘核數師審核，而該核數師並沒有為競委會提供任何其他非審核服務。2019/2020 年度，競委會就核數工作發出正式報價建議邀請書，及後畢馬威會計師事務所獲委任為競委會的外聘核數師，負責為截至 2020、2021 及 2022 年 3 月 31 日止的三個財政年度審核財務報表。

紀律守則及行為指引

為維護公眾利益，確保問責性，以及秉持行事不偏不倚和持正的原則，競委會發布了《競委會 / 委員會委員紀律守則》及《競委會員工行為指引》（該指引），當中列明禁止索取、接受或提供利益，透過披露權益以避免利益衝突等事項，以及須遵從保密規定。

Investment Control

The Commission follows guidelines approved by the Financial Secretary for managing its investment of funds not immediately required. The objectives, strategies, governance structure and policies and procedures on investment of funds are clearly documented with periodic review and update. The Commission maintains close monitoring of investment activities through approving all investment proposals and reviewing the "Report on Investment Activities" which is prepared on a half-yearly basis.

Internal Control

To safeguard assets and ensure compliance with the Ordinance and other statutory requirements, the Commission needs an internal control system which is efficient, effective and well-understood by Commission members and staff. Appropriate checks and balances are incorporated in the rules, policies and procedures on daily operating activities and regular compliance check is performed to ensure the compliance of relevant policies by staff members. Briefings, e-learning programmes, on-the-job training and regular updates on rules and practices are provided to staff members to ensure they understand their respective authorities, roles and responsibilities.

External Checks and Balances

The financial statements of the Commission are subject to audit by an external auditor which is not engaged in any other non-audit services for the Commission. A formal invitation for quotation and proposal for the audit was conducted in 2019/2020. KPMG was appointed as the Commission's external auditor for auditing the financial statements for the three years ended 31 March 2020, 2021 and 2022.

CODE OF CONDUCT AND GUIDE ON CONDUCT

To safeguard the public interest and ensure accountability as well as to uphold integrity and impartiality, the Commission has a Code of Conduct for Commission / Committee Members and a Guide on Conduct (Guide) for staff which set out, inter alia, the prohibition of solicitation, acceptance or offering of advantages, the avoidance of conflict of interests through disclosure of interests, and the duty to preserve confidentiality.

競委會亦保存了一本個人利害關係登記冊，當中載列了競委會各委員就其財務及個人利益所申報的利害關係，包括公司董事職位及持股情況、受薪受僱工作、物業或土地的擁有權，以及在香港境內從事或從事與香港有關的經濟活動的委員會及機構的會員資格。公眾於競委會網站及競委會辦事處均可查閱該登記冊。競委會除了定期在每年初更新該登記冊的資料外，亦會按各委員提供的通知不時更新登記冊。根據《條例》及競委會《議事規則》的程序要求，當委員需要考慮或決定某事項時，他們必須就該事項進行利害關係審查，以作出相關披露，並須於適當時放棄投票，或在討論該事項期間避席會議。

With respect to Commission Members, the Commission maintains a register of their declared interests including the pecuniary and personal interests in respect of their directorships and shareholdings in companies, remunerated employment, ownership of property or land, and memberships on boards of organisations engaged in economic activities in or relevant to Hong Kong. The register is available for public inspection on the Commission's website and at the office of the Commission. In addition to a mandatory update at the beginning of the year, the register is updated from time to time based on notifications by respective Members. In accordance with the procedural requirements of the Ordinance and the Rule of Procedure of the Competition Commission, when Members are asked to consider or decide on a specific matter, they will conduct conflict checks for that matter in order to make relevant disclosures and, where appropriate, abstain from voting or recuse themselves from the discussion.

競委會致力招聘、吸引並保留高專業水平、秉公辦事的優秀人才。我們亦為所有員工制定了員工行為指引，旨在鼓勵他們在履行職務時恪守嚴謹的道德標準及公正處事。該指引載列專業操守的基本原則以及員工應達到的行為標準，並提醒他們在法律及合約上對競委會應負的責任。該指引亦列明紀律規則，及就多項事宜提供詳細指引，例如防止賄賂和貪污、與供應商或服務供應商往來時的注意事項，以及對提供利益的處理等。

The Commission is committed to engaging, attracting and retaining a high quality workforce with strong professional standards and integrity. The Commission has a Guide for staff which aims to promote high ethical standards and integrity in the discharge of duties. The Guide sets out the fundamental principles of professional conduct and expected standard of behaviour and reminds staff of their legal and contractual obligations to the Commission. It also provides disciplinary rules and detailed guidelines on various issues, such as the prevention of bribery and corruption, dealings with suppliers / service providers, handling of offers of advantages, etc.

此外，員工每年均須申報其投資及外間工作，並須在參與執法事宜前進行利害關係審查。競委會亦適時邀請其他機構為員工舉行簡報會，介紹法規、機構管治概念、維持個人操守的做法，以及履行職務的方式。

Staff are also required to make declarations of investment and outside work on an annual basis and conduct conflict checks before they are involved in enforcement matters. Where necessary, the Commission arranges with other agencies to provide briefing sessions to staff on laws and regulations as well as corporate governance concepts and practices that are relevant to how they conduct themselves and the way they carry out their duties.

財政年度內的工作回顧
Review of Work for the Financial Year

執法

調查

競委會的主要職能之一是執行《條例》，調查可能違反《條例》的個案，並在發現有違反的情況下採取適當的執法結果，以阻嚇反競爭行為。

競委會接獲由個人或企業作出的投訴或查詢後，會視乎情況展開調查。任何人士均可透過電話、電子郵件、郵遞信件，或填寫競委會網頁內的網上表格與競委會聯絡，亦可經預約親臨競委會辦事處。牽涉入合謀行為的企業及個人亦可向競委會申請寬待。

競委會亦會根據從其他渠道得到的資料主動展開調查，如競委會所作的研究、收集到的情報、其他程序及調查，或是經由其他政府部門或機構轉介的資料。

於 2020 年 4 月 1 日至 2021 年 3 月 31 日期間，競委會共收到 555 宗投訴 / 查詢[1]，而自《條例》全面生效以來，即由 2015 年 12 月至 2021 年 3 月底，競委會共累積收到 4,823 宗[2]投訴 / 查詢，當中大部分與「第一行為守則」有關，主要涉及合謀行為、操控轉售價格及交換資料；而關於「第二行為守則」的投訴 / 查詢，則主要與獨家交易、搭售及捆綁銷售有關。

1. *在 555 宗投訴 / 查詢當中，投訴佔 253 宗，查詢佔 302 宗。*
2. *在 4,823 宗投訴 / 查詢當中，投訴佔 1,960 宗，查詢佔 2,863 宗。*

ENFORCEMENT

Investigations

One of the key functions of the Commission is to enforce the Ordinance to deter anti-competitive conduct by conducting investigations into possible contraventions and adopting appropriate enforcement outcomes where contraventions have been identified.

The Commission may initiate investigations following complaints and queries from individuals or businesses. Any person can contact the Commission by telephone, e-mail, posts, by completing an online form on the Commission's website or in person at the Commission's office by appointment. Businesses and individuals involved in cartel conduct can also approach the Commission to apply for leniency.

The Commission may also initiate investigations based on information from other sources, such as the Commission's own research, market intelligence gathered, other Commission's processes and investigations or referrals from other Government departments or authorities.

Between 1 April 2020 and 31 March 2021, the Commission received a total of 555 enforcement contacts[1], and the total number since full commencement of the Ordinance in December 2015 to the end of March 2021 was 4,823[2]. The majority of these contacts were related to the First Conduct Rule, with cartel conduct, resale price maintenance and exchange of information being the major concerns. For the Second Conduct Rule, the main issues raised were exclusive dealing as well as tying and bundling.

1. *Out of the 555 enforcement contacts, 253 were complaints and 302 were enquiries.*
2. *Out of the 4,823 enforcement contacts, 1,960 were complaints and 2,863 were enquiries.*

圖表一：投訴 / 查詢 — 被指違反守則之行為的性質[3]

投訴 / 查詢（2020年4月1日至2021年3月31日）

Figure 1: Enforcement Contacts – nature of alleged conduct[3]

Enforcement Contacts (1 April 2020 to 31 March 2021): 555

第一行為守則	First Conduct Rule		第二行為守則	Second Conduct Rule	
合謀行為[4]	Cartel Conduct[4]	149	搭售及捆綁銷售	Tying and Bundling	17
操控轉售價格	Resale Price Maintenance	28	獨家交易	Exclusive Dealing	35
交換資料[5]	Exchange of Information[5]	42	拒絕交易	Refusal to Deal	14
獨家交易	Exclusive Dealing	12	掠奪性定價	Predation	8
其他	Others	37	其他	Others	32
其他	**Others**				
一般競爭情況	General State of Competition	207	與行為守則無關[6]	Not related to a Conduct Rule[6]	125

正如在《投訴指引》、《調查指引》及《執法政策》中指出，競委會會審視所收到的全部投訴及查詢，並把需要進一步評估的個案提升至初步評估階段。

2020 年 4 月 1 日至 2021 年 3 月 31 日期間，共有 10 宗個案進入了初步評估及 / 或調查階段，作進一步調查。

As set out in its Guideline on Complaints, Guideline on Investigations and Enforcement Policy, the Commission considers all complaints and queries it receives and escalates those matters which warrant further assessment to an Initial Assessment phase.

Between 1 April 2020 and 31 March 2021, the Commission escalated 10 cases either to the Initial Assessment and/or Investigation phases for further investigation.

3. *每宗個案均可能涉及對多種反競爭行為的指控。*
4. *合謀行為指那些本身或本應互相競爭的業務實體之間的協議及經協調做法，以求做到合謀定價、編配市場、限制產量或圍標等以妨礙、限制或扭曲在香港的競爭為目的之活動，這亦包括交換影響競爭的敏感資料，例如某業務實體所擬定的價格或訂價策略。*
5. *不構成合謀行為的交換資料。*
6. *與《競爭條例》無關的投訴 / 查詢，及並非指控某業務實體的具體反競爭行為。*

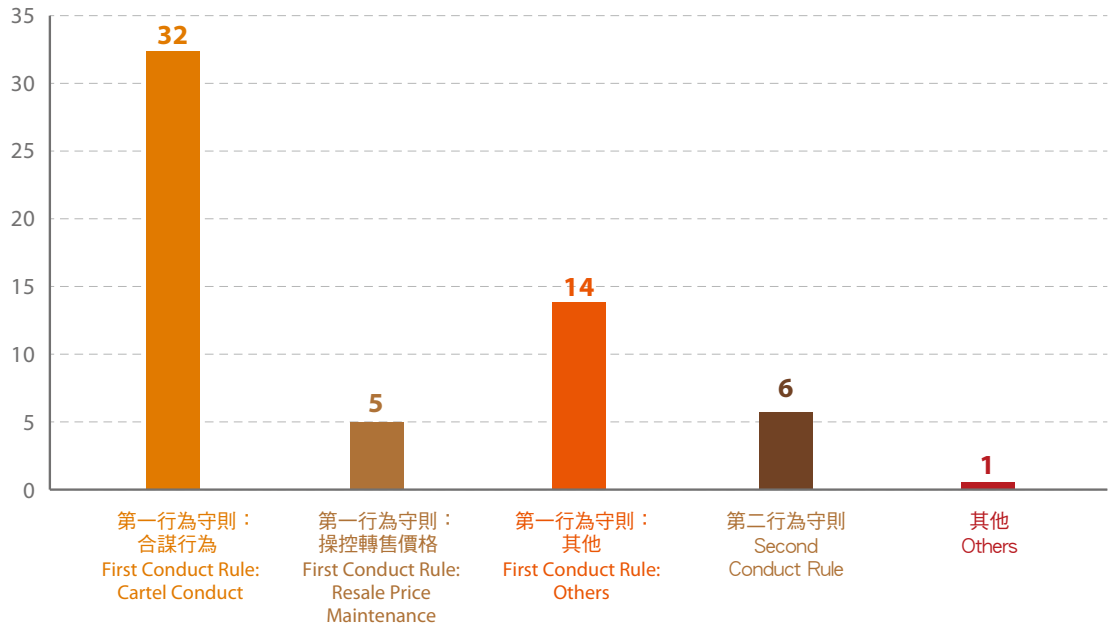
3. *Each case may involve allegations of multiple types of anti-competitive conduct.*
4. *Cartel conduct refers to agreements and concerted practices, among undertakings that are, or otherwise would be if not for the cartel conduct, in competition with each other that seek to fix prices, share markets, restrict output or rig bids, which have as their object preventing, restricting or distorting competition in Hong Kong. This includes exchange of competitively sensitive information, such as an undertaking's planned prices or planned pricing strategy.*
5. *Information exchange not amounting to cartel conduct.*
6. *The contact was unrelated to the Competition Ordinance and not an allegation of specific anti-competitive conduct by an undertaking.*

圖表二：處理中的初步評估及調查個案 — 被指違反守則之行為的性質[7]

Figure 2: Ongoing Initial Assessment and Investigation cases – nature of alleged conduct[7]

初步評估及調查個案（2020年4月1日至2021年3月31日）

Initial Assessment and Investigation cases (1 April 2020 to 31 March 2021)



根據《執法政策》，競委會會優先處理涉及以下一種或多種行為的個案：合謀、違反「第一行為守則」並嚴重損害香港競爭的其他協議，以及固有市場參與者濫用相當程度市場權勢去排除競爭的行為。

競委會已經仔細審視所有個案，並因應現有資源，以針對會嚴重損害香港競爭的違法行為為首要目標。

如圖表三所示，處理中的初步評估及調查個案涉及本港經濟中的各行各業。

In accordance with its Enforcement Policy, the Commission accords priority to cases which involve one or more of the following types of conduct: cartels, other agreements contravening the First Conduct Rule causing significant harm to competition in Hong Kong, and abuses of substantial market power involving exclusionary behaviour by incumbents.

The Commission has carefully considered all cases with an aim to focusing on enforcement actions against contraventions causing significant harm to competition in Hong Kong having regard to its available resources.

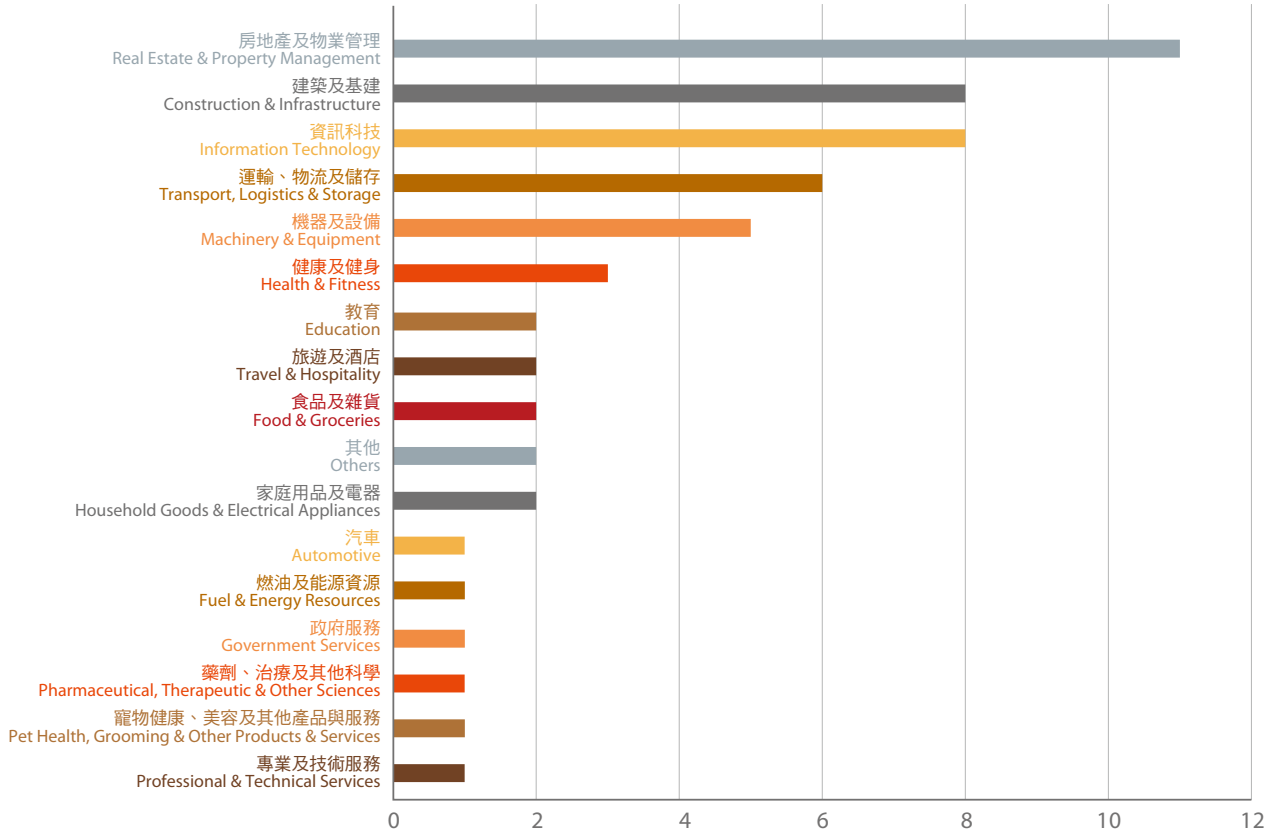
As set out in Figure 3, these Initial Assessment and Investigation cases involve a variety of sectors across the Hong Kong economy.

7. 每宗個案均可能涉及對多種反競爭行為的指控。

7. Each case may involve allegations of multiple types of anti-competitive conduct.

圖表三：處理中的初步評估與調查個案所涉及的行業（2020 年 4 月 1 日至 2021 年 3 月 31 日）[8]

Figure 3: Sectors involved in Ongoing Initial Assessment and Investigation cases (1 April 2020 to 31 March 2021)[8]



當競委會有合理因由懷疑有違反行為守則的情況發生時，會將個案提升至調查階段。在這階段，競委會可根據《條例》第 3 部，行使其強制性資料搜集權搜集證據。

Where the Commission has reasonable cause to suspect a contravention of a conduct rule, it will proceed to the Investigation Phase in which it may gather evidence using its compulsory information gathering powers under Part 3 of the Ordinance.

鑑於新冠病毒疫情關係，競委會對其調查方式略作調整，以保障員工及涉案人士的健康，同時確保其執法工作能穩步進展。

Due to the COVID-19 pandemic, the Commission has adapted its investigative methods to ensure the health protection of its staff and individuals involved in its investigations, while ensuring steady progress across its enforcement matters.

2020 年 4 月 1 日至 2021 年 3 月 31 日期間，競委會曾按需要廣泛行使《條例》第 41 及 42 條所賦予的強制索取文件及資料的權力，要求有關各方交出文件、資料及 / 或出席競委會的聆訊，以提供證據。

Between 1 April 2020 and 31 March 2021, the Commission made substantial use of its compulsory powers on document and information gathering where necessary to require relevant parties to provide documents and information and/or to give evidence before the Commission pursuant to Sections 41 and 42 of the Ordinance.

8. 每宗個案均可能涉及多個行業。

8. Each case may involve multiple industry sectors.

財政年度內的工作回顧
Review of Work for the Financial Year

入稟香港首宗濫用相當程度市場權勢案件

競爭事務委員會 對 林德港氧有限公司及其他 (CTEA 3/2020)

2020 年 12 月 21 日，競委會首次就涉嫌違反「第二行為守則」的案件入稟審裁處。競委會稱，林德港氧有限公司濫用其在香港供應若干醫療氣體的上游市場中，所擁有的相當程度市場權勢，中斷對其在下游醫療氣體管道系統保養市場中的競爭對手 MGI (Far East) Limited 的正常氣體供應。

除林德港氧有限公司外，其醫療部銷售總經理亦被指牽涉入違反「第二行為守則」，被列為該案的共同答辯人。而林德港氧有限公司在德國的最終母公司 Linde GmbH，亦因與林德屬同一業務實體，被列作共同答辯人。

審裁處就法律責任及 / 或處罰的判決及相關上訴

概要

2019 年 5 月，審裁處就香港首兩宗合謀案件 (CTEA 1/2017 及 CTEA 2/2017) 頒下判決，裁定兩宗案件共 15 名答辯人當中的 14 名答辯人違反了「第一行為守則」。其後，審裁處於 2020 年 4 月對 CTEA 2/2017 案中答辯人判處罰款金額。該裁決定下了業務實體罰款金額的計算方法，有關方法亦應用於其後多宗案件中。

在回顧年度內，審裁處亦在另外三宗合謀案件中 (CTEA 1/2018、CTEA 1/2019 及 CTEA 1/2020) 裁定相關答辯人的行為違反條例。其中，審裁處確立了可以免除各方接受全面審訊的和解程序，令競委會與涉案方得以在此基礎上同意結束部分法律程序，為各方節省了時間及訟費。

Filing of Hong Kong's first abuse of substantial market power case

Competition Commission v. Linde HKO Ltd and Others (CTEA 3/2020)

On 21 December 2020, the Commission brought its first enforcement action concerning an alleged contravention of the Second Conduct Rule before the Tribunal. The Commission claims that Linde HKO Ltd abused its substantial degree of market power in the upstream market for the supply of certain medical gases in Hong Kong by disrupting normal supply of such gases to MGI (Far East) Ltd, a medical gas pipeline system maintenance service provider which competes directly with Linde HKO Ltd in the downstream maintenance services market.

In addition to Linde HKO Ltd, its Healthcare Sales General Manager is named as a co-respondent in the proceedings as a person involved in the contravention. Linde HKO Ltd's ultimate parent company in Germany, Linde GmbH, is also named as a co-respondent on the basis that it formed part of the same undertaking as Linde HKO Ltd.

Tribunal judgments on liability and/or sanctions and related appeals

Overview

In May 2019, the Tribunal handed down its judgments on liability in the first two sets of cartel proceedings in Hong Kong (CTEA 1/2017 and CTEA 2/2017), finding 14 of the 15 respondents in the two cases liable of contravening the First Conduct Rule. In April 2020, the Tribunal subsequently decided on the pecuniary penalties to be imposed on the respondents in CTEA 2/2017. In doing so, it laid down the approach for the determination of pecuniary penalties for undertakings, which was then applied in a number of later cases.

Over the course of the year under review, the Tribunal found that the Commission had established contraventions in three other cartel cases (CTEA 1/2018, CTEA 1/2019 and CTEA 1/2020). The Commission managed to conclude certain parts of those proceedings on a consent basis, following the Tribunal's endorsement of a settlement procedure in order to dispense with a full trial of all factual issues, thus saving time and costs for all parties involved.

競爭事務委員會 對 永興聯合建築有限公司及其他 (CTEA 2/2017)

2019 年 5 月 17 日，審裁處裁定全部 10 名答辯人在公共屋邨安達邨第一期提供裝修服務時瓜分市場及合謀定價，違反了「第一行為守則」。其後，審裁處於 2020 年 4 月 29 日就罰款作出判決，命令答辯人繳付罰款合共 397 萬港元。值得留意的是，案中 10 名答辯人當中，有 7 名答辯人被判繳付《條例》下可判處的最高罰款[9]，審裁處亦命令所有答辯人支付競委會的訟費。

案中有數名答辯人將裝修工程分判予第三方，獲審裁處扣減三分之一的罰款，競委會正就此提出上訴[10]。

Competition Commission v. W. Hing Construction Company Limited and Others (CTEA 2/2017)

In its judgment of 17 May 2019, the Tribunal found all 10 respondents liable of contravening the First Conduct Rule by engaging in market sharing and price fixing in their provision of renovation services at Phase 1 of the public rental housing On Tat Estate. Following this, the Tribunal handed down its judgment on the respondents' pecuniary penalties on 29 April 2020, ordering the respondents to pay a total of HK$3.97 million of fines. It is worth noting that 7 out of the 10 respondents in this case were ordered to pay the maximum pecuniary penalty[9] allowable under the Ordinance and that all of the respondents have also been ordered to pay the Commission's legal costs.

The Commission is currently appealing against the Tribunal's application of a one-third discount to the pecuniary penalties of certain respondents, which was applied on the basis that those respondents had subcontracted the renovation works to third parties.[10]

競爭事務委員會 對 Nutanix Hong Kong Limited 及其他 (CTEA 1/2017)

2019 年 5 月 17 日，審裁處頒下判決，裁定四間資訊科技公司在香港基督教女青年會就供應及安裝新資訊科技系統所進行的一次招標中，從事圍標行為，違反了「第一行為守則」。2020 年 12 月 16 日，審裁處就處罰結果作出判決，命令答辯人繳付罰款合共 716 萬港元及逾 860 萬港元的訟費。

Competition Commission v. Nutanix Hong Kong Limited and Others (CTEA 1/2017)

On 17 May 2019, the Tribunal handed down its judgment finding four respondent information technology (IT) companies to have contravened the First Conduct Rule by engaging in bid-rigging in a tender for the supply and installation of a new IT system for the Hong Kong Young Women's Church Christian Association. On 16 December 2020, the Tribunal handed down its judgment on sanctions ordering the respondents to pay pecuniary penalties totalling HK$7.16 million and legal costs of over HK$8.6 million.

競爭事務委員會 對 金光工程有限公司及其他 (CTEA 1/2018)

本案與 CTEA 2/2017 一案相似，涉及裝修承辦商在資助房屋景泰苑提供裝修服務時瓜分市場及合謀定價。2018 年 9 月 6 日，競委會在審裁處展開法律程序，控告 3 間裝修承辦商違反「第一行為守則」，以及 2 名個別人士牽涉入違反該守則。審裁處於 2019 年 5 月 17 日就 CTEA 2/2017 一案頒下判決後，本案 3 名答辯人同意承認法律責任，並以同意事實陳述書的形式與競委會共同向審

Competition Commission v. Kam Kwong Engineering Company Limited and Others (CTEA 1/2018)

Similar to CTEA 2/2017, this case concerns a market sharing and price fixing cartel in relation to the provision of renovation services at the subsidised housing estate King Tai Court. On 6 September 2018, the Commission commenced enforcement proceedings in the Tribunal against 3 contractors for contravening the First Conduct Rule and 2 individuals for their involvement in the contravention. Following the Tribunal's 17 May 2019 judgment in CTEA 2/2017, 3 respondents agreed to admit their liabilities and jointly applied with the Commission for the Tribunal's approval to dispose of the proceedings

9. *每項違反《條例》的行為的罰款金額最高可達該業務實體本地年度營業額的 10%，最長可達 3 年。*

10. *其中一名答辯人早前就審裁處裁定的法律責任提出上訴，但已遭上訴法庭駁回。*

9. *The maximum pecuniary penalty of a contravention of the Ordinance is 10% of the undertaking's annual Hong Kong turnover per contravention for a maximum period of three years.*

10. *An earlier appeal by one of the respondents against its liability finding has already been dismissed by the Court of Appeal.*

裁處申請，在雙方同意的情況下解決訴訟。此和解方式獲審裁處認可，被稱為「金光程序」。其餘兩名答辯人亦依據此程序與競委會達成和解。至 2020 年 9 月，全部 5 名答辯人已經以相同程序解決所有法律責任問題。

其後，競委會就著兩方面作出陳詞，包括各答辯人的罰款及向其中一名答辯的個別人士發出取消董事資格令。撰寫本報告時，仍有待審裁處對處罰作出判決。

競爭事務委員會 對 馮氏機電工程有限公司及其他 (CTEA 1/2019)

2019 年 7 月 3 日，競委會入稟審裁處，控告 6 間裝修承辦商和 3 名個別人士在公共屋邨安泰邨第一期提供裝修服務時瓜分市場及合謀定價。競委會向審裁處作出的申請包括：宣布有關各方違反或牽涉入違反「第一行為守則」、施加罰款、及向一名個別人士發出取消董事資格令。所有答辯人同意與競委會以金光程序的方式處理本案的法律責任。2020 年 10 月 14 日，審裁處基於有關各方的同意事實陳述書頒下判決，就其各自的法律責任作出宣布。其後，審裁處於 2020 年 10 月 30 日及 2021 年 1 月 5 日對每名答辯人的處罰作出判決。審裁處命令 6 間裝修承辦商和 2 名個別人士繳付合共 326 萬港元的罰款，並向另外 1 名個別人士發出為期 22 個月的取消董事資格令。

參照永興一案 (CTEA 2/2017)，在計算承辦商的罰款時，審裁處對案中將裝修工程外判的 2 名答辯人，扣減其三分之一的罰款。競委會正就此扣減提出上訴。

競爭事務委員會 對 Quantr Limited 及張民傑 (CTEA 1/2020)

2020 年 1 月 22 日，競委會在審裁處向 Quantr Limited 及其董事展開法律程序，他們涉嫌在海洋公園公司為採購資訊科技服務而進行的一次招標中，與另一名投標者就雙方在該次競投中的報價意向，交換了影響競爭的敏感資料。最終，答辯人同意根據金光程序，與競委會向審裁處作出共同申請，承認其違反或牽涉入違反「第一行為守則」。2020 年 11 月 3 日，審裁處就處罰作出判決，命令 Quantr 須

against them by consent, on the basis of statements of agreed facts. This approach was endorsed by the Tribunal and is referred to as the "Kam Kwong procedure". The remaining 2 respondents followed suit, and by September 2020, the liabilities of all 5 respondents had been resolved by way of the same procedure.

The Commission subsequently made submissions as to the pecuniary penalties to be imposed on the respondents, as well as on a director disqualification order against one of the individual respondents. At the time of writing, the Tribunal's judgment on sanctions is still pending.

Competition Commission v. Fungs E & M Engineering Company Limited and Others (CTEA 1/2019)

On 3 July 2019, the Commission commenced enforcement proceedings in the Tribunal against 6 renovation contractors and 3 individuals for market sharing and price fixing cartel conduct in relation to the provision of renovation services at the public housing estate, Phase 1 of On Tai Estate. The Commission sought remedies including declarations of contravention of the First Conduct Rule and involvement in the contravention, pecuniary penalties, and, in respect of one individual, a director disqualification order. All of the respondents agreed with the Commission to dispose of the liability portion of the proceedings by way of the Kam Kwong procedure. On 14 October 2020, the Tribunal issued a judgment making the declarations sought based on parties' statements of agreed facts. It then decided the sanctions on each of the respondent in judgments dated 30 October 2020 and 5 January 2021. The Tribunal ordered the 6 contractors and 2 individuals to pay pecuniary penalties of HK$3.26 million, while the final individual was given a 22-month disqualification order.

In calculating the contractors' pecuniary penalties, the Tribunal again applied the one-third discount to 2 of the respondents on the ground of subcontracting as per the W. Hing case (CTEA 2/2017). The Commission is currently also appealing against the discount in this case.

Competition Commission v. Quantr Limited and Cheung Man Kit (CTEA 1/2020)

On 22 January 2020, the Commission commenced enforcement proceedings in the Tribunal against Quantr Limited and its director for exchanging competitively sensitive information with a co-bidder regarding their intended quotations in a bidding exercise for the procurement of IT services organised by the Ocean Park Corporation. The respondents subsequently agreed to make joint applications to the Tribunal with the Commission pursuant to the Kam Kwong procedure, in which they admitted contravening the First Conduct Rule or being involved in the contravention. The Tribunal handed down its judgment on sanctions on 3 November 2020 ordering

支付罰款 37,702.76 港元及競委會的訟費，並須採取為期三年的競爭合規措施。審裁處在案件入稟後 10 個月內作出各方所尋求的命令，令該案成為在最短時間內和解的案件[11]。這亦是香港首宗源於企業成功申請寬待而入稟的個案，亦是答辯人在和解方案中同意在行為上作出補救，並獲審裁處認可的首宗案件。

Quantr to pay a pecuniary penalty of HK$37,702.76 and the Commission's legal costs, as well as to adopt certain competition compliance measures for a period of 3 years. The Tribunal gave the orders sought by the parties within 10 months from case filing, making this the fastest case resolved[11] by way of settlement. The case also represents the first set of enforcement proceedings that was started by a leniency application, and the first case in which behavioural remedies were agreed as part of the settlement package and endorsed by the Tribunal.

此外，競委會亦向參與了同一合謀行為的另一間公司發出違章通知書，該公司亦同意採取為期 2 年的競爭合規措施。

An infringement notice was issued to another company that participated in the same cartel, which has agreed to adopt certain competition compliance measures for a period of 2 years.

已入稟審裁處但尚未完結的另一案件

The other ongoing case before the Tribunal

除上述案件編號 CTEA 1/2018 及 CTEA 3/2020 的案件外，仍有另一宗已入稟審裁處的案件尚未完結。

In addition to CTEA 1/2018 and CTEA 3/2020 mentioned above, there is another ongoing case before the Tribunal.

競爭事務委員會 對 天利行書局有限公司及其他 (CTEA 2/2020)

Competition Commission v. T.H. Lee Book Company Limited and Others (CTEA 2/2020)

2020 年 3 月 20 日，競委會入稟審裁處控告 3 間教科書供應商及 1 名個別人士。競委會稱該 3 間公司在向香港中小學學生銷售教科書期間，涉嫌合謀定價、瓜分市場及 / 或圍標，違反了「第一行為守則」。雖然有關合謀安排是在《條例》全面生效前所訂立，唯上述公司涉嫌於《條例》全面生效後仍然繼續執行有關安排。本案亦是競委會首次就附屬公司的行為，向涉嫌對其有決定性影響的母公司追究法律責任。競委會作出的申請包括宣布有關各方違反《條例》、頒令施加罰款及發出取消董事資格令。

On 20 March 2020, the Commission commenced enforcement proceedings in the Tribunal against three textbook suppliers and one individual. The Commission claims that the three companies have contravened the First Conduct Rule by engaging in price-fixing, market sharing and/or bid-rigging in relation to the sale of textbooks to students attending primary and secondary schools in Hong Kong. Although the cartel arrangements were arrived at prior to the full implementation of the Ordinance, the companies are said to have continued to give effect to them after the Ordinance came into effect. This is also the first case in which the Commission has sought to hold a parent company liable for the acts of a subsidiary over which the parent is claimed to have exercised decisive control. Declarations of contravention, orders for pecuniary penalties and a director disqualification are sought by the Commission.

部分答辯人認為競委會尋求的罰款屬刑事性質，並以此向審裁處申請各方須接續交換證人陳述書，審裁處在 2020 年 12 月 31 日的非正審判決中，駁回有關答辯人的申請。因此，審裁處指令各方按照民事法律程序的做法，同時交換證人陳述書。案件管理聆訊已安排於 2021 年 10 月 13 日進行。

In an interlocutory decision dated 31 December 2020, the Tribunal declined certain respondents' application to have sequential exchange of witness statements on the basis of the criminal nature of the pecuniary penalties sought. As a result, the exchange of witness statements was directed to take place simultaneously for all parties as in civil proceedings. A case management hearing is scheduled for 13 October 2021.

11. 在答辯人完成執行雙方所同意的和解條款期間，該案的法律程序（包括競委會對案中的個人答辯人施加罰款及取消董事資格的原有申請）暫緩處理。如答辯人不遵守和解條款，競委會有權恢復進行法律程序。

11. The proceedings (including the Commission's original application for a pecuniary penalty and a director disqualification order against the individual respondent) were stayed pending the respondents' completion of the agreed settlement terms. In the event of non-compliance, the Commission would be entitled to restore the proceedings.

財政年度內的工作回顧
Review of Work for the Financial Year

接納網上旅行社的承諾

2020 年 5 月 13 日，競委會接納了 3 間主要網上旅行社（即 Booking.com、Expedia（包括 Hotels.com）及 Trip.com（包括 Ctrip.com））的承諾，廢除它們與香港住宿提供者所簽訂合約中，可能損害競爭的廣義平等條款。有關條款訂明住宿提供者給予網上旅行社的房間價格、房間條件及／或房源，必須等同或優於住宿提供者在所有其他銷售渠道所提供的規格。這是競委會首次根據《條例》第 60 條接受承諾，該決定是在 2020 年 3 月底／ 4 月就有關承諾所進行的公眾諮詢後作出。

Acceptance of Commitments from online travel agents

On 13 May 2020, the Commission accepted commitments offered by 3 major online travel agents, namely Booking.com, Expedia (including Hotels.com) and Trip.com (including Ctrip.com), which resulted in a complete abandonment of any wide parity clauses in their contracts with accommodation providers in Hong Kong that may harm competition. These clauses required accommodation providers to always give the online travel agent the same or better terms as those they offer in all other sales channels, as regards room prices, room conditions and / or room availability. This case represents the first time the Commission has accepted commitments under section 60 of the Ordinance. The acceptance followed a public consultation on the proposed commitments in late March / April 2020.

接納「香港海港聯盟」的承諾

香港海港聯盟是以合約形式進行的聯營安排，由香港 5 個主要貨櫃碼頭營運商中的其中 4 個[12]組成，共同經營及管理他們在香港葵青港 8 個貨櫃碼頭共 23 個泊位。2020 年 10 月 30 日，競委會結束調查並接納聯盟各成員的一系列承諾，有關承諾適時並有效地釋除了競委會的疑慮。承諾主要包括為部分收費設定上限（最長達連續 8 年）、維持服務水平、避免任命相同董事（此兩項適用於聯盟存續的整個期間）、設立指數化價格調整機制，以及嚴格監察遵守承諾的機制。競委會在 2020 年 8 月曾就有關承諾進行公眾諮詢。

Acceptance of Commitments from "Hong Kong Seaport Alliance"

The Hong Kong Seaport Alliance is a contractual joint venture between Hong Kong's 4 (out of 5) major terminal operators[12] to jointly operate and manage their 23 berths across 8 terminals at Kwai Tsing port. On 30 October 2020, the Commission concluded its investigation into the Hong Kong Seaport Alliance by accepting a set of commitments from the parties to the Alliance, which addressed the Commission's competition concerns in an effective and timely manner. Major items in the commitments include caps on certain charges for up to 8 consecutive years, maintenance of certain service levels and restrictions on cross-directorships (both of which apply for the entire duration of the Alliance), an indexation mechanism, as well as a rigorous compliance monitoring regime. The acceptance followed a public consultation in August 2020.

向酒店集團及旅遊營辦商發出違章通知書

2021 年 2 月 17 日，競委會向多間企業發出違章通知書，當中包括 6 個酒店集團[13]及 1 家旅遊櫃檯營辦商[14]。他們涉嫌促成 2 間互

Issuance of infringement notices to hotel groups and tour counter operator

On 17 February 2021, the Commission issued infringement notices to 6 hotel groups[13], and a tour counter operator[14], for facilitating a cartel between 2 competing travel service providers to fix the prices of tourist attractions

12. *現代貨箱碼頭有限公司、以及代表香港國際貨櫃碼頭有限公司、中遠—國際貨櫃碼頭（香港）有限公司及亞洲貨櫃碼頭有限公司的 HPHT Limited。*
13. *中亞物業有限公司，為城市花園酒店的擁有人兼經營者；Harilela Hotels Limited，為金域假日酒店的擁有人；Holiday Inns Crowne Plaza (Hong Kong) Inc.，為金域假日酒店的經營者；麗景酒店有限公司，為前麗景酒店的擁有人兼經營者；The Hongkong Hotel Limited、The Marco Polo Hotel (Hong Kong) Limited、The Prince Hotel Limited 及九龍倉酒店管理有限公司，分別為馬哥孛羅香港酒店、港威酒店及太子酒店的擁有人及經營者；及帝京酒店管理有限公司、Leverson Limited 及帝都酒店管理有限公司，分別為帝京酒店、帝景酒店及帝都酒店的經營者。*
14. *Imperial Tours Limited，在金域假日酒店處所內經營。*

12. *Modern Terminals Limited and HPHT Limited on behalf of Hongkong International Terminals Limited, COSCO-HIT Terminals (Hong Kong) Limited, and Asia Container Terminals Limited.*
13. *China Asia Property Limited, owner and operator of City Garden Hotel; Harilela Hotels Limited, owner of Holiday Inn Golden Mile; Holiday Inns Crowne Plaza (Hong Kong) Inc., operator of Holiday Inn Golden Mile; Hotel Panorama Company Limited, owner and operator of the former Hotel Panorama; The Hongkong Hotel Limited, The Marco Polo Hotel (Hong Kong) Limited, The Prince Hotel Limited and Wharf Hotels Management Limited, owners and operator of the Marco Polo Hongkong Hotel, Marco Polo Gateway and Marco Polo Prince respectively; and Royal Plaza Hotel Management Limited, Leverson Limited and Royal Park Hotel Management Limited, operators of Royal Plaza Hotel, Royal View Hotel and Royal Park Hotel respectively.*
14. *Imperial Tours Limited inside the premises of Holiday Inn Golden Mile.*

為競爭對手的旅遊服務供應商之間的合謀安排，該合謀安排訂定了於若干香港酒店內銷售的旅遊景點門票及車票的價格。這是競委會首次向促成合謀行為的企業追究法律責任，並帶出了一個明確訊息：在《條例》下，但凡促成競爭對手之間達致或執行合謀安排，亦須負上法律責任。

and transportation tickets sold at some hotels in Hong Kong. This case represents the first time the Commission pursues facilitators of cartel conduct, sending a clear signal that those who facilitate the reaching or implementation of cartel arrangements among competitors will also be held liable under the Ordinance.

政策發布

2020 年 4 月，競委會發布了《為從事合謀行為之業務實體而設的寬待政策》的修訂版，並增設《為牽涉入合謀行為之個人而設的寬待政策》。競委會根據《條例》全面生效以來所累積的經驗，檢視了其寬待政策的框架並作出修訂，旨在提升該政策的效能及覆蓋面，向合謀成員提供更強烈及清晰的誘因，使其停止合謀行為及向競委會舉報。這不單能加強執法，亦有利合謀行為的受害者進行後續索償。

Publication of policies

In April 2020, the Commission published a revised *Leniency Policy for Undertakings Engaged in Cartel Conduct* and a new *Leniency Policy for Individuals Involved in Cartel Conduct*. Based on its experience accumulated since the Ordinance came into full effect, the Commission reviewed and revised its leniency framework with a view to strengthening its efficacy and comprehensiveness, providing stronger and clearer incentives for a cartel member to stop the cartel conduct and report it to the Commission, thereby strengthening enforcement and furthering victim recovery.

2020 年 6 月，競委會發表反競爭行為的《建議罰款政策》，概述了當有企業違反、或牽涉入違反《條例》的「第一行為守則」或「第二行為守則」時，競委會在釐定向審裁處建議的罰款水平時，所採用的計算方法，以提高計算建議罰款方法的透明度。

In June 2020, the Commission published a *Policy on Recommended Pecuniary Penalties* for anti-competitive conduct, providing transparency on the methodology it uses when making fine recommendations to the Tribunal against businesses that have contravened, or have been involved in the contravention of the First Conduct Rule or the Second Conduct Rule of the Ordinance.

經修訂的寬待政策及罰款政策與競委會其他政策文件，構成了一個完備框架，讓從事合謀行為的企業可評估如何能受惠於向競委會申請寬待及提供合作，從而加強執法及增加阻嚇作用。

Together with the Commission's other policy documents, the revised leniency programme and the policy on pecuniary penalties form a comprehensive framework for businesses engaged in cartels to assess the benefits of coming forward and cooperating with the Commission, thus strengthening enforcement and enhancing deterrence.

與其他機構合作

2020 年 4 月，競委會與證券及期貨事務監察委員會簽署諒解備忘錄（備忘錄），加強雙方的合作及資料交流，尤其是與證券及期貨行業有關的競爭事宜。備忘錄亦為兩家機構建立平台，讓雙方以不同形式進行技術性合作，包括人員培訓及借調。該備忘錄是競委會致力與監管機構建立雙邊合作，以促進競爭及打擊反競爭行為的重要一環。

Inter-agency cooperation

In April 2020, the Commission signed a Memorandum of Understanding (MoU) with the Securities and Futures Commission to enhance cooperation and the exchange of information between the two agencies, particularly on competition issues relating to the securities and futures industry. The MoU also establishes a platform for the two agencies to engage in technical cooperation, such as staff training and secondments. This MoU is part of the Commission's endeavour to adopt a joined-up approach with relevant sector regulators in promoting competition and combating anti-competitive practices in Hong Kong.

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2020 年 12 月，競委會與菲律賓競爭委員會簽署備忘錄，就相互關注的競爭事宜加強合作。備忘錄亦建立了合作框架，讓雙方以不同形式進行技術性合作，例如在人員培訓及研究方面的協作，從而提升競委會日後處理競爭事宜的整體能力及成效。

In December 2020, the Commission signed a MoU with the Philippine Competition Commission to strengthen cooperation between the two agencies on competition issues of mutual concern. The MoU also provides a framework for both agencies to engage in other forms of technical cooperation, such as staff training and research collaborations, thus enhancing the Commission's overall capability and effectiveness in addressing competition issues.



競委會於 2020 年 12 月與菲律賓競爭委員會簽署備忘錄。
The Commission signed a MoU with the Philippine Competition Commission in December 2020.

通訊事務管理局 — 合作與溝通

根據《條例》，競委會與通訊事務管理局（通訊局）就電訊及廣播行業共享管轄權。由於通訊局專責規管電訊及廣播行業，對於屬於共享管轄權範圍內的事宜，一般會由通訊局主導處理。於 2020 年 4 月 1 日至 2021 年 3 月 31 日期間，競委會向通訊局轉介了合共 10 宗投訴及查詢。

COMMUNICATIONS AUTHORITY – COOPERATION AND LIAISON

Under the Ordinance, the Commission and the Communications Authority (CA) have concurrent jurisdiction in the broadcasting and telecommunications sectors. Given the CA's specific function of regulating the broadcasting and telecommunications sectors, the CA will ordinarily take the role of Lead Authority on matters which fall within the concurrent jurisdiction. Between 1 April 2020 and 31 March 2021, the Commission referred a total of 10 complaints and enquiries to the CA.

與其他政府部門的溝通

除了公眾的投訴和查詢，競委會也跟進政府部門和其他機構轉介的個案。年內，競委會致力與不同政府部門、法定機構及相關執法機構保持聯繫，當中包括消防處、民政事務總署、香港房屋委員會、香港警務處、香港生產力促進局、廉政公署、創新科技署、物業管理業監管局、證券及期貨事務監察委員會及市區重建局。這些溝通不但令競委會的調查工作更有成效，亦加深了公營界別對《條例》的認識。在各項調查及法律程序中，不同的政府部門及公共機構在競委會蒐集資料及情報時，均有提供協助。

LIAISON WITH OTHER GOVERNMENT DEPARTMENTS

In addition to complaints and enquiries from the public, the Commission also follows up on referrals from Government departments and other authorities. During the year, the Commission liaised with different Government departments and statutory bodies and fellow law enforcement agencies. These include the Fire Services Department, Home Affairs Department, Hong Kong Housing Authority, Hong Kong Police Force, Hong Kong Productivity Council, Independent Commission Against Corruption, Innovation and Technology Commission, Property Management Services Authority, Securities and Futures Commission as well as Urban Renewal Authority. The communication has not only facilitated the Commission in carrying out its investigative work in a more efficient manner, but also in enhancing understanding of the Ordinance by the public sector. In various investigations and legal proceedings, different Government departments and public bodies have provided assistance to the Commission in information and intelligence gathering.

提供政策意見及接觸公營界別

年內，競委會就逾 30 項公共政策提供意見，當中不少涉及複雜的政策制定及執行。有關政策及措施與香港營商環境與民生息息相關，包括推廣電動車、廢紙回收、採購智能飲水機、香港房屋委員會的裝修承辦商制度及「劏房」租務管制等。因應物業管理業發牌制度最近實施，競委會已接觸物業管理業監管局（監管局），就監管局準備發表的業界指導文件，提供競爭方面的意見。

因應疫情，競委會分別於 2020 年 5 月及 8 月發出公告，提醒參與政府「防疫抗疫基金」轄下資助計劃的企業，必須遵守《條例》，並提防可能損害採購過程的反競爭行為。競委會亦與負責執行相關計劃的公營機構緊密接觸，加強他們對競爭方面的考慮，並就如何防止合謀行為提供意見。

競委會除對特定政策及措施提供意見外，亦積極與政策制定者及各監管機構接觸，讓他們對政策上潛在的競爭問題有更深入的了解，包括向他們解釋現有的規管對競爭的潛在影響，以及因應市場新發展而需要政府採取行動以鼓勵競爭。值得注意的是，透過競委會持續的溝通接觸，各政策局及部門現已開始在政策制定初期，諮詢競委會的意見，他們對於如何評估政策對競爭的影響亦有更深認識及了解。多項政策討論已清晰反映了競委會就競爭問題所提供的意見，有關當局亦對意見反應正面。

POLICY ADVISORY AND PUBLIC SECTOR ENGAGEMENT

During the year, the Commission provided competition-related advice on more than 30 public policies and initiatives, of which many involved complex policy design and implementation. Such policies and measures are closely related to the city's business environment and the daily lives of Hong Kong citizens, such as promotion of electric vehicles, waste paper recycling, procurement of smart water dispensers, the "Decoration Contractor System" of the Hong Kong Housing Authority and tenancy control on subdivided housing units. In view of the recent implementation of the Property Management Industry Licensing Regime, the Commission reached out to the Property Management Service Authority (PMSA) and offered competition-related advice in relation to PMSA's issuing of guidance documents for industry players.

In response to the pandemic, the Commission issued two statements in May and August 2020 to remind participants in the Government's subsidy programmes under the Anti-epidemic Fund of the importance of complying with the Ordinance and being vigilant against potential anti-competitive practices that may undermine procurement processes. The Commission also worked closely with public bodies which are tasked to administer these programmes to take competition concerns into consideration and provided advice on collusion prevention.

In addition to advising on specific policies and measures, the Commission proactively engaged with policy makers and regulators to enhance their understanding of how competition issues may arise. This encompasses advising on the possible competition impact of existing regulations as well as new market developments that may warrant government actions to promote competition. It is worth noting that with the Commission's continuous engagement efforts, policy bureaux and departments have started to approach and consult the Commission at an early stage of policy formulation process. They have also demonstrated increased awareness and better understanding of competition impact assessment. The Commission's advice on competition matters has been clearly reflected throughout the policy discussions and has been received positively.

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接觸社區與教育工作

競委會相信預防往往勝於治療，因此，讓香港社會各界理解《條例》的主要內容，以及明白必須守法，是非常重要的。儘管受疫情影響，競委會繼續一如以往，透過直接與持份者交流、公眾教育及跨平台的多元化宣傳計劃接觸公衆。雖然過去一年未能舉辦實體活動，但講座及交流改以網上形式進行後，效果同樣良好，接觸層面甚至更為廣泛。

商界

年內，競委會為商界（特別是中小企）及公眾舉辦了 8 場簡介《條例》的網上講座，其中一場特別為資訊科技界而設，有 3 場為競委會打擊合謀定價宣傳活動的一部分，對象涵蓋不同界別。全年合共有逾 1,800 名人士參加了網上講座，參加者反應踴躍，並對多個議題積極提問。

此外，競委會亦繼續與不同的行業協會緊密接觸，年內舉辦了多場網上座談會及會議，協助和鼓勵各界遵守《條例》。

COMMUNITY ENGAGEMENT AND EDUCATION

The Commission believes that prevention is always better than cure, so it is important for the Hong Kong community to understand the key elements of the Ordinance and the importance of compliance. Despite the challenges brought by the pandemic, the Commission has not stopped reaching out to the community through direct engagement, educational initiatives and special projects across multiple platforms targeting different stakeholders. While physical events were limited in the past year, the Commission switched to using webinars and online engagement which have proved to be equally effective and even reaching a wider audience.

Businesses

During the year, the Commission conducted 8 webinars targeting businesses in particular SMEs, trade associations and the public. Among them, one was exclusively for the IT sector while three were conducted as part of the Commission's anti-price fixing advocacy campaign targeting different sectors. Response to these webinars was overwhelming with over 1,800 participants showing great interest in the topic and raising questions on various issues.

In addition, the Commission continued to work closely with trade and industry associations through numerous online briefings and meetings conducted throughout the year to assist and encourage their members to comply with the Ordinance.





◎ 年內，競委會為商界及公眾舉辦了多場網上研討會。
During the year, the Commission conducted webinars targeting businesses and the public.

法律界

為推動本港法律界提升競爭法專業知識，競委會於 2020 年 10 月為未有競爭法經驗或相關經驗較淺的律師，舉辦了一系列網上培訓，以提升他們為客戶（尤其是中小企客戶）就競爭法事宜提供意見的能力。課程講者包括競委會人員、以及擅長競爭法的私人執業律師，內容除了涵蓋《條例》的主要條文，亦介紹了法例的實務應用，包括如何協助客戶確保企業合規及適當地應對調查。超過 170 名法律界從業員參與了是次培訓，期間亦就不同議題作出討論。

Lawyers

To facilitate the development of competition law expertise amongst the local legal fraternity, the Commission conducted a webinar series in October 2020 for lawyers with limited or no competition law experience so that they would be better equipped to advise their clients, in particular SME clients, on competition law matters. Delivered by staff and executives from the Commission, as well as competition lawyers in private practice, the training not only covered key provisions of the Ordinance, but also practical application of the law including how to help clients ensure compliance and respond appropriately to an investigation. Over 170 legal practitioners joined the training with many thoughtful questions posed and discussed throughout the sessions.

青少年

與青少年接觸，繼續是競委會倡導工作的重要一環。為進一步接觸青少年，競委會在 2020 年 11 月展開了第二屆「玩 ・PO・ 競」社交媒體宣傳挑戰賽，邀請本地大專院校學生策劃及執行社交媒體宣傳計劃，推廣競爭法。今屆挑戰賽共有超過 180 支來自不同大學的隊伍報名參加，當中 15 支入圍隊伍於決賽階段爭奪冠軍殊榮。

Youths

Engaging the younger generation remains to be an important part of the Commission's advocacy work. To further its youth outreach, the Commission rolled out the second edition of the "Post to Compete" Social Media Advocacy Challenge in November 2020, inviting all tertiary students to compete by designing and executing plans to promote competition law on social media platforms. Over 180 teams of students from different universities signed up for the Challenge with 15 finalist teams competing for the championship.







◌ 「玩 • PO • 競」社交媒體宣傳挑戰賽 2021
"Post to Compete" Social Media Advocacy Challenge 2021





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為促進公眾了解競爭法背後的核心價值和理念，競委會於 2021 年 3 月推出「市場競爭 101」短片系列。一連四集的短片由港大經管學院房育輝教授主持，以輕鬆活潑、深入淺出的手法講解市場競爭的主要概念，短片已上載至競委會網站及社交媒體平台。競委會亦同時邀請全港高中學生參與 Facebook 遊戲及網上問答，推動年青人了解競爭的經濟學概念。

To promote public understanding of the core values and rationale behind competition law, a video series "Competition 101" presented by Professor Fong Yuk Fai of HKU Business School was rolled out in March 2021 on the Commission's website and social media platforms. Comprising four short episodes, the series explains the key concepts of market competition in a light-hearted and easy-to-understand manner. In tandem with the launch of the series, a Facebook game and an online quiz targeting upper secondary students were rolled out to familiarise the youths with the economic concepts of competition. .



◎ 競委會推出「市場競爭 101」短片系列，促進公眾了解競爭法背後的核心價值和理念。
A video series "Competition 101" was rolled out to promote public understanding of the core values and rationale behind competition law.

另一方面，競委會與香港中文大學法律學院合作，舉辦論文寫作比賽，鼓勵法律學生更深入認識競爭法。首屆「競爭事務委員會優秀論文獎」收到過百份參賽作品，當中四篇論文脫穎而出，獲選為優勝作品。

In collaboration with the Faculty of Law of the Chinese University of Hong Kong, the Commission conducted an essay contest to engage tertiary-level law students and encouraged them to develop a deeper understanding of competition law. More than a hundred entries were received and 4 winning essays were chosen for the inaugural Competition Commission Outstanding Essay Award.

雖然學校因疫情關係停課，但競委會在年內以網上方式繼續為中學及大學舉辦互動工作坊及客席演講，持續接觸青少年。

Despite school suspension during the pandemic, the Commission continued to deliver online interactive workshops and guest lectures for secondary schools and universities during the year as an ongoing effort in reaching out to youngsters.

公眾及其他持份者

競委會繼續積極接觸地區人士，尤其關注打擊圍標，年內出席了多個由民政事務總署、香港房屋經理學會及市區重建局舉辦的樓宇維修及管理簡介會，接觸本港各區業主及物業管理人員。另外，競委會亦應香港房屋委員會邀請，向所有年內新入伙公共屋邨的裝修承辦商講解《條例》重點。

General Public and Other Stakeholders

During the year, the Commission continued its district outreach, especially on fighting bid-rigging, by speaking at briefings on building renovation and management organised by the Home Affairs Department, the Hong Kong Institute of Housing and Urban Renewal Authority, targeting property owners and building management personnel across different districts in Hong Kong. Invited by the Hong Kong Housing Authority, briefings were delivered to decoration contractors prior to the intake of tenants at each new public housing estate.

競委會於年內出版了三期《競爭快訊》，讓相關機構、商界及其他持份者知悉競委會的最新動態。

To keep relevant organisations, businesses and stakeholders abreast of its latest activities and development, the Commission published 3 issues of its newsletter "Competition Matters" during the period.

接觸公眾的資料及數字（截至 2021 年 3 月 31 日）
Engagement Facts and Figures (As at 31 March 2021)

舉行了

- 35場 簡報會 / 會議 briefings / meetings
- 3場 學校講座 / 工作坊 school talks / workshops
- 8場 大型網上講座 major webinars
- 1場 網上培訓課程 online training series

接觸了

約5,300*

各大商會、行業協會、企業（包括中小企）、公營界別代表、學生及公眾人士。*

representatives of major chambers, industry associations, businesses including SMEs, public sector, students and members of the public reached.*

* 數字包括實體及網上活動的參加者。

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





◎ 競委會年內出席了多個樓宇維修及管理簡介會，接觸各區業主及物業管理人員。
The Commission spoke at briefings on building management and renovation targeting property owners and building management personnel across different districts during the year.

傳媒與宣傳

回顧年度內，競委會舉辦了各種形式的宣傳活動，並透過不同平台，向社會各界宣揚鼓勵競爭的訊息。與此同時，競委會亦致力與公眾及傳媒保持緊密溝通，向他們提供有關競委會發展的最新資訊。

MEDIA AND PUBLICITY

Throughout the year under review, the Commission developed various initiatives and leveraged on different platforms in spreading pro-competition messages across the community. The Commission also endeavoured to maintain effective and bilateral communications with the public and the mass media in providing updates on its development.

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「打擊合謀定價」宣傳活動

競委會於 2020 年 11 月展開了「打擊合謀定價」大型宣傳活動，目的是透過一連串宣傳教育工作，讓社會大眾認識和了解合謀定價及其禍害，鼓勵各界守法，及加強偵測有關行為。

教材

競委會以「愛 • 由自己定價」為主題，製作了電視廣告及 5 條教育短片，吸引公眾對合謀定價的關注，並以深入淺出的方式介紹合謀定價的概念，帶出「同合謀定價分手　有競爭先會長久」的訊息。這一系列短片以電影預告片形式推出，利用「結束具傷害性的愛情」作比喻，鼓勵企業終止與其競爭對手的合謀定價關係。相關廣告在社交媒體迅速廣傳，錄得超過 360 萬人次觀看，並獲 10,000 個「讚好」。為加深公眾對這種反競爭行為的認識，競委會同時發布了小冊子，簡介不同形式的合謀定價行為、如何辨識該等行為，以及當有可疑情況發生時應如何處理等等。

"Combat Price Fixing Cartels" Campaign

The Commission launched a multi-pronged thematic campaign in November 2020 to enhance public awareness and understanding of price fixing and its harm as well as to encourage compliance and strengthen detection of such conduct.

Educational materials

To grasp audience's attention and explain the abstract concept of price fixing in an easy to understand manner, the Commission rolled out a TV announcement and 5 infotainment ads centering around the theme "It's My Call - Prosper with Competition, Say No to Price Fixing". Packaged in a movie trailer style, the series used "breakups from toxic romantic relationships" as an analogy to encourage businesses to end their illegal "price fixing relationships" with their competitors. The ads viralled on social media recording over 3.6 million views and 10,000 likes. To deepen understanding of the topic, the Commission also published a brochure outlining different types of price fixing with tips on how to identify it and what to do should it be suspected.







專題講座

2020 年 12 月至 2021 年 3 月期間，競委會為不同界別舉辦了 3 場合謀定價專題網上講座。首場網上講座的對象是各界企業，獲得 6 間主要商會及行業協會支持，而另外兩場則分別為採購人員及零售行業而設。

Targeted seminars

Three thematic webinars on price fixing were held between December 2020 and March 2021 for different groups of audience. The first webinar was supported by 6 major chambers of commerce and trade associations targeting businesses across sectors, while the second and the third webinars were exclusively for procurement practitioners and the retail industry respectively.

戶外及網上宣傳

為加強宣傳效果，競委會亦透過戶外及網上宣傳，包括於港鐵站、商廈升降機大堂及手機應用程式刊登廣告，向各界宣揚打擊合謀定價的訊息。

Outdoor and online promotions

To maximise the impact and get the message across the general public, the campaign was supported by extensive outdoor and online promotions including advertising at MTR stations, commercial building lift lobbies as well as on mobile applications.



網站及社交媒體

競委會定時更新其網站，發布最新的工作情況、講座 / 網上講座及活動詳情，以及各類刊物和教材。該網站是競委會與持份者溝通的重要平台，全年點擊率逾 400 萬人次。

年內，競委會加強利用社交媒體，在其 Facebook 專頁、Instagram 及 LinkedIn 帳戶內上載約 160 條有關競爭法及競委會工作的帖子，擴闊其網上接觸層面。競委會亦定期更新其 YouTube 頻道，上載最新教育及宣傳短片。

Website & Social Media

The Commission's website is regularly updated with latest news on its work, details of seminars / webinars and events as well as various publications and educational materials. Recording over 4 million hits throughout the year, the website is an important interface between the Commission and its stakeholders.

To expand its online engagement, the Commission strengthened the use of social media during the year with around 160 feeds about competition law and the Commission's work posted on its Facebook Page, Instagram and LinkedIn accounts. The Commission's YouTube channel is also regularly updated with its educational videos and announcements.

接觸傳媒

競委會年內舉辦了兩場傳媒活動，發布了 20 份新聞稿，及接受了 11 次採訪，讓本地及國際傳媒緊貼競委會的最新發展，同時為競委會及《條例》帶來廣泛報導及宣傳。

Media Engagement

During the year, the Commission held two media events, issued 20 press releases and participated in 11 press interviews to keep local and international media abreast of its latest development. These efforts generated extensive coverage and publicity for both the Commission and the Ordinance.



◎ 年內，競委會讓本地及國際傳媒緊貼其最新發展。
The Commission kept local and international media abreast of its latest development during the year.

財政年度內的工作回顧
Review of Work for the Financial Year

獎項及殊榮

2020/2021 年度，競委會的宣傳教育活動共奪得 5 個獎項。

Awards & Recognition

The Commission has won 5 awards and recognition for its outreach and publicity initiatives during 2020/2021.

作品項目 Items	獎項 Awards received	頒發機構 Awarded by
《愛・由自己定價》教育短片系列 **"It's My Call" Infotainment Series**	Questar Awards 2021 「非牟利機構：公眾教育組別」銀獎 Questar Awards 2021 **Silver** in the category of "Non-Profit Organisations: Public Awareness"	Questar Awards 2021
「打擊合謀定價」宣傳活動 **"Combat Price Fixing Cartels" Campaign**	Communicator Awards 2021 「宣傳活動 — 非牟利組別」大獎 Communicator Awards 2021 **Winner** in the category of "Campaign – Non-Profit"	美國互動及視覺藝術學院 Academy of Interactive & Visual Arts
年報 **Annual Report**	2020 香港管理專業協會最佳年報獎 **優秀小型機構年報獎** 2020 Hong Kong Management Association Best Annual Reports Awards **Excellence Award for "Small Size Entries"**	香港管理專業協會 Hong Kong Management Association
	2019/2020 Vision Awards 年報大賽 「政府組別」金獎 **全球 100 份最佳年報** 2019/2020 Vision Awards Annual Report Competition **Gold** in the category of "Government" **Top 100 Reports Worldwide**	美國通訊專業聯盟 League of American Communications Professionals
官方網站 **Official Website**	2020-2021 無障礙網頁嘉許計劃三連金獎 Web Accessibility Recognition Scheme 2020-2021 **Triple Gold**	政府資訊科技總監辦公室及香港互聯網註冊管理有限公司 Office of the Government Chief Information Officer and Hong Kong Internet Registration Corporation Ltd.







與國際及內地的合作及聯繫

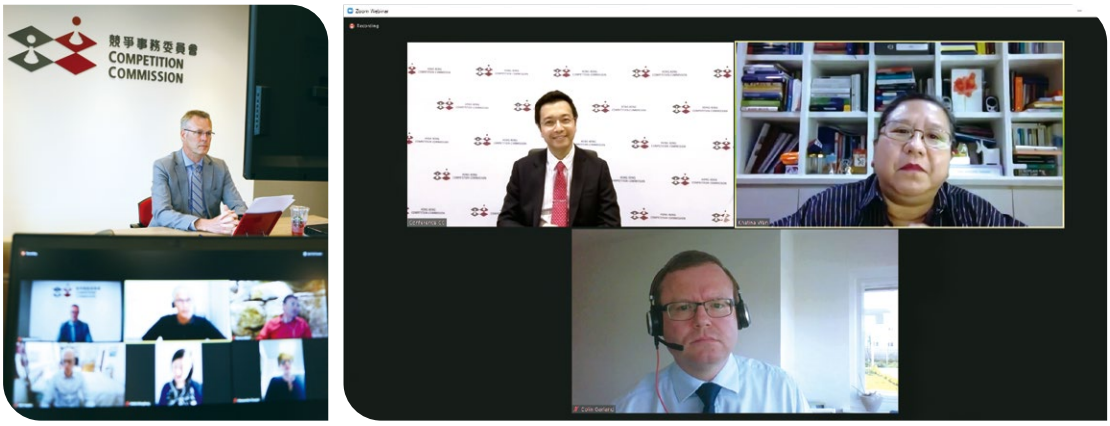
疫情所帶來的挑戰，並無阻礙競委會加強與內地和海外競爭法機構及專家之間的合作關係。競委會於年內主辦了兩場網上研討會，促進各個司法管轄區之間分享應對新冠病毒疫情的經驗。

競委會於 2020 年 4 月舉辦網絡研討會，匯聚數十位來自世界各地的競爭法機構人員、學者及專家，討論疫情衍生的各種執法及政策問題。2020 年 9 月，競委會與香港中文大學法律學院合辦「新冠病毒疫情期間航空業的競爭情況」網上研討會，講者包括來自內地、馬來西亞、新加坡及英國的專家及當地競爭執法機構及民航事務當局的代表。這兩場網上研討會得到來自數十個司法管轄區及國際組織的參加者鼎力支持。

INTERNATIONAL AND MAINLAND LIAISON

Challenges presented by the pandemic did not stop the Commission from strengthening cooperation and collaboration with Mainland and overseas counterparts as well as competition experts around the world. To foster experience sharing among different jurisdictions in response to COVID-19, the Commission hosted two webinars during the year.

In April 2020, the Commission convened a webinar bringing together dozens of competition law enforcers, academics and experts around the world to discuss a wide range of enforcement and policy issues arising from the pandemic. In September 2020, the Commission and the Faculty of Law of the Chinese University of Hong Kong co-hosted a webinar on "Competition in Aviation after COVID-19" where leading experts and officials from competition and aviation authorities in the Mainland, Malaysia, Singapore and the UK shared their insights. Both webinars received immense support by participants from dozens of jurisdictions and international organisations.



競委會於年內主辦了兩場網上研討會，促進各個司法管轄區之間分享應對新冠病毒疫情的經驗。
To foster experience sharing among different jurisdictions on the response to COVID-19, the Commission hosted two webinars during the year.

此外，競委會已連續第三年擔任國際競爭規管網絡（ICN）轄下競爭倡議工作小組的聯席主席。年內，競委會繼續以推動 ICN 會員提升倡導工作的成效為己任，鼓勵各地政府更廣泛地採納競爭原則及有關做法，並在社會推廣競爭文化。競委會在去年 9 月舉行的 ICN 2020 虛擬年度大會，以「數碼年代的競爭倡導」為題，協辦了一場大型會議。其後，競委會亦於本年 2 月舉辦了一場推動建立守法文化的網絡研討會，來自香港、日本、英國及美國的競爭法機構人員與跨國公司的法律顧問，就如何推動企業遵守競爭法，分享經驗及專業意見。

In its third year as co-chair of the Advocacy Working Group of the International Competition Network (ICN), the Commission continued to work towards the mission of improving the effectiveness of ICN members' advocacy activities, enhancing the adoption of competition principles and practices in government administration and promoting a competition culture within the society. Last year, the Commission co-organised a plenary discussion on "Competition Advocacy in the Digital Age" for the 2020 ICN Virtual Annual Conference in September. In February 2021, the Commission organised a webinar on fostering a culture of competition compliance. Officials from competition authorities of Hong Kong, Japan, the UK and the US as well as in-house counsels from multinational companies shared their experiences and expertise in promoting compliance among businesses.

財政年度內的工作回顧
Review of Work for the Financial Year

年內，競委會與內地競爭法機構保持緊密聯繫。競委會持續與國家市場監督管理總局就多項共同關注的倡導及政策事宜溝通，並為推動粵港澳大灣區各個界別認識及恪守競爭原則，與廣東省市場監督管理局交流。

During the year, the Commission remained in close contact with its Mainland counterparts. The Commission continued to liaise with the State Administration for Market Regulation on a number of advocacy and policy matters of mutual interest. The Commission also engaged in dialogue with the Guangdong Administration for Market Regulation with a view to promoting the awareness of and the compliance with competition principles in the Guangdong-Hong Kong-Macao Greater Bay Area.

能力提升

工作團隊

競委會於年內繼續增聘人手，務求培訓並維持一支高質素的專業團隊，以助其執行主要職能，並靈活應對需適時調整的工作優次。縱然疫情為招聘工作帶來挑戰，競委會仍成功增聘了若干人員，包括來自海外競爭法機構並擁有豐富經驗的執法人員，以及從事訴訟的專業人士，強化了競委會的執法能力。競委會亦就不同職能安排多項網上專業培訓，例如國際競爭法、競爭政策、調查技巧及資訊科技鑑證分析等，讓競委會人員緊貼國際競爭法的執法情況，掌握最新的專業知識。截至 2021 年 3 月，競委會的職員人數為 64 人。

此外，競委會參加了政府「防疫抗疫基金」的創造職位計劃，在常規員工編制外創造了 5 個額外的短期職位，以配合其營運需要。

作為關愛僱主，競委會致力改善員工的身心健康，年內繼續推展多項就業友善措施，包括彈性工作時間、在家工作安排、母乳餵哺及婚假政策等。為促進員工工作與生活之間取得平衡，並鼓勵他們保持良好精神健康，競委會委聘了專家顧問設立適切的「僱員支援計劃」，為他們及其家人提供免費專業輔導及諮詢服務。

競委會推行家庭友善政策，在年內獲得平等機會委員會嘉許為平等機會僱主（家庭崗位平等）。

CAPACITY BUILDING

Staff Force

During the year, the Commission continued to recruit, develop and maintain a highly professional workforce to support its core functions and respond flexibly to changing work priorities. Despite the challenges of recruitment during the pandemic, a number of new recruits including experienced competition law enforcers from well-established overseas agencies and litigation professionals joined the Commission to strengthen its enforcement capability. Besides, a range of online professional trainings were provided to staff on various functional areas such as international competition law, competition policy, investigation skills and IT forensic analysis to keep them abreast of the latest knowledge and expertise in the international competition law arena. As at March 2021, the Commission had 64 staff members.

Apart from regular staff headcounts, the Commission also took part in the Job Creation Scheme under the Anti-epidemic Fund of the Government and created 5 additional short-term posts to meet its operational needs.

As a caring employer, the Commission is dedicated to improving the well-being of staff members. During the year, it continued to introduce and promote employment-friendly measures such as flexible working hours, work from home arrangements as well as breastfeeding and marriage leave policies. To help staff members achieve a better work-life balance and mental health, a specialist consultant was engaged to provide a tailor-made Employees Assistance Programme with free professional counselling and advisory services for staff and their family members.

During the year, the Commission has received recognition from the Equal Opportunities Commission as an Equal Opportunity Employer (Family Status Equality) for its family-friendly policies.

資訊科技

為處理日益增加的執法工作，競委會已安裝先進的文件管理系統。這套系統配備文件登記及電子蒐證功能，加強了競委會的工作效率，使競委會能以最高的保密及安全標準執行職務。此外，競委會亦優化了緊急數據中心，提升因事故發生以致運作受阻的情況下，資訊科技系統修復的表現及可靠度。

另一方面，競委會繼續加強在處理機密資料方面的機構管治。競委會推出了安全檔案共享系統，管理競委會與外界人士共享機密文件的做法，並加強政策以限制可移除式資料儲存，避免機密資料外泄。此外，競委會亦持續提升電子蒐證小組的能力，包括就最新的電子蒐證技術為小組成員進行培訓。

年內，競委會獲個人資料私隱專員公署頒發「私隱之友」銀獎，以表揚競委會在保障個人資料私隱方面的不懈努力。

Information Technology

To facilitate handling of the growing volume of enforcement activities, a state-of-the-art Document Management System with registry and e-discovery functions has been implemented. The system strengthens the Commission's capability to carry out its functions efficiently and to the highest standard of confidentiality and security. In addition, the Commission has enhanced its disaster recovery site to boost the performance and reliability in IT system recovery from events that negatively affect its operations.

On the other hand, the Commission continues to strengthen the corporate governance of confidential information. It has launched a Secure File Sharing System to manage confidential document sharing with external parties as well as enhanced the policy on removable storage control to avoid confidential data leakage. The Commission also continues to equip the forensic IT team with the latest digital forensic knowledge.

During the year, the Commission has received a "Privacy-Friendly" Silver Certificate from the Office of the Privacy Commissioner for Personal Data for its continuous efforts in promoting the protection of personal data privacy.





◎ 競委會的機構管治於年內獲得殊榮。
The Commission received recognition for its corporate practices during the year.

財務

於 2020/2021 年度，政府對競委會的年度補助金額維持約 1 億 2,000 萬港元。另外，政府自 2018/2019 年度起亦提供了 2 億 3,800 萬港元的專用撥款，支持競委會的訴訟工作。這筆額外的財政資源有助競委會承擔日益增加的執法及訴訟工作，並實行「三年策略計劃」中所訂定的目標。

FINANCE

In 2020/2021, the Government maintained the financial support for the Commission with an annual Government subvention of about HK$120 million. Starting from 2018/2019, a dedicated funding of HK$238 million has also been provided to support the Commission's litigation work. The additional financial support has enabled the Commission to accomplish the growing number of enforcement and litigation work and implement the initiatives set out in the Three Year Strategic Plan.

獨立核數師報告
致競爭事務委員會委員
INDEPENDENT AUDITOR'S REPORT TO THE COMMISSION MEMBERS OF COMPETITION COMMISSION

(依據《競爭條例》於香港成立)
(Established in Hong Kong pursuant to the Competition Ordinance)

意見

本核數師(以下簡稱「我們」)已審核載列於第52至89頁的競爭事務委員會(以下簡稱(「競委會」)的財務報表,此財務報表包括於二零二一年三月三十一日的財務狀況表與截至該日止年度的收支帳目、全面收益表、資金變動表及現金流量表,以及財務報表附註,包括主要會計政策概要。

我們認為,該等財務報表已根據香港會計師公會頒布的《香港財務報告準則》真實而中肯地反映了競委會於二零二一年三月三十一日的財務狀況及截至該日止年度的財務表現及現金流量。

意見的基礎

我們已根據香港會計師公會頒佈的《香港審計準則》進行審核。我們在該等準則下承擔的責任已在本報告「核數師就審計財務報表承擔的責任」部分中作進一步闡述。根據香港會計師公會頒布的《專業會計師道德守則》(以下簡稱「守則」),我們獨立於競委會,並已履行守則中的其他專業道德責任。我們相信,我們所獲得的審計憑證能充足及適當地為我們的審計意見提供基礎。

財務報表及其核數師報告以外的信息

競委會委員需對其他信息負責。其他信息包括刊載於年報內的全部信息,但不包括財務報表及我們的核數師報告。

我們對財務報表的意見並不涵蓋其他信息,我們亦不對該等其他信息發表任何形式的鑒證結論。

OPINION

We have audited the financial statements of Competition Commission ("the Commission") set out on pages 52 to 89, which comprise the statement of financial position as at 31 March 2021, the income and expenditure account, statement of comprehensive income, statement of changes in funds and statement of cash flows for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of the Commission as at 31 March 2021 and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards ("HKFRSs") issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA").

BASIS FOR OPINION

We conducted our audit in accordance with Hong Kong Standards on Auditing ("HKSAs") issued by the HKICPA. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of our report. We are independent of the Commission in accordance with the HKICPA's *Code of Ethics for Professional Accountants* ("the Code") and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

INFORMATION OTHER THAN THE FINANCIAL STATEMENTS AND AUDITOR'S REPORT THEREON

The Commission Members are responsible for the other information. The other information comprises all the information included in the annual report, other than the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

獨立核數師報告
致競爭事務委員會委員（續）
INDEPENDENT AUDITOR'S REPORT TO THE COMMISSION MEMBERS OF COMPETITION COMMISSION (CONTINUED)

（依據《競爭條例》於香港成立）
(Established in Hong Kong pursuant to the Competition Ordinance)

結合我們對財務報表的審計，我們的責任是閱讀其他信息，在此過程中，考慮其他信息是否與財務報表或我們在審計過程中所了解的情況存在重大抵觸或者似乎存在重大錯誤陳述的情況。

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

基於我們已執行的工作，如果我們認為其他信息存在重大錯誤陳述，我們需要報告該事實。在這方面，我們沒有任何報告。

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

競委會委員就財務報表須承擔的責任

競委會委員須負責根據香港會計師公會頒布的《香港財務報告準則》擬備真實而中肯的財務報表，並對其認為為使財務報表的擬備不存在由於欺詐或錯誤而導致的重大錯誤陳述所需的內部控制負責。

在擬備財務報表時，競委會委員負責評估競委會持續經營的能力，並在適用情況下披露與持續經營有關的事項，以及使用持續經營為會計基礎，除非競委會委員有意將競委會清盤或停止經營，或別無其他實際的替代方案。

RESPONSIBILITIES OF THE COMMISSION MEMBERS FOR THE FINANCIAL STATEMENTS

The Commission Members are responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA and for such internal control as the Commission Members determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Commission Members are responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Commission Members either intend to liquidate the Commission or to cease operations, or have no realistic alternative but to do so.

核數師就審計財務報表承擔的責任

我們的目標，是對財務報表整體是否不存在由於欺詐或錯誤而導致的重大錯誤陳述取得合理保證，並出具包括我們意見的核數師報告。我們是按照項目約定條款的規定，僅向整體委員報告。除此以外，我們的報告不可用作其他用途。我們概不就本報告的內容，對任何其他人士負責或承擔法律責任。

AUDITOR'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL STATEMENTS

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. This report is made solely to you, as a body, in accordance with our agreed terms of engagement, and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report.

獨立核數師報告
致競爭事務委員會委員（續）
INDEPENDENT AUDITOR'S REPORT TO THE COMMISSION MEMBERS OF COMPETITION COMMISSION (CONTINUED)

（依據《競爭條例》於香港成立）
(Established in Hong Kong pursuant to the Competition Ordinance)

合理保證是高水準的保證，但不能保證按照《香港審計準則》進行的審計，在某一重大錯誤陳述存在時總能發現。錯誤陳述可以由欺詐或錯誤引起，如果合理預期它們單獨或滙總起來可能影響財務報表使用者依賴財務報表所作出的經濟決定，則有關的錯誤陳述可被視作重大。

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

在根據《香港審計準則》進行審計的過程中，我們運用了專業判斷，保持了專業懷疑態度。我們亦：

As part of an audit in accordance with HKSAs, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- 識別和評估由於欺詐或錯誤而導致財務報表存在重大錯誤陳述的風險，設計及執行審計程序以應對這些風險，以及獲取充足和適當的審計憑證，作為我們意見的基礎。由於欺詐可能涉及串謀、偽造、蓄意遺漏、虛假陳述，或凌駕於內部控制之上，因此未能發現因欺詐而導致的重大錯誤陳述的風險高於未能發現因錯誤而導致的重大錯誤陳述的風險。

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- 了解與審計相關的內部控制，以設計適當的審計程序，但目的並非對競委會內部控制的有效性發表意見。

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.

- 評價競委會委員所採用會計政策的恰當性及作出會計估計和相關披露的合理性。

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Commission Members.

獨立核數師報告
致競爭事務委員會委員（續）
INDEPENDENT AUDITOR'S REPORT TO THE COMMISSION MEMBERS OF COMPETITION COMMISSION (CONTINUED)

（依據《競爭條例》於香港成立）
(Established in Hong Kong pursuant to the Competition Ordinance)

- 對競委會委員採用持續經營會計基礎的恰當性作出結論。根據所獲取的審計憑證，確定是否存在與事項或情況有關的重大不確定性，從而可能導致對競委會的持續經營能力產生重大疑慮。如果我們認為存在重大不確定性，則有必要在核數師報告中告知使用者注意財務報表中的相關披露。假若有關的披露不足，則我們應當發表非無保留意見。我們的結論是基於核數師報告日止所取得的審計憑證。然而，未來事項或情況可能導致競委會不能持續經營。

- Conclude on the appropriateness of the Commission Members' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.

- 評價財務報表的整體列報方式、結構和內容，包括披露，以及財務報表是否中肯反映交易和事項。

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

除其他事項外，我們與競委會委員溝通了計劃的審計範圍、時間安排、重大審計發現等，包括我們在審計中識別出內部控制的任何重大缺陷。

We communicate with the Commission Members regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

畢馬威會計師事務所
執業會計師

香港中環
遮打道 10 號
太子大廈 8 樓

2021 年 9 月 24 日

KPMG
Certified Public Accountants

8th Floor, Prince's Building
10 Chater Road
Central, Hong Kong

24 September 2021

收支帳目
INCOME AND EXPENDITURE ACCOUNT

截至二零二一年三月三十一日止年度 for the year ended 31 March 2021
(以港幣列示 Expressed in Hong Kong dollars)

	附註 Note	2021 港元 HK$	2020 港元 HK$
收入 Income			
政府補助 Government subventions	3	**127,929,719**	124,352,710
政府補助（訴訟工作） Government litigation subventions	4	**5,168,085**	13,600,330
利息收入 Interest income		**942,312**	1,757,278
其他收入 Other income	5	**-**	1,222,778
		134,040,116	140,933,096
支出 Expenditure			
職員開支 Staff expenses	6	**70,332,725**	64,382,872
執法支出 Enforcement expenses	7	**10,595,015**	29,714,199
宣傳及公眾教育支出 Publicity and public education expenses		**6,943,796**	5,289,235
處所支出 Premises expenses		**2,011,336**	4,000,263
競委會委員酬金 Honorarium to Commission members	16	**4,040,000**	4,080,000
核數師酬金 Auditor's remuneration		**145,000**	138,000
折舊 Depreciation	8	**14,003,552**	11,482,020
其他營運費用 Other operating expenses		**6,029,232**	9,777,300
租賃負債利息 Interest on lease liabilities		**862,265**	1,030,217
		114,962,921	129,894,106
年內盈餘 Surplus for the year		**19,077,195**	11,038,990

第 59 至第 89 頁的附註屬本財務報表的一部分。 The notes on pages 59 to 89 form part of these financial statements.

全面收益表
STATEMENT OF COMPREHENSIVE INCOME

截至二零二一年三月三十一日止年度 for the year ended 31 March 2021
(以港幣列示 Expressed in Hong Kong dollars)

競委會於各呈列的年度期間，除「年內盈餘」以外並無全面收益的組成項目。因此，競委會於兩個年度期間均無分開呈列全面收益表，競委會的「全面收入總額」和「年內盈餘」相同。

The Commission had no components of comprehensive income other than "surplus for the year" in either of the years presented. Accordingly, no separate statement of comprehensive income is presented as the Commission's "total comprehensive income" was the same as the "surplus for the year" in both years.

第 59 至第 89 頁的附註屬本財務報表的一部分。

The notes on pages 59 to 89 form part of these financial statements.

財務狀況表
STATEMENT OF FINANCIAL POSITION

於二零二一年三月三十一日 as at 31 March 2021
(以港幣列示 Expressed in Hong Kong dollars)

	附註 Note	2021 港元 HK$	2020 港元 HK$
非流動資產 Non-current assets			
物業、機器及設備 Property, plant and equipment	8	**35,318,531**	43,351,103
其他應收款、按金及預付款 Other receivables, deposits and prepayments	9	**1,662,360**	1,662,360
		36,980,891	45,013,463
流動資產 Current assets			
其他應收款、按金及預付款 Other receivables, deposits and prepayments	9	**2,005,053**	5,962,763
現金及銀行結存 Cash and bank balances	10(a)	**110,800,344**	103,383,411
		112,805,397	109,346,174
流動負債 Current liabilities			
職員享有權撥備 Provision for staff entitlements	11	**6,845,003**	7,827,028
其他應付款及應計費用 Other payables and accruals	12	**5,311,083**	18,258,097
預收政府補助 Government subventions received in advance	13(a)	**4,059,333**	6,583,698
預收政府補助（訴訟工作） Government litigation subventions received in advance	4	**12,974,058**	-
補助盈餘 Surplus subventions	14(b)	**32,287,742**	29,019,055
租賃負債 Lease liabilities	15	**5,192,721**	5,014,375
		66,669,940	66,702,253
流動資產淨值 Net current assets		**46,135,457**	42,643,921
總資產減流動負債 Total assets less current liabilities		**83,116,348**	87,657,384

第 59 至第 89 頁的附註屬本財務報表的一部分。 The notes on pages 59 to 89 form part of these financial statements.

財務狀況表（續）
STATEMENT OF FINANCIAL POSITION (CONTINUED)

於二零二一年三月三十一日 as at 31 March 2021
(以港幣列示 Expressed in Hong Kong dollars)

	附註 Note	2021 港元 HK$	2020 港元 HK$
非流動負債 Non-current liabilities			
其他應付款及應計費用 Other payables and accruals	12	**4,021,850**	3,823,450
職員享有權撥備 Provision for staff entitlements	11	**1,604,636**	1,438,530
預收政府補助 Government subventions received in advance	13(a)	**11,543,087**	11,571,535
遞延收入 Deferred income	13(b)	**11,777,850**	12,509,837
租賃負債 Lease liabilities	15	**16,712,806**	21,905,527
		45,660,229	51,248,879
資產淨值 Net assets		**37,456,119**	36,408,505
資金 Funds			
儲備資金 Reserve fund	14(a)	**37,456,119**	36,408,505

由競委會委員於 2021 年 9 月 24 日批准及授權刊發。

Approved and authorised for issue by the Commission Members on 24 September 2021.

陳家殷
競委會主席

Samuel CHAN Ka-yan
Chairman of the Commission

第 59 至第 89 頁的附註屬本財務報表的一部分。

The notes on pages 59 to 89 form part of these financial statements.

資金變動表
STATEMENT OF CHANGES IN FUNDS

截至二零二一年三月三十一日止年度 for the year ended 31 March 2021
(以港幣列示 Expressed in Hong Kong dollars)

	儲備資金 Reserve fund 港元 HK$
於 2019 年 4 月 1 日之結餘 Balance at 1 April 2019	**36,180,980**
2019/2020 年度資金變動： Changes in fund for 2019/2020:	
年內盈餘及全面收益總額 Surplus and total comprehensive income for the year	11,038,990
撥入應付政府補助盈餘 Transfer to surplus subventions payable to the Government	(10,811,465)
於 2020 年 3 月 31 日和 2020 年 4 月 1 日之結餘 Balance at 31 March 2020 and 1 April 2020	**36,408,505**
2020/2021 年度資金變動： Changes in fund for 2020/2021:	
本年度盈餘及全面收益總額 Surplus and total comprehensive income for the year	19,077,195
撥入應付政府補助盈餘 Transfer to surplus subventions payable to the Government	(18,029,581)
於2021年3月31日之結餘 Balance at 31 March 2021	**37,456,119**

第 59 至第 89 頁的附註屬本財務報表的一部分。 The notes on pages 59 to 89 form part of these financial statements.

現金流量表
STATEMENT OF CASH FLOWS

截至二零二一年三月三十一日止年度 for the year ended 31 March 2021
(以港幣列示 Expressed in Hong Kong dollars)

	附註 Note	2021 港元 HK$	2020 港元 HK$
營運活動 Operating activities			
年內盈餘 Surplus for the year		**19,077,195**	11,038,990
調整 Adjustments for：			
折舊 Depreciation	8	**14,003,552**	11,482,020
利息收入 Interest income		**(942,312)**	(1,757,278)
租賃負債利息 Interest on lease liabilities		**862,265**	1,030,217
清理物業、機器及設備收益 Gain on disposal of property, plant and equipment	5	**-**	(2,778)
恢復準備撥回 Reversal of reinstatement provision	5	**-**	(1,220,000)
營運資金變動 Changes in working capital：			
其他應收款、按金及預付款減少／（增加） Decrease/(increase) in other receivables, deposits and prepayments		**3,625,266**	(3,339,669)
職員享有權撥備（減少）／增加 (Decrease)/increase in provision for staff entitlements		**(815,919)**	1,652,662
其他應付款和應計費用（減少）／增加 (Decrease)/increase in other payables and accruals		**(12,947,014)**	15,199,707
預收政府補助、遞延收入及補助盈餘（減少）／增加 (Decrease)/increase in Government subventions received in advance, deferred income and surplus subventions		**(18,045,694)**	1,233,335
預收政府補助（訴訟工作）增加／（減少） Increase/(decrease) in Government litigation subventions received in advance		**12,974,058**	(5,092,473)
營運活動所得現金淨額 Net cash generated from operating activities		**17,791,397**	30,224,733

第 59 至第 89 頁的附註屬本財務報表的一部分。 The notes on pages 59 to 89 form part of these financial statements.

現金流量表（續）
STATEMENT OF CASH FLOWS (CONTINUED)

截至二零二一年三月三十一日止年度 for the year ended 31 March 2021
(以港幣列示 Expressed in Hong Kong dollars)

	附註 Note	2021 港元 HK$	2020 港元 HK$
投資活動 Investing activities			
已收利息 Interest received		**1,274,756**	1,690,838
支付購置物業、機器及設備款項 Payment for the purchase of property, plant and equipment		**(5,772,580)**	(16,485,091)
清理物業、機器及設備所得款項 Proceeds from disposal of property, plant and equipment		**-**	18,200
原存款期超過三個月的銀行存款新增 Increase in bank deposits with original maturity over three months		**(16,500,000)**	(1,000,000)
投資活動所用的現金淨額 Net cash used in investing activities		**(20,997,824)**	(15,776,053)
融資活動 Financing activities			
已付租賃租金的資本部分 Capital element of lease rentals paid	10(b)	**(5,014,375)**	(3,866,983)
已付租賃租金的利息部分 Interest element of lease rentals paid	10(b)	**(862,265)**	(1,030,217)
融資活動所用的現金淨額 Net cash used in financing activities		**(5,876,640)**	(4,897,200)
現金及現金等價物（減少）/增加 (Decrease)/increase in cash and cash equivalents		**(9,083,067)**	9,551,480
年初之現金及現金等價物 Cash and cash equivalents at the beginning of the year		**67,383,411**	57,831,931
年末之現金及現金等價物 Cash and cash equivalents at the end of the year	10(a)	**58,300,344**	67,383,411

第 59 至第 89 頁的附註屬本財務報表的一部分。 The notes on pages 59 to 89 form part of these financial statements.

財務報表附註
NOTES TO THE FINANCIAL STATEMENTS

(以港幣列示 Expressed in Hong Kong dollars)

1. 一般資料

競爭事務委員會(「競委會」)為一個根據《競爭條例》(《條例》)(第 619 章)成立的獨立法定團體，以負責執行《條例》。競委會的功能及權限詳載於《條例》第 130 及 131 條。競委會致力推動有利於自由貿易、高效率及創新的競爭環境，冀為消費者帶來更多選擇、更佳價格與更具質素的商品及服務。競委會的註冊辦事處設於香港黃竹坑黃竹坑道 8 號 South Island Place 19 樓。

根據《條例》附表 5 第 22 條，競委會獲豁免《稅務條例》下的徵稅。

2. 主要會計政策

(a) 遵例聲明

本財務報表已根據香港會計師公會頒布的《香港財務報告準則》而編制。此統稱包括所有適用的個別香港財務報告準則，香港會計準則及詮釋，以及香港公認會計原則。競委會所採納之主要會計政策載於下文。

香港會計師公會頒布了若干《香港財務報告準則》的修訂，並於競委會本年度的會計期間開始生效或可供提早採用。競委會初始應用與競委會有關的新訂和經修訂的準則所引致本年度和以往會計期間的任何會計政策變動，已於本財務報表內反映，有關資料載列於附註 2(c)。

1. General information

Competition Commission ("the Commission") is established under the Competition Ordinance ("the Ordinance"), Cap. 619, as an independent statutory body tasked with the functions to enforce the Ordinance. The functions and powers of the Commission are stipulated in Sections 130 and 131 of the Ordinance. The Commission is committed to promoting a competitive environment that is conductive to free flow of trade, efficiency and innovation that brings more choices and better quality and prices of goods and services to consumers. The address of its registered office is 19/F, South Island Place, 8 Wong Chuk Hang Road, Wong Chuk Hang, Hong Kong.

The Commission is exempt from taxation in respect of the Inland Revenue Ordinance in accordance with Schedule 5 of Section 22 of the Ordinance.

2. Significant accounting policies

(a) Statement of compliance

These financial statements have been prepared in accordance with all applicable Hong Kong Financial Reporting Standards ("HKFRSs"), which collective term includes all applicable individual Hong Kong Financial Reporting Standards, Hong Kong Accounting Standards ("HKASs") and Interpretations issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA") and accounting principles generally accepted in Hong Kong. Significant accounting policies adopted by the Commission are disclosed below.

The HKICPA has issued certain amendments to HKFRSs that are first effective or available for early adoption for the current accounting period of the Commission. Note 2(c) provides information on any changes in accounting policies resulting from initial application of these developments to the extent that they are relevant to the Commission for the current and prior accounting periods reflected in these financial statements.

財務報表附註
NOTES TO THE FINANCIAL STATEMENTS

(以港幣列示 Expressed in Hong Kong dollars)

2. 主要會計政策（續）

(b) 財務報表編制基準

本財務報表乃採用歷史成本計量基準編制。

本財務報表是以港元呈列，而港元同樣是競委會的功能貨幣。

在編製符合《香港財務報告準則》的財務報表時，管理層須作出影響會計政策的應用，以及資產、負債、收入和支出的報告數額的判斷、估計和假設。這些估計和相關假設是管理層根據以往經驗和因應當時情況認為合理的各項其他因素作出的，其結果會作為判斷不能從其他途徑顯而得知的資產與負債帳面值的基礎。實際結果可能有別於估計數額。

管理層會不斷審閱各項估計和相關假設。如果會計估計的修訂只是影響某一期間，其影響便會在該期間內確認；如果修訂對當前和未來期間均有影響，則在作出修訂的期間和未來期間確認。

(c) 會計政策變動

香港會計師公會已頒布若干《香港財務報告準則》修訂。有關修訂在競委會本會計期間首次生效。

並無其他變動對競委會於本期間或以往期間的業績及財務狀況的編製或呈報方式造成重大影響。競委會並無採用任何在本會計期間尚未生效的新準則或詮釋。

2. Significant accounting policies (continued)

(b) Basis of preparation of the financial statements

The measurement basis used in the preparation of the financial statements is the historical cost basis.

The financial statements are presented in Hong Kong dollars ("HK$"), which is the same as the functional currency of the Commission.

The preparation of financial statements in conformity with HKFRSs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenditure. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

(c) Changes in accounting policies

The HKICPA has issued certain amendments to HKFRSs that are first effective for the current accounting period of the Commission.

None of the developments have had a material effect on how the Commission's results and financial position for the current or prior periods have been prepared or presented. The Commission has not applied any new standard or interpretation that is not yet effective for the current accounting period.

財務報表附註
NOTES TO THE FINANCIAL STATEMENTS

(以港幣列示 Expressed in Hong Kong dollars)

2. 主要會計政策（續）

(d) 物業、機器及設備

物業、機器及設備，包括相關物業租賃產生的使用權資產（參閱附註 2(e)），乃按成本值扣除累積折舊和累積減值虧損入帳。物業、機器及設備項目之成本包括其購買價值，以及任何使該資產達致其可使用狀況和地點作擬定用途之直接歸屬性成本。在建項目成本包括未完成之資本性項目的成本， 已完成項目的成本會撥入相關的資產類別。維修及保養費用於產生期間在收支項目內扣除。

折舊乃按物業、機器及設備的成本值扣除其估計殘值（如有），再除以其估計可使用年期以直線法撇銷：

租賃物業裝修	按租賃期或三年（以較短者為準）
辦公室設備	三年
電腦硬件及軟件	三年
傢俬及固定裝置	三年
汽車	五年
使用權資產	尚餘租賃期

在建工程在大致上完成及投入運作前不作折舊。

資產的可使用期限及殘值（如有）會於每年予以檢討。

2. Significant accounting policies (continued)

(d) Property, plant and equipment

Property, plant and equipment, including right-of-use assets arising from leases of underlying property (see note 2(e)) are stated at cost less accumulated depreciation and impairment losses. The cost of an item of property, plant and equipment comprises its purchase price and any directly attributable costs of bringing the asset to its working condition and location for its intended use. The costs of project-in-progress comprise expenditure of capital projects not yet completed. Costs of completed projects are transferred to the appropriate asset category. Repairs and maintenance are charged to the income and expenditure account during the period in which they are incurred.

Depreciation is calculated to write off the cost of items of property, plant and equipment, less their estimated residual value, if any, using the straight-line method over their estimated useful lives as follows:

Leasehold improvements	Shorter of the lease term or 3 years
Office equipment	3 years
Computer hardware and software	3 years
Furniture and fixtures	3 years
Motor vehicles	5 years
Right-of-use assets	Over the unexpired term of lease

No provision for depreciation is made for project-in-progress until such time when the assets are substantially completed and ready for use.

Both the useful life of an asset and its residual value, if any, are reviewed annually.

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2. 主要會計政策（續）

(d) 物業、機器及設備（續）

競委會在每個呈報期末審閱物業、機器及設備的帳面值，以確定有否減值跡象。若資產或其所歸屬的現金產生單位的帳面值超過可收回金額，減值虧損會在收支項目中確認。資產或所附屬的現金產生單位的可回收金額是其公允值減清理費用與使用價值兩者中的較高額。在評估使用值時，估計未來現金流量會按折現率折現至現值，而該折現率應反映市場當時所評估的貨幣時間價值和該資產的獨有風險。假如用以釐定可回收數額的估計基準出現利好的變化，有關的減值虧損便會撥回。

報廢或出售任何物業、機器及設備所產生的損益以出售所得淨額與資產的帳面值之間的差額釐定，並於報廢或出售日在收支項目中確認入帳。

(e) 租賃資產

競委會於合約開始時對合約進行評估，確定該合約是否為一項租賃或者包含一項租賃。倘在一段時間內，合約為換取對價而讓渡一項可識別資產使用的控制權，則該合約為一項租賃或包含一項租賃。若客戶不但擁有主導被識別資產使用的權利，還有權獲得使用被識別資產所產生的幾乎全部經濟利益，則資產的控制權發生讓渡。

2. Significant accounting policies (continued)

(d) Property, plant and equipment (continued)

The carrying amounts of property, plant and equipment are reviewed for indications of impairment at the end of each reporting period. An impairment loss is recognised in the income and expenditure account if the carrying amount of an asset, or the cash-generating unit to which it belongs, exceed its recoverable amount. The recoverable amount of an asset, or of the cash-generating unit to which it belongs, is the greater of its fair value less costs of disposal and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a discount rate that reflects current market assessments of the time value of money and the risks specific to the assets. An impairment loss is reversed if there has been a favourable change in the estimates used to determine the recoverable amount.

Gains or losses arising from the retirement or disposal of an item of property, plant and equipment are determined as the difference between the net disposal proceeds and the carrying amount of the item and are recognised in the income and expenditure account on the date of retirement or disposal.

(e) Leased assets

At inception of a contract, the Commission assesses whether the contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. Control is conveyed where the customer has both the right to direct the use of the identified asset and to obtain substantially all of the economic benefits from that use.

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(以港幣列示 Expressed in Hong Kong dollars)

2. 主要會計政策（續）

(e) 租賃資產（續）

作為承租人

於租賃開始日，競委會確認使用權資產和租賃負債，租賃期少於或等於 12 個月的短期租賃和低價值資產租賃除外。當競委會就一項低價值資產訂立了一項租賃安排，競委會以每一項租賃為基礎決定是否將該租賃予以資本化。至於未進行資本化的租賃相關的租賃付款額會於整個租賃期內系統地確認為費用。

若租賃被資本化，租賃負債按照租賃期內的應付租賃付款額按租賃內含利率（若租賃內含利率無法直接確定，則使用相關的增量借款利率）折現後的現值進行初始確認。初始確認後，租賃負債按攤銷成本計量，並採用實際利率法計算利息費用。不取決於指數或比率的可變租賃付款額不納入租賃負債的計量，因此在其發生的會計期間內在收益帳中扣除。

在資本化租賃時確認的使用權資產按成本初始計量。使用權資產的成本包括租賃負債的初始金額，加上在租賃期開始日或之前支付的租賃付款額以及已發生的初始直接費用。在適用情況下，使用權資產的成本還包括拆卸及移除相關資產、復原相關資產或其所在場所估計將發生的成本折現後的現值，減去收到的租賃優惠。使用權資產以成本減去累計折舊和減值虧損（參閱附註 2(d)）後入帳。

2. Significant accounting policies (continued)

(e) Leased assets (continued)

As a lessee

At the lease commencement date, the Commission recognises a right-of-use asset and a lease liability, except for short-term leases that have a lease term of 12 months or less and leases of low-value assets. When the Commission enters into a lease in respect of a low-value asset, the Commission decides whether to capitalise the lease on a lease-by-lease basis. The lease payments associated with those leases which are not capitalised are recognised as an expense on a systematic basis over the lease term.

Where the lease is capitalised, the lease liability is initially recognised at the present value of the lease payments payable over the lease term, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, using a relevant incremental borrowing rate. After initial recognition, the lease liability is measured at amortised cost and interest expense is calculated using the effective interest method. Variable lease payments that do not depend on an index or rate are not included in the measurement of the lease liability and hence are charged to income and expenditure account in the accounting period in which they are incurred.

The right-of-use asset recognised when a lease is capitalised is initially measured at cost, which comprises the initial amount of the lease liability plus any lease payments made at or before the commencement date, and any initial direct costs incurred. Where applicable, the cost of the right-of-use assets also includes an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located, discounted to their present value, less any lease incentives received. The right-of-use asset is subsequently stated at cost less accumulated depreciation and impairment losses (see notes 2(d)).

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2. 主要會計政策（續）

(e) 租賃資產（續）

倘指數或比率變化導致未來租賃付款額發生變動，或者競委會根據餘值擔保估計的應付金額發生變動，或者對於競委會是否合理確定將行使購買、續租或終止租賃選擇權的重估結果發生變化，則應重新計量租賃負債。倘在這種情況下重新計量租賃負債，應對使用權資產的帳面值作出相應調整；倘使用權資產的帳面金額已減至零，則將相關調整計入收支項目中。

當租賃範圍或並非作為單獨租賃列賬的租賃合約本應計提的租賃對價發生變化（「租賃修改」）時，便會重新計量租賃負債。在這種情況下，租賃負債是根據修改後的租賃付款額和租賃期並透過使用修改生效日的經修訂折現率重新計量。

財務狀況表中，競委會在「物業、機器及設備」項目下列示使用權資產，並分別列示租賃負債。

(f) 應收款

應收款於競委會擁有無條件接納價款之權利時確認。假若僅在該價款到期之前需要經過一段時間支付，獲得該價款的權利會被視為無條件的。

應收款採用實際利息法減去信貸損失準備，按攤銷成本列示，具體如下：

2. Significant accounting policies (continued)

(e) Leased assets (continued)

The lease liability is remeasured when there is a change in future lease payments arising from a change in an index or rate, or there is a change in the Commission's estimate of the amount expected to be payable under a residual value guarantee, or there is a change arising from the reassessment of whether the Commission will be reasonably certain to exercise a purchase, extension or termination option. When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in income and expenditure if the carrying amount of the right-of-use asset has been reduced to zero.

The lease liability is also remeasured when there is a change in the scope of a lease or the consideration for a lease that is not originally provided for in the lease contract ("lease modification") that is not accounted for as a separate lease. In this case the lease liability is remeasured based on the revised lease payments and lease term using a revised discount rate at the effective date of the modification.

In the statement of financial position, the Commission presents right-of-use assets within "property, plant and equipment" and presents lease liabilities separately.

(f) Receivables

A receivable is recognised when the Commission has an unconditional right to receive consideration. A right to receive consideration is unconditional if only the passage of time is required before payment of that consideration is due.

Receivables are stated at amortised cost using the effective interest method less allowance for credit losses as determined below:

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2. 主要會計政策（續）

(f) 應收款（續）

損失準備的計量金額與整個限期的預期信用損失相等，即在應收款預計生命週期內預計發生的損失。該損失準備之估量是基於競委會歷史信用損失經驗的撥備矩陣進行，並根據債務人特有的因素進行調整，同時對報告日當前和預測的整體經濟狀況進行評估。

至於所有其他金融工具，競委會會為等同於12個月預期信用損失額作損失準備，除非金融工具的信用風險自初始確認後大幅增加，為此，損失準備將按等同於整個生命週期的預期信用損失的金額計量。

預期信用損失在每個報告日重新計量，其金額的任何變動均在損益中確認為減值收益或虧損。競委會確認減值收益或虧損，並通過損失準備帳戶對其帳面值進行相應調整。

應收款的帳面總值在沒有實際可收回的情況下予以撇銷（部分或全部）。當競委會確定債務人沒有資產或收入來源可以產生足夠的現金流來償還撇銷金額時，通常就屬於這種情況。

(g) 應付款

應付款初值按公允價值確認，其後按攤銷成本列帳；除非在折現的影響非常微小時，則按成本列帳。

2. Significant accounting policies (continued)

(f) Receivables (continued)

The loss allowance is measured at an amount equal to lifetime expected credit losses ("ECLs"), which are those losses that are expected to occur over the expected life of the receivables. The loss allowance is estimated using a provision matrix based on the Commission's historical credit loss experience, adjusted for factors that are specific to the debtors and an assessment of both the current and forecast general economic conditions at the reporting date.

For all other financial instruments, the Commission recognises a loss allowance equal to 12-month ECLs unless there has been a significant increase in credit risk of the financial instrument since initial recognition, in which case the loss allowance is measured at an amount equal to lifetime ECLs.

ECLs are remeasured at each reporting date with any changes recognised as an impairment gain or loss in profit or loss. The Commission recognises an impairment gain or loss with a corresponding adjustment to the carrying amount of receivables through a loss allowance account.

The gross carrying amount of receivable is written off (either partially or in full) to the extent that there is no realistic prospect of recovery. This is generally the case when the Commission determines that the debtor does not have assets or sources of income that could generate sufficient cash flows to repay the amounts subject to the write-off.

(g) Payables

Payables are initially recognised at fair value and subsequently stated at amortised cost unless the effect of discounting would be immaterial, in which case they are stated at cost.

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2. 主要會計政策（續）

(h) 現金及現金等價物

現金及現金等價物包括銀行存款及現金、存放於銀行及其他財務機構的活期存款，及短期和高流動性的投資，此等投資可隨時換算為已知的現金額，價值變動的風險不大，及於存放後三個月內到期。

(i) 僱員福利

(i) 僱員假期、約滿酬金及其他享有權

僱員可享有的年假、約滿酬金和其他享有權在該等福利累計時確認。因僱員已提供服務而產生的未放取年假、約滿酬金及其他享有權於呈報期末已作出撥備。

僱員可享有的病假、分娩假及侍產假於僱員休假時方予確認。

僱員福利支出會在相關服務提供時按累計基準確認為開支。

(ii) 定額供款退休計劃

競委會已加入一個於《強制性公積金計劃條例》下成立的強制性公積金計劃。

強制性公積金計劃之供款責任於產生時在收支項目內確認。於供款後，競委會概無其他付款的責任。該計劃之資產與競委會之資產分開存放，為一項由獨立信託人管理的基金。

2. Significant accounting policies (continued)

(h) Cash and cash equivalents

Cash and cash equivalents comprise cash at bank and in hand, demand deposits with banks and other financial institutions, and short-term, highly liquid investments that are readily convertible into known amounts of cash and which are subject to an insignificant risk of changes in value, having been within three months of maturity at acquisition.

(i) Employee benefits

(i) Employee leave, gratuity and other entitlements

Employee entitlements to annual leave, gratuity and other entitlements are recognised when they accrue to employees. A provision is made for the estimated liability for untaken annual leave, gratuity and other entitlements as a result of services rendered by employees up to the year end date.

Employee entitlements to sick leave, maternity leave and paternity leave are not recognised until the time of leave.

Employee benefit expenses are charged as expense on an accrual basis in the period in which the associated services are rendered.

(ii) Defined contribution retirement scheme

The Commission has joined and made contributions to a mandatory provident fund scheme established under the Mandatory Provident Fund Schemes Ordinance.

The obligations for contributions to mandatory provident fund scheme are recognised as an expense in the income and expenditure account as incurred. The Commission has no further payment obligation once the contributions have been paid. The assets of the scheme are held separately from those of the Commission in an independently trustee-administered fund.

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2. 主要會計政策（續）

(j) 撥備及或有負債

競委會須就已發生的事件承擔法律或推定責任，而履行該責任預期會導致含有經濟效益的資源外流，並且可作可靠的估計，便會計提撥備。如果貨幣時間值重大，則撥備會按預計履行責任所需資源的現值列帳。

假如含有經濟效益的資源外流的可能性較低，或是無法對有關數額作出可靠的估計，該責任便會披露為或有負債，但如果資源外流的可能性極低則除外。須視乎會否發生某宗或多宗未來事件才能確定存在與否的責任，亦會披露為或有負債，但如果資源外流的可能性極低則除外。

(k) 收入的確認

競委會收入確認政策詳情如下：

(i) 政府補助

如能合理確定將收到政府補助、且競委會將會遵照附帶條件時，該政府補助會被初始確認。如該政府補助為補償競委會開支者，則在該等開支產生期間在收支帳目內有序地確認為收入。如該政府補助為指定項目者，則該補助會遞延至該指定項目相關的開支產生的期間於收支帳目中確認。通過政府補助獲取的特定用途物業、機器及設備產生的遞延收入，根據相關資產的折舊政策在競委會的收支帳目中確認。

2. Significant accounting policies (continued)

(j) Provisions and contingent liabilities

Provisions are recognised when the Commission has a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. When the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

(k) Income recognition

Details of the Commission's income recognition policies are as follows:

(i) Government subventions

Government subventions are recognised initially when there is reasonable assurance that they will be received and that the Commission will comply with the conditions attaching to them. Government subventions that compensate the Commission for expenses incurred are recognised as income in the income and expenditure account on a systematic basis in the same periods in which the expenses are incurred. Government subventions relating to expenditure for specific projects are deferred and recognised in the income and expenditure account over the period necessary to match them with the expenses that they are intended to compensate. Deferred income arising from property, plant and equipment for specific use acquired through Government subventions is recognised in the Commission's income and expenditure account in accordance with the depreciation policies of the related assets.

財務報表附註
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2. 主要會計政策（續）

(k) 收入的確認（續）

(ii) 申請費收入

申請費收入數額僅確認至已發生並有可能收回的成本。

(iii) 利息收入

利息收入按照實際利率法累計確認，該方法使用將在金融資產的預期使用壽命內估計的未來現金收入準確折現至該金融資產帳面總值的比率。

(l) 借貸成本

直接歸屬於需要長時間才可以投入擬定用途或銷售的資產收購、建造或生產的借貸成本，則予以資本化為該資產成本的一部分。其他借貸成本於產生期間列支。

(m) 關聯人士

(i) 該人士或該近親家庭成員會被視為競委會的關聯人士，假若該人士：

(a) 對競委會有控制或共同控制；

(b) 對競委會有重大影響力；或

(c) 為競委會的主要管理成員

2. Significant accounting policies (continued)

(k) Income recognition (continued)

(ii) Application fee income

Application fee income is recognised only to the extent of the costs incurred that it is probable to be recoverable.

(iii) Interest income

Interest income is recognised as it accrues under the effective interest method, using the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset to the gross carrying amount of the financial asset.

(l) Borrowing costs

Borrowing costs that are directly attributable to the acquisition, construction or production of an asset which necessarily takes a substantial period of time to get ready for its intended use or sale are capitalised as part of the cost of that asset. Other borrowing costs are expensed in the period in which they are incurred.

(m) Related parties

(i) A person, or a close member of that person's family, is related to the Commission if that person:

(a) has control or joint control over the Commission;

(b) has significant influence over the Commission; or

(c) is a member of the key management personnel of the Commission.

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2. 主要會計政策（續）

(m) 關聯人士（續）

(ii) 在以下任何情況下，一實體會被視為與競委會有關聯：

(a) 該實體與競委會為同一集團成員（指每個母公司，附屬公司及同系附屬公司之間互有關聯）。

(b) 一實體是另一實體的聯營公司或合營公司（或該聯營公司或合營公司與該另一實體均屬同一集團）。

(c) 兩個實體是同一第三者的合營公司。

(d) 一實體是一第三者的合營公司而另一實體則是該第三者的聯營公司。

(e) 該實體是提供僱員離職後之福利計劃予競委會或與競委會有關聯之實體的僱員。

(f) 該實體受在 (m)(i) 項中所辨別的人士所控制或共同控制。

(g) 在 (m)(i)(a) 項中所辨別的人士而該人士對該實體有重大影響力，或該人士是該實體（或是該實體的母公司）的主要管理人員之成員。

(h) 該實體、或其所屬的一家集團的任何成員向競委會提供主要管理人員服務。

2. Significant accounting policies (continued)

(m) Related parties (continued)

(ii) An entity is related to the Commission if any of the following conditions applies:

(a) The entity and the Commission are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).

(b) One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member).

(c) Both entities are joint ventures of the same third party.

(d) One entity is a joint venture of a third entity and the other entity is an associate of the third entity.

(e) The entity is a post-employment benefit plan for the benefit of employees of either the Commission or an entity related to the Commission.

(f) The entity is controlled or jointly-controlled by a person identified in (m)(i).

(g) A person identified in (m)(i)(a) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).

(h) The entity, or any member of a group of which it is a part, provides key management personnel services to the Commission.

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2. 主要會計政策（續）

(m) 關聯人士（續）

該人士的家族近親成員指在其與實體交易中預期可能影響該人士或受該人士影響的家庭成員。

2. Significant accounting policies (continued)

(m) Related parties (continued)

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity.

3. 政府補助

政府補助乃指香港特別行政區政府（「政府」）對競委會的撥款，以履行《條例》實施的職責。在年內獲批的政府補助與在收支帳目內確認的政府補助對帳表如下：

3. Government subventions

Government subventions represent the funds granted by the Government of the Hong Kong Special Administrative Region ("the Government") for the Commission to discharge its duties under the Ordinance. Reconciliation between Government subventions granted for the year and Government subventions recognised in the income and expenditure account during the year is as follows:

	2021			
	經常補助 Recurrent subventions 港元 HK$	非經常補助 *Non-recurrent subventions* 港元 HK$	補助盈餘 Surplus subventions 港元 HK$	合計 Total 港元 HK$
本年內獲發之政府補助 Government subvention granted for the year	120,496,000	199,490	-	120,695,490
往年獲取並於年內確認的政府補助（附註13(a)） Government subventions received in prior years and recognised during the year (Note 13(a))	1,515,755	223,509	-	1,739,264
於年內獲批並在收支帳目內確認的補助盈餘（附註14(b)） Surplus subvention approved and recognised in the income and expenditure account during the year (note 14(b))	-	-	2,223,341	2,223,341
遞延收入攤銷（附註13(b)） Amortisation of deferred income (Note 13(b))	717,067	4,788,133	576,424	6,081,624
撥入預收政府補助（附註13(a)） Transfer to Government subventions received in advance (Note 13(a))	(2,810,000)	-	-	(2,810,000)
在收支帳目內確認的政府補助 Government subventions recognised in the income and expenditure account	**119,918,822**	**5,211,132**	**2,799,765**	**127,929,719**

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(以港幣列示 Expressed in Hong Kong dollars)

3. 政府補助（續） 3. Government subventions (continued)

	2020			
	經常補助 Recurrent subventions 港元 HK$	非經常補助 Non-recurrent subventions 港元 HK$	補助盈餘 Surplus subventions 港元 HK$	合計 Total 港元 HK$
本年內獲發之政府補助 Government subvention granted for the year	119,224,000	11,930,000	-	131,154,000
往年獲取並於年內確認的政府補助（附註13(a)） Government subventions received in prior years and recognised during the year (Note 13(a))	1,589,252	1,709,916	-	3,299,168
於年內獲批並在收支帳目內確認的補助盈餘（附註 14(b)） Surplus subvention approved and recognised in the income and expenditure account during the year (note 14(b))	-	-	479,728	479,728
遞延收入攤銷（附註 13(b)） Amortisation of deferred income (Note 13(b))	396,236	3,026,504	141,074	3,563,814
撥入預收政府補助（附註13(a)） Transfer to Government subventions received in advance (Note 13(a))	(2,214,000)	(11,930,000)	-	(14,144,000)
在收支帳目內確認的政府補助 Government subventions recognised in the income and expenditure account	**118,995,488**	**4,736,420**	**620,802**	**124,352,710**

4. 政府補助（訴訟工作） 4. Government litigation subventions

	2021 港元 HK$	2020 港元 HK$
於年內收到 / 應收的政府補助（訴訟工作） Government litigation subventions received / receivable for the year	**18,142,143**	8,507,857
往年獲取並於年內確認的政府補助（訴訟工作） Government litigation subventions received in prior years and recognised during the year	**-**	5,092,473
撥入預收政府補助（訴訟工作） Transfer to Government litigation subventions received in advance	**(12,974,058)**	-
在收支帳目內確認的政府補助（訴訟工作） Government litigation subventions recognised in the income and expenditure account	**5,168,085**	13,600,330

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5. 其他收入 5. Other income

	2021 港元 HK$	2020 港元 HK$
清理物業、機器及設備收益 Gain on disposal of property, plant and equipment	-	2,778
恢復準備撥回 Reversal of reinstatement provision	-	1,220,000
	-	1,222,778

6. 職員開支 6. Staff expenses

	2021 港元 HK$	2020 港元 HK$
薪金及其他福利 Salaries and other benefits	**69,185,925**	63,348,463
強制性公積金計劃之供款 Contributions to mandatory provident fund scheme	**1,146,800**	1,034,409
	70,332,725	64,382,872

7. 執法支出 7. Enforcement expenses

	2021 港元 HK$	2020 港元 HK$
調查支出 Investigation expenses	**4,696,930**	15,980,673
訴訟支出 Litigation expenses	**5,168,085**	13,600,330
其他 Others	**730,000**	133,196
	10,595,015	29,714,199

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8. 物業、機器及設備 8. Property, plant and equipment

	租賃物業裝修 Leasehold improvements 港元 HK$	辦公室設備 Office equipment 港元 HK$	電腦硬件及軟件 Computer hardware and software 港元 HK$	傢俬及固定裝置 Furniture and fixtures 港元 HK$	汽車 Motor vehicles 港元 HK$	在建項目 Project-in-progress 港元 HK$	使用權資產 Right-of-use assets 港元 HK$	合計 Total 港元 HK$
成本 Cost								
於2019年4月1日 At 1 April 2019	9,027,736	1,529,625	17,652,774	587,213	285,677	261,075	-	29,344,100
購置 Additions	14,002,537	1,604,591	2,537,688	110,888	-	2,052,837	30,786,885	51,095,426
清理 Disposals	(8,970,304)	(603,315)	(2,392,807)	(488,145)	-	-	-	(12,454,571)
撥入 Transfer	61,275	-	71,800	-	-	(133,075)	-	-
於2020年3月31日 At 31 March 2020	14,121,244	2,530,901	17,869,455	209,956	285,677	2,180,837	30,786,885	67,984,955
累計折舊 Accumulated depreciation								
於2019年4月1日 At 1 April 2019	8,901,283	1,486,942	14,348,399	578,204	276,153	-	-	25,590,981
折舊 Charges	3,974,869	246,339	2,084,064	36,076	9,524	-	5,131,148	11,482,020
清理時撥回 Written back on disposals	(8,970,304)	(597,765)	(2,386,670)	(484,410)	-	-	-	(12,439,149)
於2020年3月31日 At 31 March 2020	3,905,848	1,135,516	14,045,793	129,870	285,677	-	5,131,148	24,633,852
帳面值 Carrying amount								
於2020年3月31日 At 31 March 2020	10,215,396	1,395,385	3,823,662	80,086	-	2,180,837	25,655,737	43,351,103

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(以港幣列示 Expressed in Hong Kong dollars)

8. 物業、機器及設備（續） 8. Property, plant and equipment (continued)

	租賃物業裝修 Leasehold improvements 港元 HK$	辦公室設備 Office equipment 港元 HK$	電腦硬件及軟件 Computer hardware and software 港元 HK$	傢俬及固定裝置 Furniture and fixtures 港元 HK$	汽車 Motor vehicles 港元 HK$	在建項目 Project-in-progress 港元 HK$	使用權資產 Right-of-use assets 港元 HK$	合計 Total 港元 HK$
成本 Cost								
於2020年4月1日 At 1 April 2020	14,121,244	2,530,901	17,869,455	209,956	285,677	2,180,837	30,786,885	67,984,955
購置 Additions	459,450	313,540	2,453,439	-	-	2,744,551	-	5,970,980
清理 Disposals	-	(26,080)	(1,938)	(2,268)	-	-	-	(30,286)
撥入 Transfer	-	-	3,825,887	-	-	(3,825,887)	-	-
於2021年3月31日 At 31 March 2021	14,580,694	2,818,361	24,146,843	207,688	285,677	1,099,501	30,786,885	73,925,649
累計折舊 Accumulated depreciation								
於2020年4月1日 At 1 April 2020	3,905,848	1,135,516	14,045,793	129,870	285,677	-	5,131,148	24,633,852
折舊 Charges	4,861,633	577,998	3,395,806	36,963	-	-	5,131,152	14,003,552
清理時撥回 Written back on disposals	-	(26,080)	(1,938)	(2,268)	-	-	-	(30,286)
於2021年3月31日 At 31 March 2021	8,767,481	1,687,434	17,439,661	164,565	285,677	-	10,262,300	38,607,118
帳面值 Carrying amount								
於2021年3月31日 At 31 March 2021	5,813,213	1,130,927	6,707,182	43,123	-	1,099,501	20,524,585	35,318,531

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(以港幣列示 Expressed in Hong Kong dollars)

8. 物業、機器及設備（續）

使用權資產

按相關資產分類對使用權資產的帳面淨值分析載列如下：

	2021 港元 HK$	2020 港元 HK$
以折舊成本入帳的持作自用物業 Properties leased for own use, carried at depreciated cost	**20,524,585**	25,655,737

與確認於損益的租賃相關的支出項目分析載列如下：

	2021 港元 HK$	2020 港元 HK$
持作自用物業使用權資產的折舊費用 Depreciation charge of right-of-use assets of properties leased for own use	**5,131,152**	5,131,148
租賃負債利息 Interest on lease liabilities	**862,265**	1,030,217
與短期租賃有關的費用 Expense relating to short-term leases	**-**	1,752,000

截至二零二零年三月三十一日止年度，新增使用權資產達到 30,786,885 元，僅與新租約產生的資本化應付租賃付款額有關。本年度並無購置使用權資產。

租賃產生的現金流出總額詳情，租賃負債的到期分析，以及尚未開始的租賃所產生的未來現金流出詳情分別於附註 10(c) 和附註 15 載列。

8. Property, plant and equipment (continued)

Right-of-use assets

The analysis of the net book value of right-of-use assets by class of underlying asset is as follows:

	2021 港元 HK$	2020 港元 HK$
以折舊成本入帳的持作自用物業 Properties leased for own use, carried at depreciated cost	**20,524,585**	25,655,737

The analysis of expense items in relation to leases recognised in profit or loss is as follows:

	2021 港元 HK$	2020 港元 HK$
持作自用物業使用權資產的折舊費用 Depreciation charge of right-of-use assets of properties leased for own use	**5,131,152**	5,131,148
租賃負債利息 Interest on lease liabilities	**862,265**	1,030,217
與短期租賃有關的費用 Expense relating to short-term leases	**-**	1,752,000

During the year ended 31 March 2020, addition to right-of-use assets were $30,786,885, solely related to the capitalised lease payments payable under new tenancy agreement. No addition to right-of-use assets for the current year.

Details of total cash outflow for leases, the maturity analysis of lease liabilities and the future cash outflows arising from leases that are not yet commenced are set out in notes 10(c) and 15 respectively.

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9. 其他應收款、按金及預付款 9. Other receivables, deposits and prepayments

	2021 *港元 HK$*	2020 *港元 HK$*
其他應收款 Other receivables	**80,768**	463,268
應收政府補助（訴訟工作） Government litigation subventions receivable	**-**	4,457,857
應收非經常補助 Non-recurrent subventions receivable	**199,490**	-
按金及預付款 Deposits and prepayments	**3,387,155**	2,703,998
	3,667,413	7,625,123
表示 Represented by：		
流動部分 Current portion	**2,005,053**	5,962,763
非流動部分 Non-current portion	**1,662,360**	1,662,360
	3,667,413	7,625,123

競委會的所有流動資產項下的其他應收款、按金及預付款預計於一年內收回或確認為費用。

All of the Commission's other receivables, deposits and prepayments under current assets are expected to be recovered or recognised as expenses within one year.

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10. 現金及銀行結存

(a) 現金及現金等價物包括：

	2021 港元 HK$	2020 港元 HK$
現金及銀行結存 Cash and bank balances	**49,300,344**	39,383,411
原存款期不超過三個月的短期銀行存款 Short-term bank deposits with original maturity not more than three months	**9,000,000**	28,000,000
現金及現金等價物 Cash and cash equivalents	**58,300,344**	67,383,411
原存款期超過三個月的銀行存款 Bank deposits with original maturity over three months	**52,500,000**	36,000,000
	110,800,344	103,383,411

(b) 融資活動產生的負債的對帳

下表詳述競委會來自融資活動的負債變動，包括現金及非現金變動。融資活動產生的負債為現金流量或未來現金流量將在競委會的現金流量表中分類為融資活動現金流量。

10. Cash and bank balances

(a) Cash and cash equivalents comprise:

(b) Reconciliation of liabilities arising from financing activities:

The table below details changes in the Commission's liabilities from financing activities, including both cash and non-cash changes. Liabilities arising from financing activities are liabilities for which cash flows were, or future cash flows will be, classified in the statement of cash flows as cash flows from financing activities.

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(以港幣列示 Expressed in Hong Kong dollars)

10. 現金及銀行結存（續） 10. Cash and bank balances (continued)

	租賃負債 Lease liabilities (附錄 Note 15) 港元 HK$
於2019年4月1日 At 1 April 2019	-
融資現金流之變動 Changes from financing cash flows:	
已付租賃租金的資本部分 Capital element of lease rentals paid	(3,866,983)
已付租賃租金的利息部分 Interest element of lease rentals paid	(1,030,217)
融資現金流的變動總額 Total changes from financing cash flows	(4,897,200)
其他變動 Other changes:	
利息支出 Interest expenses	1,030,217
經營租賃資本化（附註8） Capitalisation of operating leases (note 8)	30,786,885
其他變動總額 Total other changes	31,817,102
於 2020 年 3 月 31 日及 2020 年 4 月 1 日 At 31 March 2020 and 1 April 2020	26,919,902
融資現金流之變動 Changes from financing cash flows：	
已付租賃租金的資本部分 Capital element of lease rentals paid	(5,014,375)
已付租賃租金的利息部分 Interest element of lease rentals paid	(862,265)
融資現金流的變動總額 Total changes from financing cash flows	(5,876,640)
其他變動 Other changes :	
利息支出 Interest expenses	862,265
於 2021 年 3 月 31 日 At 31 March 2021	21,905,527

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10. 現金及銀行結存（續）

10. Cash and bank balances (continued)

(c) 租賃現金流出總額

(c) Total cash outflow for leases

計入現金流量表的租賃金額包括：

Amounts included in the cash flow statement for leases comprise the following:

	2021 港元 HK$	2020 港元 HK$
經營現金流內 Within operating cash flows	-	1,752,000
融資現金流內 Within financing cash flows	**5,876,640**	4,897,200
	5,876,640	6,649,200

11. 職員享有權撥備

11. Provision for staff entitlements

	2021 港元 HK$	2020 港元 HK$
年初 At the beginning of the year	**9,265,558**	7,612,896
撥備 Provisions made	**7,965,386**	6,645,592
取消 Forfeitures	**(230,021)**	(150,863)
已支付及使用之金額 Amounts paid and utilised	**(8,551,284)**	(4,842,067)
年末 At the end of the year	**8,449,639**	9,265,558
減：流動部分 Less: Current portion	**(6,845,003)**	(7,827,028)
非流動部分 Non-current portion	**1,604,636**	1,438,530

職員約滿酬金撥備是為支付競委會職員於合約期間或合約期末實現合約要求而得的約滿酬金、未放取年假及其他僱員享有權而設立。

Provision for staff entitlements is set up for gratuity payments, unutilised annual leave and other staff-related benefits which will be payable to employees of the Commission upon their fulfilment during the contract period or at end of the contract period.

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12. 其他應付款及應計費用 12. Other payables and accruals

	2021 港元 HK$	2020 港元 HK$
其他應付款 Other payables	**335,384**	7,454,387
應計費用 Accrued expenses	**4,747,387**	10,641,795
其他 Others	**4,250,162**	3,985,365
	9,332,933	22,081,547
表示 Represented by：		
流動部分 Current portion	**5,311,083**	18,258,097
非流動部分 Non-current portion	**4,021,850**	3,823,450
	9,332,933	22,081,547

所有流動負債項下的其他應付款及應計費用預計於一年內結清。

All of the other payables and accruals under current liabilities are expected to be settled within one year.

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13. 預收政府補助及遞延收入

13. Government subventions received in advance and deferred income

(a) 預收政府補助

(a) Government subventions received in advance

	2021 港元 HK$	2020 港元 HK$
年初 At the beginning of the year	**18,155,233**	21,631,835
於收支帳目內確認的金額（附註 3） Amount recognised in income and expenditure account (Note 3)	**(1,739,264)**	(3,299,168)
於年內收到並須於12個月內確認的補助（附註 3） Subventions received during the year and to be recognised within 12 months (Note 3)	**2,810,000**	14,144,000
撥入遞延收入（附註13(b)） Transfer to deferred income (Note 13(b))	**(3,623,549)**	(14,321,434)
年末 At the end of the year	**15,602,420**	18,155,233
表示 Represented by：		
流動部分 Current portion	**4,059,333**	6,583,698
非流動部分 Non-current portion	**11,543,087**	11,571,535
	15,602,420	18,155,233

預收政府補助是關於各個已核准作指定用途但於呈報期末後始進行的項目而預收的款項，此等款項會遞延入帳及在相關項目支出產生的期間有序地在收支帳目內確認為收入。

Government subventions received in advance represent subventions received in connection with expenditure to be incurred after the end of the reporting period for specific uses and are deferred and recognised as income in the income and expenditure account on a systematic basis in the same period in which the expenditure is incurred.

非流動部分結存指政府於二零一四年二月十日就基礎工作研究以及支援和強化初始設置而提供的額外一次性資金，而截至報告期末尚未使用。

The balance under non-current portion represents an additional one-off funding granted by the Government on 10 February 2014 for conducting groundwork research and one-off expenses to support and strengthen the Commission's initial set-up, which remains unutilised at the end of the reporting period.

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13. 預收政府補助及遞延收入（續）

(b) 遞延收入

13. Government subventions received in advance and deferred income (continued)

(b) Deferred income

	2021 港元 HK$	2020 港元 HK$
年初 At the beginning of the year	**12,509,837**	-
撥自預收政府補助（附註13(a)） Transfer from Government subventions received in advance (Note 13(a))	**3,623,549**	14,321,434
撥自補助盈餘（附註14(b)） Transfer from surplus subventions (Note 14(b))	**1,726,088**	1,752,217
年內攤銷（附註3） Amortisation for the year (Note 3)	**(6,081,624)**	(3,563,814)
年末 At the end of the year	**11,777,850**	12,509,837

遞延收入結存指由政府補助資助的指定資產的價值，相應的金額被資本化為物業、機器及設備。該遞延收入在收支帳中確認為收入，以抵銷所購置相關資產的折舊費用。

The balance of deferred income represents the value of specific assets financed by the Government subventions with corresponding amounts capitalised as property, plant and equipment. Such deferred income is recognised as income in the income and expenditure account to offset against the charges of depreciation of the relevant assets acquired.

14. 儲備資金和補助盈餘

(a) 儲備資金

儲備資金可作一般用途，並由競委會自主運用。於每個財政年度期末，儲備資金內未動用的政府補助總額不得超過競委會於下個財政年度之政府補助額的 25%（「儲備上限」）。除非得到商務及經濟發展局常任秘書長（工商及旅遊科）在諮詢財經事務及庫務局（庫務科）後提升儲備上限，否則超出儲備上限的部分須歸還政府。

14. Reserve fund and surplus subventions

(a) Reserve fund

The reserve fund is available for general use and can be spent at the discretion of the Commission. Unspent Government subventions at the end of a financial year, which forms a part of the reserve fund, shall not exceed 25% of the Government subventions to the Commission in the following financial year ("the reserve ceiling"). The amount in excess of the reserve ceiling would be returned to the Government, unless the reserve ceiling is raised by the Permanent Secretary for Commerce and Economic Development (Commerce, Industry and Tourism) following consultation with the Financial Services and the Treasury Bureau (The Treasury Branch).

財務報表附註
NOTES TO THE FINANCIAL STATEMENTS

(以港幣列示 Expressed in Hong Kong dollars)

14. 儲備資金和補助盈餘（續）

(b) 補助盈餘

14. Reserve fund and surplus subventions (continued)

(b) Surplus subventions

	2021 港元 HK$	2020 港元 HK$
年初 At the beginning of the year	**29,019,055**	26,007,490
年內使用的金額（附註3） Amount utilised during the year (Note 3)	**(2,223,341)**	(479,728)
向政府償還的金額（附註(i)） Amount repaid to the Government (Note (i))	**(10,811,465)**	(5,567,955)
撥入遞延收入（附註13(b)） Transferred to deferred income (Note 13(b))	**(1,726,088)**	(1,752,217)
撥自儲備（附註(ii)） Transferred from reserve (Note (ii))	**18,029,581**	10,811,465
年末 At the end of the year	**32,287,742**	29,019,055

附註：

(i) 過去競委會曾提議並獲得政府批准，保留餘下的 1,824 萬元補助盈餘和 220 萬元額外補助盈餘直至二零二二年三月三十一日，以應付競委會的特定支出。截至二零二一年三月三十一日，共計 1,426 萬元的補助盈餘並未使用。（二零二零年：1,821 萬元）

(ii) 根據截至二零二一年三月三十一日的儲備上限，超出儲備上限 18,029,581 元（二零二零年：10,811,465 元）的盈餘將在下一財政年度歸還給政府。

Notes:

(i) In previous years, the Commission proposed and obtained approval from the Government to retain the remaining surplus subvention of $18.24 million and an additional surplus subvention of $2.2 million until 31 March 2022, for meeting specific expenditure of the Commission. As at 31 March 2021, a total of $14.26 million has not yet been utilised (2020: $18.21 million).

(ii) Based on the reserve ceiling as at 31 March 2021, the surplus in excess of the reserve ceiling amounting to $18,029,581 (2020: $10,811,465) will be returned to the Government in the next financial year.

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(以港幣列示 Expressed in Hong Kong dollars)

15. 租賃負債

下表載列了競委會租賃負債在本報告期末和上一報告期末的剩餘合約期限：

15. Lease liabilities

The following table shows the remaining contractual maturities of the Commission's lease liabilities at the end of the current and previous reporting periods:

	2021		2020	
	租賃付款之現值 Present value of the lease payments *港元 HK$*	租賃付款總額 Total lease payments *港元 HK$*	租賃付款之現值 Present value of the lease payments *港元 HK$*	租賃付款總額 Total lease payments *港元 HK$*
一年內 Within 1 year	5,192,721	5,876,640	5,014,375	5,876,640
一年後但二年內 After 1 year but within 2 years	5,377,409	5,876,640	5,192,721	5,876,640
二年後但五年內 After 2 years but within 5 years	11,335,397	11,753,280	16,712,806	17,629,920
	16,712,806	17,629,920	21,905,527	23,506,560
	21,905,527	23,506,560	26,919,902	29,383,200
減：未來利息支出總額 Less: total future interest expenses		(1,601,033)		(2,463,298)
租賃負債之現值 Present value of lease liabilities		21,905,527		26,919,902

財務報表附註
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(以港幣列示 Expressed in Hong Kong dollars)

16. 重大關聯方交易

競委會於年內進行以下重大關聯方交易：

16. Material related party transactions

The Commission entered into the following material related party transactions during the year:

	2021 港元 HK$	2020 港元 HK$
主要管理人員報酬 **Key management compensation**		
薪金及其他福利 Salaries and other benefits	**15,036,377**	11,739,221
強制性公積金計劃之供款 Contributions to mandatory provident fund scheme	**54,000**	54,000
	15,090,377	11,793,221
競委會委員酬金 **Honorarium to Commission members**	**4,040,000**	4,080,000

所有涉及競委會委員及主要管理人員可能持有權益的機構的貨品採購及服務交易，均是在日常業務過程中按照競委會的財務責任及正常採購程序進行。

All transactions related to the procurement of goods and services involving organisations in which a member of the Commission and key management personnel may have an interest are conducted in the normal course of business and in accordance with the Commission's financial obligations and normal procurement procedures.

17. 承擔

於二零二一年三月三十一日未償付而又未在財務報表內提撥準備的資本承擔如下：

17. Commitments

Capital commitments outstanding at 31 March 2021 not provided for in the financial statements were as follows:

	2021 港元 HK$	2020 港元 HK$
已訂約 Contracted for	**408,860**	3,168,517
已核准但未訂約 Authorised but not contracted for	**15,600**	-
	424,460	3,168,517

財務報表附註
NOTES TO THE FINANCIAL STATEMENTS

(以港幣列示 Expressed in Hong Kong dollars)

18. 財務風險管理及金融工具的公允值

競委會之主要財務工具包括銀行結存，其作用為維持競委會之營運。競委會亦有其他由營運直接產生的金融工具，包括其他應收款、按金、其他應付款及應計費用、預收政府補助以及補助盈餘。競委會因其日常運作而承受信貸風險以及流動資金風險。競委會一般沿用保守策略以將競委會所面對之風險降至最低。

(a) 信貸風險

信貸風險指交易對手未能履行其償還應付競委會款項之責任而導致競委會蒙受損失之風險。競委會所面對的信貸風險主要來自存放於信貸評級良好及最小信貸風險的金融機構之銀行結存。

競委會就其金融資產所承受的信貸風險即為該等金融資產於呈報期末的帳面值。競委會並無就此等金融資產持有任何抵押品。

(b) 流動資金風險

競委會的政策為定期監察其現時及預期的流動資金需求，以確保其維持足夠現金儲備以應付短期及較長期之流動資金需要。

18. Financial risk management and fair value of financial instruments

The Commission's principal financial instrument comprises bank balances, of which the purpose is to maintain the Commission's operations. The Commission has other financial instruments, such as other receivables, deposits, other payables, accruals, Government subventions received in advance and surplus subventions, which arise directly from its operations. The Commission is exposed to credit risk and liquidity risk which arise directly from its activities. The Commission generally adopts conservative strategies on the Commission's risk management and limits the Commission's exposure to these risks to a minimum.

(a) Credit risk

Credit risk refers to the risk that a counterparty will default on its obligations to repay the amounts due to the Commission resulting in a loss to the Commission. The Commission's credit risk is primarily attributable to bank balances, which are deposited with financial institutions in Hong Kong with sound credit ratings and minimal credit exposure.

The maximum exposure to credit risk of the Commission's financial assets represents their carrying amounts at the end of the reporting period. The Commission does not hold any collateral over these assets.

(b) Liquidity risk

The Commission's policy is to regularly monitor its current and expected liquidity requirements to ensure that it maintains sufficient reserves of cash to meet its liquidity requirements in the short and longer term.

財務報表附註
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(以港幣列示 Expressed in Hong Kong dollars)

18. 財務風險管理及金融工具的公允值（續）

18. Financial risk management and fair value of financial instruments (continued)

(b) 流動資金風險（續）

(b) Liquidity risk (continued)

於呈報期末，競委會依據其帳目內金融負債之最早結算日期計算，餘下未折現之合約到期日概述如下：

The remaining undiscounted contractual maturity profile of the Commission's financial liabilities at the end of the reporting period, based on the earliest date on which the Commission is required to settle is summarised below:

	2021 未折現合約現金流 Contractual undiscounted cash outflow			
	一年以下或即時到期 Within 1 year or on demand *港元 HK$*	一年以上但五年以下 More than 1 year but less than 5 years *港元 HK$*	合計 Total *港元 HK$*	帳面金額 Carrying amount *港元 HK$*
職員享有權撥備 Provision for staff entitlements	6,845,003	1,604,636	8,449,639	8,449,639
其他應付款及應計費用 Other payables and accruals	5,311,083	4,021,850	9,332,933	9,332,933
租賃負債 Lease liabilities	5,876,640	17,629,920	23,506,560	21,905,527
預收政府補助 Government subventions received in advance	4,059,333	11,543,087	15,602,420	15,602,420
預收政府補助（訴訟工作） Government litigation subventions received in advance	12,974,058	-	12,974,058	12,974,058
補助盈餘 Surplus subventions	32,287,742	-	32,287,742	32,287,742
	67,353,859	**34,799,493**	**102,153,352**	**100,552,319**

財務報表附註
NOTES TO THE FINANCIAL STATEMENTS

(以港幣列示 Expressed in Hong Kong dollars)

18. 財務風險管理及金融工具的公允值（續）

(b) 流動資金風險（續）

18. Financial risk management and fair value of financial instruments (continued)

(b) Liquidity risk (continued)

	2020 未折現合約現金流 Contractual undiscounted cash outflow			
	一年以下或即時到期 Within 1 year or on demand *港元 HK$*	一年以上但五年以下 More than 1 year but less than 5 years *港元 HK$*	合計 Total *港元 HK$*	帳面金額 Carrying amount *港元 HK$*
職員享有權撥備 Provision for staff entitlements	7,827,028	1,438,530	9,265,558	9,265,558
其他應付款及應計費用 Other payables and accruals	18,258,097	3,823,450	22,081,547	22,081,547
租賃負債 Lease liabilities	5,876,640	23,506,560	29,383,200	26,919,902
預收政府補助 Government subventions received in advance	6,583,698	11,571,535	18,155,233	18,155,233
補助盈餘 Surplus subventions	29,019,055	-	29,019,055	29,019,055
	67,564,518	**40,340,075**	**107,904,593**	**105,441,295**

(c) 貨幣風險

競委會所有的交易均以港元計價，競委會因而沒有承受重大的貨幣風險。

(c) Currency risk

The Commission has no significant exposure to currency risk as substantially all of the Commission's transactions are denominated in Hong Kong dollars.

(d) 資本管理

競委會在管理資金時，基本目的是確保競委會的持續運作能力。競委會的整體策略與過往年度維持不變。

(d) Capital management

The Commission's primary objectives when managing its funds are to safeguard the Commission's ability to continue as a going concern. The Commission's overall strategy remains unchanged from prior year.

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NOTES TO THE FINANCIAL STATEMENTS

(以港幣列示 Expressed in Hong Kong dollars)

18. 財務風險管理及金融工具的公允值（續）

(e) 公允值計量

競委會的金融工具按成本或攤銷成本列帳的帳面值與其於二零二一年及二零二零年三月三十一日的公允值並無重大差異。

18. Financial risk management and fair value of financial instruments (continued)

(e) Fair value measurement

The carrying amounts of the Commission's financial instruments carried at amortised cost are not materially different from their fair values as at 31 March 2021 and 2020.

19. 截至二零二一年三月三十一日止年度會計期間已頒佈但尚未生效的修訂、新準則及詮釋可能帶來的影響

截至本財務報表刊發日期止，香港會計師公會已頒布若干修訂及一項新準則《香港財務報告準則》第 17 號「保險合約」，惟於截至二零二一年三月三十一日止年度尚未生效，本財務報表並沒有採納該等新準則。這些準則變化包括下列可能與競委會有關的項目。

19. Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2021

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments and a new standard, HKFRS 17, *Insurance contracts*, which are not yet effective for the year ended 31 March 2021 and which have not been adopted in these financial statements. These developments include the following which may be relevant to the Commission.

	於以下日期或以後開始的會計期間生效 Effective for accounting periods beginning on or after
《香港財務報告準則》第16號修訂「與新冠肺炎相關的租金優惠」 Amendment to HKFRS 16, *Covid-19-Related Rent Concessions*	2020年6月1日 1 June 2020
《香港財務報告準則》第16號修訂「2021年6月30日後與新冠肺炎相關的租金優惠」 Amendment to HKFRS 16, *Covid-19-Related Rent Concessions beyond 30 June 2021*	2021年4月1日 1 April 2021
《香港財務報告準則》2018至2020週期年度改進 Annual Improvements to HKFRSs 2018 – 2020 Cycle	2022年1月1日 1 January 2022
《香港會計準則》第1號修訂「流動或非流動負債分類」 Amendments to HKAS 1, *Classification of Liabilities as Current or Non-current*	2023年1月1日 1 January 2023

競委會正在評估這些準則變化對首次執行期間的影響。截至目前為止，競委會相信採納這些修訂不大可能會對財務報表產生重大影響。

The Commission is in the process of making an assessment of what the impact of these developments is expected to be in the period of initial application. So far it has concluded that the adoption of them is unlikely to have a significant impact on the financial statements.

競爭事務委員會
COMPETITION COMMISSION

地 址 Address 香港黃竹坑黃竹坑道 8 號
South Island Place19 樓
19/F, South Island Place,
8 Wong Chuk Hang Road,
Wong Chuk Hang, Hong Kong

電 話 Telephone +852 3462 2118

傳 真 Fax +852 2522 4997

電 郵 Email enquiry@compcomm.hk

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