

立法會
Legislative Council

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Bills Committee on Competition Bill

**Minutes of third meeting on
Monday, 29 November 2010, at 4:30 pm
in the Chamber of the Legislative Council Building**

Members present : Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)
Hon Ronny TONG Ka-wah, SC (Deputy Chairman)
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
Hon Fred LI Wah-ming, SBS, JP
Dr Hon Margaret NG
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon Miriam LAU Kin-ye, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, MH
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon WONG Ting-kwong, BBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon Starry LEE Wai-king, JP
Hon CHAN Hak-kan
Hon Paul CHAN Mo-po, MH, JP
Hon CHAN Kin-por, JP
Dr Hon Priscilla LEUNG Mei-fun
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, BBS

Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yea, GBS, JP
Hon Paul TSE Wai-chun
Dr Hon Samson TAM Wai-ho, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Tanya CHAN
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man

Member attending : Dr Hon PAN Pey-chyou

Members absent : Hon Emily LAU Wai-hing, JP
Hon CHIM Pui-chung
Hon Cyd HO Sau-lan
Dr Hon LAM Tai-fai, BBS, JP

Public Officers attending : Agenda item I

Mr Gregory SO Kam-leung, JP
Under Secretary for Commerce and Economic Development

Ms Linda LAI Wai-ming, JP
Deputy Secretary for Commerce and Economic Development (Commerce and Industry)

Miss Wendy CHUNG
Principal Assistant Secretary for Commerce and Economic Development (Commerce and Industry)

Attendance by invitation : Agenda item I

Session 1

Task Force on Competition Law

Mr Vincent YIU
Director of Policy Development – Savantas Policy Institute

The British Chamber of Commerce in Hong Kong

Mr T. J. PEIRSON-SMITH
Chairman Business Policy Unit

Individual

Mr Hans MAHNCKE
Office of the Provost
City University of Hong Kong

Economic Synergy

Mr Elves LEUNG
Member

Individual

Dr Robert HANSON
Scholar

The Toys Manufacturers' Association of Hong Kong

Mr Lewis LUK Tei
Executive Vice-President

Hong Kong Small and Medium Enterprises Association

Mr Roco CHIU
First Vice President

New World First Ferry Services Ltd

Ms Anthea CHAU
Corporate Communication Manager

Momentum 107

Mr Raymond HO
Convenor

Hong Kong Apparel Society

Mr Felix CHUNG
Chairman

The Hong Kong Electronic Industries Association

Mr CHAN Kei-biu
Chairman

The Hong Kong General Chamber of Commerce

Mr Anthony WU
Chairman

Hong Kong Business Community Joint Conference

Mr Aaron SHUM
Chief Secretary

Global Sources

Mr Stephen CROSSWELL
Legal Counsel

Concern Group for a Competitive Exhibition
Industry in Hong Kong

Mr Michael KWOK
Spokesman

The Law Society of Hong Kong

Mr Simon BERRY
Chairman of Competition Law Committee

The Chinese General Chamber of Commerce

Mr Vincent FAN
Standing Committee Member

Hong Kong Metal Merchants Association

Mr LAI Hin-fai
Chairman

Taxi & P.L.B. Concern Group

Mr LAI Ming-hung
Chairman

Hong Kong Far Infrared Rays Association

Dr Edward CHAN
Chairman

Session 2

HK Noise

Ms Nicole ALPERT
Research Associate

The Hong Kong Chamber of Small and Medium
Business Ltd

Mr Felix CHAN
Life Honorable President

New Forum

Mr K H TSANG
Member

Hong Kong Democratic Foundation

Mr Alan LUNG
Chairman

Federation of Hong Kong Industries

Mr Bernie TING
General Committee Member

Individual

Mr Peter WONG
Columnist

Individual

Dr Andrew SIMPSON
Assistant Professor, School of Accounting and
Finance, The Hong Kong Polytechnic University

Young DAB

Mr Holden CHOW
Chairman

The Chinese Manufacturers' Association of Hong
Kong

Mr Jimmy NG Wing-ka
Vice President

支持競爭法立法關注組

Mr Jacky LI
Representative

Civic Party

Mr CHIN Wai-kin
Member

PCCW Limited

Mr Stuart CHIRON
Head of Group Regulatory Affairs

Hong Kong Small and Medium Enterprises
Association

Mr Wilson SHEA
President

Individual

Mr YEUNG Wai-yip

Individual

Mr Simon LEE
Columnist

Lion Rock Institute

Mr Dan RYAN
Director

Clerk in attendance : Ms Debbie YAU
Chief Council Secretary (1)6

Staff in attendance : Mr Timothy TSO
Assistant Legal Adviser 2

Ms Diana WONG
Senior Council Secretary (1)8

Mr Ken WOO
Council Secretary (1)2

Ms Michelle NIEN
Legislative Assistant (1)9

Action

I Meeting with deputations and the Administration

The Bills Committee deliberated (Index of proceedings attached at **Appendix**).

2. The Bills Committee received oral representations from 36 organizations and individuals. The Chairman said that the Secretariat would prepare summaries of the views grouped by different subjects as expressed by deputations, and the Administration would be requested to provide its response to these views.

Date of next meeting

3. The Chairman reminded members that the fourth meeting would be held on Tuesday 30 November 2010 at 4:30 pm to meet with deputations and the Administration.

II Any other business

4. There being no other business, the meeting ended at 7:40 pm.

Council Business Division 1
Legislative Council Secretariat
14 January 2011

**Proceedings of the third meeting of
Bills Committee on Competition Bill
on Monday, 29 November 2010, at 4:30 pm
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000421 – 000534	Chairman	Opening remarks	
<i>Session 1 (4:30 pm - 6:30 pm)</i>			
000535 – 000900	Task Force on Competition Law (TFCL)	TFCL highlighted the Government's lack of monitoring in the operation of The Hong Kong Mortgage Corporation Limited which was criticized for having engaged in economic activities in direct competition with banking and insurance operators in the industries, and queried the Government's determination in combating anti-competitive conducts.	
000901 – 001305	The British Chamber of Commerce in Hong Kong	Presentation of views (CB(1)622/10-11(01))	
001306 – 001656	Mr Hans MAHNCKE	Presentation of views (CB(1)622/10-11(02))	
001657 – 002032	Economic Synergy	Presentation of views (CB(1)516/10-11(01))	
002033 – 002343	Dr Robert HANSON	Dr Robert HANSON considered that the Bill should be rejected given that the competition legislation in Europe had made the legal profession a lucrative business with the cost burden shouldered by the parties under prosecution. He opined that law-practising Members should refrain from scrutinizing and voting on the Bill to avoid conflict of interest.	
002344 – 002714	The Toys Manufacturers' Association of Hong Kong (TMA)	Presentation of views (LC Paper No. CB(1)516/10-11(02)). TMA expressed objection to the Bill but upheld the spirit of anti-monopoly law. TMA observed that it was common for its members, which were Small and Medium Enterprises (SMEs), to join hands to increase the bargaining power in negotiating for better contract terms with overseas buyers and that the outcome of their practice would affect consumers in overseas markets rather than local market.	
002715 – 003049	Hong Kong Small and Medium Enterprises Association (SMEA)	While upholding the spirit of anti-monopoly law, SMEA expressed objection to the Bill as it would undermine the free trade policy of Hong Kong and hence its competitiveness in the region, and considered that Hong Kong should seek to implement sector-specific competition law. SMEA requested the Government to address the following concerns with regard to the Bill:	

Time marker	Speaker	Subject(s)	Action required
		<p>(a) the guidelines to be issued by the proposed Competition Commission (the Commission) should be made available for public consultation as soon as practicable to enhance certainty among SMEs;</p> <p>(b) the establishment of the proposed Competition Tribunal (the Tribunal) within the Judiciary as a superior court of record would incur potentially high legal costs and SMEs might be disadvantaged if they were involved in the legal proceedings;</p> <p>(c) large consortia might abuse the stand-alone private rights of action to harass SMEs;</p> <p>(d) the market share level under the "de minimis" approach had not been stated in the Bill; and</p> <p>(e) it was not fair to grant exemptions to the government and statutory bodies.</p>	
003050 – 003118	New World First Ferry Services Ltd. (First Ferry)	First Ferry enquired whether exemptions would be granted for the public transport sector.	
003119 – 003438	Momentum 107	Presentation of views (CB(1)622/10-11(03)).	
003439 – 003654	Hong Kong Apparel Society (HKAS)	HKAS highlighted that if exemptions were not given to statutory bodies such as Hong Kong Trade Development Council (TDC) or Employee Retraining Board, the SMEs or trainees could not continue to enjoy the public services they were currently receiving at low costs but needed to pay a higher price for the services that might have been taken over by the private sector.	
003655 – 004008	The Hong Kong Electronic Industries Association	Presentation of views (CB(1)690/10-11(01))	
004009 – 004239	The Hong Kong General Chamber of Commerce (HKGCC)	Presentation of views (CB(1)516/10-11(03)). HKGCC considered that the Bills Committee should examine the guidelines to be issued by the Commission and that representatives from the business sector should be appointed to the Commission.	
004240 – 004645	Hong Kong Business Community Joint Conference (BCJC)	Presentation of views (CB(1)779/10-11(01)). BCJC expressed objection to the Bill but supported fair competition and the need to guard against monopoly by large consortia. BCJC also expressed concern about the lack of clarity of the Bill that SMEs might fall foul of the proposed legislation easily. It also considered that the Bill should provide exemption to TDC as it was providing much support for SMEs.	

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004646 – 005014	Global Sources	Presentation of views (CB(1)516/10-11(04))	
005015 – 005417	Concern Group for a Competitive Exhibition Industry in Hong Kong	Presentation of views (CB(1)516/10-11(05))	
005418 – 005632	The Law Society of Hong Kong	Presentation of views (CB(1)516/10-11(06))	
005633 – 010038	The Chinese General Chamber of Commerce	Presentation of views (CB(1)622/10-11(04))	
010039 – 010210	Hong Kong Metal Merchants Association (MMA)	Presentation of views (CB(1)516/10-11(07)). MMA expressed objection to the Bill as its SME members might easily fall foul of the proposed legislation and might be subject to harassment by large consortia abusing the private rights of action. The proposed legislation might also create additional compliance burden for SMEs.	
010211 – 010506	Taxi & P.L.B. Concern Group	Presentation of views (CB(1)622/10-11(05))	
010507 – 010840	Hong Kong Far Infrared Rays Association (FIRA)	FIRA questioned if it would be more appropriate to introduce legislation to guard against monopoly rather than continuing examination of the Bill. FIRA expressed concern that The Hong Kong and China Gas Company Limited which operated as a public utility but at the same time was involved in setting up relevant standards for liquified gas products that they were also selling. FIRA urged that public utilities should be regulated with a view to protecting the interests of SMEs.	
010840 – 011538	Chairman Administration	<p><u>Preliminary response by the Administration</u></p> <p>The Administration responded that the Government's competition policy was to enhance economic efficiency and the free flow of trade through promoting sustainable competition to bring benefits to both the business sector and consumers. The Administration noted that Members and public in general supported a cross-sector competition law to serve the public interest and to facilitate a business-friendly environment. The Administration would strive to strike a fair balance between addressing the concerns of businesses and protecting the interest of consumers. The Administration further advised that –</p> <p>(a) although deputations in general supported anti-monopoly legislation instead of a cross-sector competition bill, both were in fact similar but the latter aimed at prohibiting anti-competitive conduct of an undertaking regardless of its size;</p>	

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		<p>(b) the market share level under the "de minimis" approach would be determined by the future Competition Commission (Commission). In line with international best practice, the level would be laid down in the guidelines to be issued by the future Commission in order to reflect market changes more closely and timely; and</p> <p>(c) the guidelines on interpretation and implementation of the conduct rules would include economic analysis and it was not appropriate to set them out in the principal legislation.</p>	
011539 – 011906	Chairman Ms Miriam LAU Administration	Ms Miriam LAU pointed out that the deputations attending the meeting had found the Bill unacceptable, reflecting that the Administration had not addressed their concerns expressed during consultation. She noted that various trades were very concerned about the guidelines, which would only be issued by the proposed Commission to be formed after the Bill had been enacted. The Administration clarified that key elements of the guidelines on the conduct rules would be provided during the Bills Committee's clause-by-clause examination of the provisions on the conduct rules for members' reference.	
011907 – 012500	Chairman Mr Jeffrey LAM Administration TMA SMEA	<p>Mr Jeffrey LAM expressed reservation about the Administration's claim that anti-monopoly legislation was similar to competition law. He observed that the Bill was modelled on the legislation in the European Union (EU) and questioned such practice as the socio-economic situation of the two places was quite different.</p> <p>The Administration re-iterated that the Bill would be applicable to any undertaking which contravened the conduct rules, regardless of its size. The de-minimis approach, however, would help weed out cases which did not have an appreciable effect on competition in the market.</p> <p>The Chairman urged the Administration to apprise the Bills Committee of the preliminary market share level to be set out under the de-minimis approach. The Administration stressed that it would be more appropriate for the future Commission to consider the matter and set out the level in the guidelines.</p> <p>TMA urged the Administration not to include stand-alone private rights of actions in the Bill but follow-on actions from a determination of the Tribunal, the Court of Appeal or the Court of Final Appeal could be retained. It also requested the Administration to make reference to Singapore and consider confining the scope for calculation of pecuniary penalty to local rather than global turnover as the two places were quite similar in terms of market size.</p>	

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		<p>SMEA expressed objection to the Bill but supported the spirit of anti-monopoly legislation in providing a level-playing business environment. Simply changing the name of the Bill from "Competition Bill" to "Anti-monopoly Bill" would not address the concerns of SMEs.</p>	
012501 – 012839	<p>Chairman Mrs Regina IP Administration</p>	<p>Mrs Regina IP opined that the federal antitrust law, introduced in the United States (US) to combat monopolies of large consortia, was fundamentally different from the competition legislation enacted in EU. The Administration responded that the legislative intent of the competition law in the United Kingdom (UK), US and EU was the same, that was to combat anti-competitive practices. In drafting the major prohibitions of the Bill, the Administration had modelled on <i>Articles 81 and 82 of the Treaty of the European Community</i> of EU and <i>Chapters I and II of the Competition Act 1998</i> of UK.</p> <p><i>(Post-meeting note:</i> The Administration advised that the above-mentioned Articles 81 and 82 had been renumbered as Articles 101 and 102 of the Treaty on the Functioning of the European Union.)</p> <p>Mrs IP expressed concern on the exemption of statutory bodies, such as the Hong Kong Trade Development Council, a subvented organization which had substantial degree of market power and was actively involved in economic activities. She considered very unfair to exempt these statutory bodies across the board unless when the Chief Executive in Council had satisfied that all of the criteria set out in clause 5(2) of the Bill were met and made the regulation to apply the provisions referred to in clause 3(1) to any statutory body or its activities.</p> <p>The Administration stressed that clause 5(2) had provided objective principles in determining which statutory bodies would not be exempted from the Bill. The Administration would brief the Bills Committee on the proposals on which statutory bodies or their activities would be brought under the purview of the Bill in early 2011.</p>	
012840 – 013239	<p>Chairman Mr LEUNG Kwok-hung Administration</p>	<p>In reply to Mr LEUNG Kwok-hung's concerns about express provisions relating to consumer benefits in the Bill, and the lack of SME representative and consumer representative in the proposed Commission, the Administration advised that :</p> <p>(a) one of the purposes of the Bill was to promote competition for the benefit of consumers. By providing a level-playing field for businesses to compete, it would ultimately benefit consumers through the availability of more value-for-money choices under a competitive business environment; and</p>	

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		(b) under proposed section 2(2) of Schedule 5 to the Bill, in considering the appointment of a person as a member of the proposed Commission, the Chief Executive might have regard to that person's expertise or experience in industry, commerce, economics, law, small and medium enterprises or public policy.	
013240 – 013616	Chairman Mrs Regina IP Dr Robert HANSON	<p>In reply to Mrs Regina IP's enquiries about why UK lawyers practising competition law received lucrative salary, and how law-practising Members of Parliament in UK handled the issue on conflict of interest, Dr Robert HANSON explained that:</p> <p>(a) UK limited the number of barristers engaging in practising competition law; and</p> <p>(b) since being a Member of Parliament in UK was a full-time job, there would be no conflict of interest <i>per se</i>.</p> <p>Dr HANSON reckoned that allowing law-practising Members to vote on the Bill would be an abuse of their power and position since the enactment of the Bill would potentially bring them more businesses.</p>	
013617 – 013834	Chairman Mr Jeffrey LAM FIRA	<p>Mr Jeffrey LAM remarked that during economic downturns, some jurisdictions would impose sanctions on import of goods in the name of preserving competition. SMEs exporting goods from Hong Kong, in particular, had been adversely affected.</p> <p>FIRA opined that the competition law should combat anti-competitive conduct of conglomerates instead of SMEs.</p>	
013835 – 014054	Chairman Ms Miriam LAU Administration	Discussion on the provision of guidelines before the enactment of the Bill.	
014055 – 014106	Chairman	Closing remarks by the Chairman.	
Break (6:30 pm - 6:35 pm)			
Session 2 (6:35 pm - 8:25 pm)			
014800 – 014917	Chairman Ms Miriam LAU	Ms Miriam LAU declared that she was one of the consultants of King and Wood, a law firm engaged by the Government in providing consultancy services on competition-related matters, but she had not participated in the consultation work.	
014918 – 014901	Chairman	Opening remarks by the Chairman.	

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014954 – 015342	HK Noise (HKN)	Presentation of views (CB(1)759/10-11(01))	
015343 – 015705	The Chinese Manufacturers' Association of Hong Kong	Presentation of views (CB(1)516/10-11(10))	
015706 – 020115	The Hong Kong Chamber of Small and Medium Business Ltd. (CSMB)	<p>CSMB expressed the following views:</p> <ul style="list-style-type: none"> (a) it supported the Bill for the perfect competition environment it might create to bring about reasonable returns for business operators and benefits for consumers. Otherwise, oligopoly or monopoly might occur and affect the sustainability of SMEs; (b) statutory bodies, which had been set up to promote social development, should be exempted from the Bill but regulation on them could be stepped up to increase transparency; (c) a legal action fund should be set up to assist SMEs in dealing with legal proceedings related to the proposed legislation or consideration could be given to exempt SMEs from the Bill; and (d) representatives of SMEs should be appointed to the Commission. 	
020116 – 020513	New Forum	Presentation of views (CB(1)622/10-11(06))	
020514 – 020852	Hong Kong Democratic Foundation	Presentation of views (CB(1)516/10-11(08))	
020853 – 021237	Federation of Hong Kong Industries	Presentation of views (CB(1)592/10-11(01))	
021238 – 021724	Mr Peter WONG	Mr Peter WONG emphasized that it was of pivotal importance to give the Bill serious consideration and detailed scrutiny, as in his view the enactment of competition law in overseas places had not brought about more market competition and consumer benefits. Mr WONG also requested that law-practising Members should refrain from scrutinizing the Bill or officially declare conflict of interests.	
021725 – 022058	Dr Andrew SIMPSON	Presentation of views (CB(1)516/10-11(09)). Dr Andrew SIMPSON expressed support for the Bill. He believed that phased introduction of the proposed legislation and the educational role of the Commission would assist business operators to adapt to the legislative requirements. He further opined that exemptions should be granted based on economic and legal principles.	

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022059 – 022422	Young DAB	<p>Young DAB expressed support for the Bill. Young DAB noted the concerns on the vagueness and the possible loopholes of the Bill and provided the following views/suggestions to allay the concerns:</p> <ul style="list-style-type: none"> (a) the Competition Act 1998 in UK provided useful references in determining the level of pecuniary penalty; (b) making reference to the competition law in Singapore and EU for further consideration on the proposed second conduct rule; and (c) the market share levels for a party to be considered dominating the market were 50% and 60% respectively under the competition law in UK/EU and Singapore. 	
022423 – 022728	支持競爭法立法關注組	<p>支持競爭法立法關注組 urged for expediting the enactment of the competition law. It highlighted the need for a cross-sector competition law in Hong Kong by quoting the unfair competition posed by the Television Broadcasts Limited, which occupied a market share of over 80% but had limited its artists or business partners from entering agreements with other parties, and chained supermarkets, which had effectively been smothering the survival of grocery stores.</p>	
022729 – 023118	Civic Party (CP)	<p>CP pointed out that, while Hong Kong was a free economy, businesses had in fact been facing intangible barriers in their development due to unfair competition. CP urged for the expedite scrutiny of the Bill and suggested that statutory bodies should apply for exemption directly with the Commission which should be provided with sufficient funding to maintain operation.</p>	
023119 – 023512	PCCW Limited	Presentation of views (CB(1)592/10-11(02))	
023513 – 023932	Hong Kong Small and Medium Enterprises Association	Presentation of views (CB(1)592/10-11(03) and CB(1)622/10-11(07))	
023933 – 024334	Mr YEUNG Wai-yip	<p>Mr YEUNG Wai-yip expressed grave concern about the Government's initiatives in cancelling some bus routes upon the commissioning of new railway lines, which was tantamount to monopolizing the public transport system. He urged the Bills Committee to exercise prudence in examining the Bill.</p>	
024335 – 024718	Mr Simon LEE	<p>Mr Simon LEE considered that the Government should not have exempted statutory bodies across the board in the Bill as many of them, while supported by public funds, engaged in economic activities and in direct competition with the</p>	

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		private sector. He urged the Bills Committee to exercise due care in scrutinizing the Bill.	
024719 – 025226	Lion Rock Institute (LRI)	Presentation of views (CB(1)516/10-11(11)). LRI shared the doubt about the Bill that it might do more harm than good for the broad and vaguely-drafted provisions.	
025227 – 025319	Chairman Administration	The Administration welcomed deputations' views and would continue discussions with stakeholders with a view to creating a healthy and level-playing business environment.	
025320 – 025452	Chairman Mr Ronny TONG Administration	<p>Mr Ronny TONG enquired whether SMEs would be in breach of the proposed competition law if they joined forces to bargain with foreign businesses on the prices of products to be sold to markets outside Hong Kong or if their concerted practice would help promote competition in the local market.</p> <p>The Administration advised that the Competition Bill would only be applicable to situation where there was prevention, restriction, or distortion of competition in Hong Kong.</p>	
025453 – 025858	Chairman Mr Albert HO	<p>Mr Albert HO noted the concern of the deputations that the enactment of the Bill might benefit law-practising Members, and therefore such Members should refrain from scrutinizing and voting on the Bill to avoid conflict of interest. He considered such concern unfounded as the enactment of every bill could potentially lead to more litigation. Mr HO undertook to carefully scrutinize the Bill to reflect the different views of various sectors.</p> <p>In response to some deputation's view, Mr HO considered that perfect market and full competition did not exist and the Government had a role in promoting competition and providing a level-playing business environment. Hence, exemption from the Bill should only be granted after careful consideration.</p>	
025859 – 030552	Chairman Mr LEUNG Kwok-hung	<p>Mr LEUNG Kwok-hung enquired how the enactment of the Bill could cease monopolies in some industries such as supermarkets, real estate, finance and telecommunications, and why the merger rule applied only to the telecommunications sector.</p> <p>The Administration explained that –</p> <p>(a) the Bill provided legal framework for the future Commission to investigate into competition-related complaints, and to bring enforcement action in respect of anti-competitive conduct. In particular, the first and second conduct rules prohibited anti-competitive agreements, concerted practices and decisions, and abuse of market power. Having a substantial degree</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>of market power in a market in itself would not be a contravention of the Bill, but abuse of such power would be;</p> <p>(b) the existing Telecommunications Ordinance had provisions regulating mergers and acquisitions. Under the Bill, the merger rule was updated in light of development of merger rule in other competition jurisdictions; and</p> <p>(c) referring to overseas jurisdictions, the regulation of SME conduct was seldom a priority of competition authorities due to their policy priority in view of limitation of resources.</p> <p>Discussion on express provisions relating to consumer benefits in the Bill, and inclusion of representatives from SMEs and consumers in the proposed Commission.</p>	
030553 – 030605	Chairman Administration	Date of next meeting.	