



中華人民共和國香港特別行政區

Hong Kong Special Administrative Region of the People's Republic of China



立法會 LEGISLATIVE COUNCIL

葉劉淑儀 議員 GBS, 太平紳士 Hon Mrs Regina IP LAU Suk-yea GBS, JP

Our Ref.: LA2/EDEV/10-11

18 January 2011

Hon Andrew LEUNG Kwan-yuen, GBS, JP
Chairman
Bills Committee on Competition Bill
Legislative Council Building
8 Jackson Road
Central

Dear Andrew

Follow-up Questions to Meeting of Bills Committee on 17 January 2011

I wish to raise the following questions pertaining to our discussion yesterday, and would be grateful if you could pass them to the Administration for written response before the next meeting of the Bills Committee:

Maximum Pecuniary Penalties

Among The Group of Twenty (G-20) major economies, please list the members with competition/antitrust laws (plus Singapore) that set the maximum pecuniary penalties for contravention of competition rules at:

- a) 10% of the turnover of the undertaking's entire global operation;
- b) 10% of the turnover of the undertaking's global operation of relevant business division concerned with contravention;
- c) 10% of the turnover of the undertaking's entire local operation;
- d) 10% of the turnover of the undertaking's local operation of relevant business division concerned with contravention;
- e) any other arrangement;

Enforcement outside Hong Kong

The Administration stated that, after the Competition Tribunal made a decision that an undertaking is involved in contravention(s) of competition rules, even if that undertaking did not have (or chose to abandon its) operation in Hong Kong, judgment by the Tribunal can still be enforced outside Hong Kong via bilateral treaty or

- 2 -

multilateral international convention. Please provide details of international cooperation framework referred to; and examples of past cross-jurisdictional enforcement in connection to competition/antitrust laws.

If the Administration needs any clarification on questions above, they can contact my assistant Mr. Charles WONG at 2537 3267 or via email at charles.wong@reginaip.hk.

Yours Sincerely,



Mrs. Regina IP