



Hong Kong Investment Funds Association

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Bills Committee on Competition Bill
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road, Hong Kong

Dear Sir/Madam,

Re: Exclusions and Exemptions from Competition Bill

We are writing to support the Hong Kong Trade Development Council (“HKTDC”) being considered as a statutory body to be excluded from the application of the conduct rules in the Competition Bill on the following grounds:

1. Free Market and Active Non-interventionism Principles of Hong Kong

Hong Kong’s success has a strong foothold on the free market principle and active non-interventionism approach. To preserve our strengths, we believe that Hong Kong shall continue to uphold the principles with minimum obstacles to hinder the growth of free market in Hong Kong.

2. Government Policy Objective backing the HKTDC

HKTDC has a statutory responsibility to promote growth in trade and services in Hong Kong. The objective is for the overall benefits to Hong Kong. The Council is not profit-driven and should not be viewed as a business. The distinction is similar to that between the Police versus private security companies, the Hospital Authority versus private hospitals, the Education Department versus private schools and MTR versus taxi and minibuses. The Competition Bill is designed to address competition among profit-making companies in the private sector, and does not mean to override the policy objective of trade growth. Hence, the Competition Bill shall not apply to HKTDC.

Established in 1986, the Hong Kong Investment Funds Association (“HKIFA”) is a non-profit-making industry organisation that represents the fund management industry of Hong Kong. As at December 2011, the HKIFA has over 100 members, representing a broad spectrum of firms engaged in asset management industry in Hong Kong. The Association has previously participated in trade fairs organized by the HKTDC and found that the fairs were executed seamlessly and professionally.

We hope the Bills Committee would consider the rationale and spirit behind the establishment of the HKTDC and continue to exclude its activities from the Competition Bill.

Yours faithfully,

Kerry Ching
Chairman

c.c. Ms. Linda Lai, Deputy Secretary for Commerce & Economic Development (Commerce and Industry) 1