

Bills Committee on Competition Bill

**List of follow-up actions arising from the discussion
at the meeting on 31 May 2011**

At the meeting on 31 May 2011, the Administration was requested to provide written responses to the following concerns/requests –

- (a) provide case law examples in other jurisdictions, e.g. the European Union, the United Kingdom and Singapore, to which the Administration had made reference in drafting the Guidelines on the First Conduct Rule (the Guidelines);
- (b) provide information on the academics, experts and professionals who had contributed their views on the drafting of the Guidelines and expressed support for the Bill;
- (c) in respect of the examples of agreements that may infringe the first conduct rule, advise
 - (i) whether a price announcement made to the public (including both buyers and competitors in the market) would be considered as anti-competitive; and
 - (ii) whether restrictions imposed by an association or a statutory body on advertising activities carried out by its members would be regarded as anti-competitive;
- (d) consider applying the first conduct rule to conduct having both the "object" and "effect" of preventing, restricting or distorting competition in Hong Kong; and
- (e) re-consider making the Guidelines as subsidiary legislation subject to scrutiny of the Legislative Council.