

Bills Committee on Competition (Amendment) Bill 2014

**List of follow-up actions arising from the discussion
at the meeting on 12 June 2014**

The Administration is requested to –

- (a) provide the views submitted by the Hong Kong Bar Association and the Law Society of Hong Kong on the Competition (Amendment) Bill 2014 ("the Bill");
- (b) consider the need to grant solicitors rights of audience before the Competition Tribunal ("the Tribunal");
- (c) consider expressly stating in the Bill that the proposed new sections conferring specific powers on the Tribunal are "without limiting" or "without affecting" the general powers of the Tribunal which already exist under the Competition Ordinance (Cap. 619) ("the CO") for the avoidance of doubt;
- (d) clarify whether it is the policy intent that the Tribunal has the jurisdiction to make an order prohibiting a person from leaving Hong Kong ("prohibition order") if the person was associated with an undertaking (e.g. as a director) which had been determined to have contravened the CO and his/her absence from Hong Kong may be likely to obstruct or delay any judgment or order that might be given against the undertaking and if so, clarify whether the drafting of the proposed new section 151A(3)(d) can achieve this policy intent;
- (e) provide information and relevant cases to illustrate the operation of the existing section 21B of the High Court Ordinance (Cap. 4) which is similar to the proposed new section 151A concerning an prohibition order; and
- (f) clarify the meaning of "property" in the proposed new section 151A(1)(b)(ii), and in particular whether it includes "intellectual property".