

Philippine Competition Commission

Creating a Culture of Competition

7th ASEAN Competition Conference 2017 - ASEAN@50

Managing Change in a Competitive ASEAN

8-9 March 2017

Selangor, Malaysia

Gwen Grecia-de Vera

Executive Director





RA 10667 or the Philippine Competition Act (PCA)

- Enacted in July 2015 as the primary competition law in the country
- Prohibits:



1. Anti-competitive agreements

- Cartels
- Price fixing
- Bid-rigging
- Output limitations



2. Anti-competitive mergers and acquisitions



3. Abuses of dominant position

- Predatory pricing
- Limiting access of competitors to production inputs
- Discriminatory behavior



PCC Functions and Mandate

- Review Mergers and Acquisitions
- Investigate antitrust cases
- Conduct market studies
- Issue expert advisories on competition law and policy
- Monitors and analyzes the practice of competition in markets
- Crack down on cartels
- Break up monopolies
- Penalize and fine erring corporations



PCC Year 1: Accomplishments



- **80** M&A notifications received



- **Zero** backlog on merger review



- **8** referrals for possible anti-competitive conduct in the telco, cement, power, rice, shipping, trucking, and insurance (2) industries



- **Ongoing** legal case against Globe and PLDT on P70-billion acquisition in the telecom sector



PCC: Innovating in the Regulatory Landscape

- Building the organization
- From 20 in August 2016 to 200 by end of 2017
- Staff recruitment, training and capacity-building
- Resource allocation and tapping technical assistance and external expertise



PCC: Innovating in the Regulatory Landscape

- Establishing relationships with relevant sector regulators (Energy and Power, Telecommunications, Banking and Finance) towards appropriate allocation of responsibilities
- Establishing relationships with competition authorities in the region and throughout the world
- Developing a collaborative programs for development partners



PCC: Innovating in the Regulatory Landscape

- Inadequate case references or jurisprudence
- Building on the previous antitrust regime across disparate enactments
- Incorporating relevant information from foreign jurisdictions



PCC: Innovating in the Regulatory Landscape

- Maintaining independence and establishing integrity as the Philippines competition authority
- Promote fair and transparent process across operational concerns



PCC: Innovating in the Regulatory Landscape

- Creating and nurturing a culture of competition
- National Competition Policy
- Inclusion of competition chapter in the Philippine Development Plan
- Awareness-building and advocacy activities for various stakeholders



Thank you.