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**NEWS RELEASE**

## **EXEMPTION APPLICATIONS ARE UNDER ASSESSMENT**

**KUALA LUMPUR, 22 May 2012** – Malaysia Competition Commission (MyCC) reiterates that all exemption applications are at the assessment stage, including Nestle's.

“Exemption applicants are not automatically granted exemptions,” said MyCC CEO, Pn Shila Dorai Raj, in response to the Federation of Malaysian Consumer Associations’ (Fomca) claim that MyCC had given the exemption to Nestle. “All applications for exemptions must undergo the necessary assessments to determine if they meet the necessary criteria.”

MyCC had previously reported that applications for block exemptions were received from the following:

- 1) Malaysia Shipowners Association (MASA), Shipping Association of Malaysia (SAM) and Federation of Malaysian Port Operators Council (FMPOC);
- 2) Association of Malaysian Hauliers; and
- 3) Life Insurance of Malaysia (LIAM)

Meanwhile Nestle Products Sdn Bhd is the sole applicant for individual exemption to date.

Also as seen above, the applicants are from the shipping, hauliers, insurance and food manufacturing sectors, and not from retailers as reported by an earlier Bernama report.

There are four criteria that must be met to earn an exemption:

1. There are significant identifiable technological, efficiency or social benefits directly arising from the agreement;
2. The benefits could not reasonably have been provided by the parties to the agreement without the agreement having the effect of preventing, restricting or distorting competition;
3. The detrimental effect of the agreement on competition is proportionate to the benefits provided; and
4. The agreement does not allow the enterprise concerned to eliminate competition completely in respect of a substantial part of the goods or services

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**TO THE NEWS EDITOR  
FOR IMMEDIATE RELEASE**



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**About Malaysia Competition Commission (MyCC)**

Established in June 2011, MyCC is an independent body responsible for enforcing the Competition Act 2010, which was implemented to create healthy competition which would in turn stimulate productivity and innovation, thus creating wider choices of products for consumers with better quality and reasonable prices.

The Act applies to all commercial activities undertaken within and outside Malaysia that affects competition in the Malaysian market. It provides a regulatory framework including powers to investigate, adjudicate and impose penalties on the perpetrators of the competition laws.

For more information on the Act and MyCC activities, log on to [www.mycc.gov.my](http://www.mycc.gov.my).