



Recent Developments and Trends in Myanmar Competition Policy and Law

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What have we done?

Organization Structure of Competition Policy Division

- ❖ Ministry of Commerce
- ❖ Department of Trade
- ❖ Competition Policy Division under Department of Trade was organized and implementing competition affairs on 2013 May 16.

The Competition Law

- ❖ Started in 2012
- ❖ Enacted the Union parliament by the Law No.9/2015 on 24th February 2015
- ❖ Come into force on 24-2-2017

Objectives

- ❖ To protect and prevent acts that injure of public interest through monopolization or manipulation of prices by individual or group with intent to endanger fair competition in economic activities, for the purpose of development of the national economy;
- ❖ To be able to control unfair market competition on the internal and external trade and economic development;
- ❖ To be able to prevent from abuse of dominant market power;
- ❖ To be able to control the restrictive agreements and arrangements among businesses.

- ❖ 13 Chapters & 56 Sections
- ❖ Covering for all businesses including trade and services.
- ❖ Competition Commission will act as the enforcement authority to control and monitor to be fair competition, anti monopoly , misuse of market power, mergers & acquisitions that would substantially lessen competition.
- ❖ It includes the section for punishment for those who violate the law.

The Competition Law 2015

| CHAPTER | PARTICULARS |
|-------------|---|
| Chapter I | Title, enforcement and definitions |
| Chapter II | Objective |
| Chapter III | Basic Principles |
| Chapter IV | Formation of the Commission |
| Chapter V | Powers and Duties of the Commission |
| Chapter VI | Formation of the Investigation Committee and Functions and Duties thereof |
| Chapter VII | Act of Restraint on Competition |

The Competition Law 2015

| CHAPTER | PARTICULARS |
|--------------|---|
| Chapter VIII | Monopolization on Market in Competition |
| Chapter IX | Unfair Competition |
| Chapter X | Collaboration among Businesses |
| Chapter XI | Taking Administrative Action and Appeal |
| Chapter XII | Offences and Penalties |
| Chapter XIII | Miscellaneous |

What are we doing?

Drafting the Competition Rules

- Working Group level (5) times
- Competition Policy Implementing Committee Level (3) times
- Stakeholders
- Asking for opinions on competition rules (draft) from related Ministries and Organizations
- International Experts
- Local Expert

Next steps for Competition Rules

- Attorney General's Office
- President Office
- Cabinet
- Will be signed by Minister
- Will be sent to Parliament

Awareness Activities

❖ Public Consultation

❖ Draft competition law was made public through the press in May 2014 with an invitation for comments.

❖ Translation of -

❖ “ASEAN Regional Guideline for Competition”

❖ “Handbook on Competition Policy and Law in ASEAN for Business 2013”

Awareness Activities cont;

❖ Articles in newspapers and Journals

- ❖ Newspapers

- ❖ Journals

❖ Training

- ❖ Internal

 - ❖ In Ministry

 - ❖ Yangon Economic University

 - ❖ UMFCCI

 - ❖ Other States and Regions

- ❖ External

 - ❖ Chaing Mai University, Thailand (19-29 May , 2014)

Awareness Activities cont;

- **Workshops**

- | | | |
|--------------|---|---|
| (1) Title | - | The Importance of Competition and Competition Law |
| Place | - | Mann Myanmar Hotel (Nay Pyi Taw) |
| Date | - | 27-29 Oct , 2014 |
| Participants | - | 50 |
| | | |
| (2) Title | - | In-country Workshop on Competition Policy and Law |
| Place | - | Thingaha Hotel (Nay Pyi Taw) |
| Date | - | 2-3 Feb , 2015 |
| Participants | - | 100 |

Awareness Activities cont;

- **Workshops**

(3) Title - The Importance of Competition and Competition Law for private sector

Place - SME Hall (Yangon)

Date - 30 May , 2015

Participants - 50

(4) Title - The Importance of Competition and Competition Law for private sector

Place - Chatrium Hotel (Yangon)

Date - 24-25 Nov , 2015

Participants - 100 (24.11.2015)

- 50 (25.11.2015)

Awareness Activities cont;

- **Workshops**

| | | |
|--------------|---|--|
| (5) Title | - | Benefits and Challenges of Competition Policy and Law |
| Place | - | Hotel Hazel (Mandalay) |
| Date | - | 7-8 June , 2016 |
| Participants | - | 50 |

Study Visit

| | | |
|--------------|---|-------------------------|
| Title | - | Competition Study Visit |
| Place | - | Indonesia (KPPU) |
| Date | - | 4-9 Oct , 2015 |
| Participants | - | 12 |

Study Visit to KPPU



Awareness Activities cont;

❖ Facebook

❖ Myanmar Competition

❖ Website

❖ ASEAN

❖ <http://www.aseancompetition.org/>

❖ Myanmar (Commerce)

❖ <http://www.commerce.gov.mm/>



Recent Cooperation with other organizations/programs

- FNF
- GIZ
- KFTC
- CLIP

Signing MoU with FNF



Mandalay Workshop (FNF)



Competition Pamphlets

ယှဉ်ပြိုင်မှုမှ မည်ကဲ့သို့ရှောင်ရှားနိုင်မည်နည်း...

- (က) သင်၏ပြိုင်ဘက်များနှင့် ဈေးနှုန်းအပါအဝင် လျှို့ဝှက် သတင်းအချက်အလက်များအား ချွေးခန္ဓာဖြင့်၊ (သို့မဟုတ်) ဖလှယ်ခြင်း၊ မပြုလုပ်ပါနှင့်။
- (ခ) သင်၏ပြိုင်ဘက်များနှင့် ဈေးနှုန်းညှိနှိုင်းသတ်မှတ်ရန် / ဈေးကွက်ခွဲဝေရယူရန်၊ ဝေလပ် / တင်အညှိနှိုင်းရယူရန်၊ ထုတ်ကုန်ကန့်သတ်ရန် မည်သည့်အမျိုးမျိုး မချွေးခန္ဓာပါနှင့်။
- (ဂ) သင်၏ဈေးကွက်ခန့်ရာရမှုအပေါ် အလွဲသုံးစားပြု၍ ပြိုင်ဘက်လုပ်ငန်းများအား မတိုက်ခိုက်ပါနှင့်။

ပိုမိုသိရှိလိုပါက -
ယှဉ်ပြိုင်မှု မူဝါဒဌာနခွဲ

- ☎ 067 408505
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- 📌 Myanmar Competition

စီးပွားရေးနှင့် ကူးသန်းရောင်းဝယ်ရေးဝန်ကြီးဌာန ကုန်သွယ်ရေးဦးစီးဌာန

ယှဉ်ပြိုင်မှု ဆိုင်ရာ သိကောင်းစရာများ

ဈေးကွက်အတွင်း ယှဉ်ပြိုင်မှုဆိုတာ ဘာလဲ...

- စီးပွားရေးလုပ်ငန်းများအနေဖြင့် ၎င်းတို့၏ထုတ်ကုန် ပစ္စည်းများအပေါ် သုံးစွဲသူရရှိရေးအတွက် တစ်ခုနှင့် တစ်ခု နှိုင်းလမ်းမပိုင်းစုံဖြင့် (တရားသည်ဖြစ်စေ၊ မတရားသည်ဖြစ်စေ) ယှဉ်ပြိုင်ကြခြင်း ဖြစ်သည်။



ယှဉ်ပြိုင်မှု ဥပဒေဆိုတာ ဘာလဲ...

- ယှဉ်ပြိုင်မှု ဥပဒေဆိုသည်မှာ နိုင်ငံစီးပွားရေး၏ ယှဉ်ပြိုင်မှု ပတ်ဝန်းကျင်ကို ဖွံ့ဖြိုးတိုးတက်စေရန် ရေးဆွဲထားသော စည်းမျဉ်းများနှင့် လုပ်ထုံးလုပ်နည်း မူဝါဒတင်ပြခြင်းဖြစ်သည်။
- ယှဉ်ပြိုင်နိုင်စွမ်းကို ပိုမိုတိုးတက်စေရန် တာဝန်သတ်မှတ်ချက်များ ပါဝင်သကဲ့သို့ ယှဉ်ပြိုင်မှုကို ကျဆင်းစေမှုမှ လည်းကာကွယ်ရန် ရေးဆွဲထားပါသည်။

Expert Placement (KFTC)



Expert Placement (KFTC)



Muse Workshop (GIZ)



Expert Placement (CLIP)



Expert Placement (CLIP)



What will we do?

Next Steps

- ❖ The Competition Rules --- drafting stage
- ❖ Myanmar Competition Commission and Office
- ❖ Capacity building for Government staffs
- ❖ Awareness activities in different regions
- ❖ Coordination with other organizations

Challenges

1. Institutional building
2. Inadequate knowledge
3. Insufficient capable staff
4. Culture
5. Sector regulators

Conclusion

- Commitment
- Enforcement
- Implementation
 - Awareness activities
 - Other agencies
 - Other sector regulators

Thank You