

MEDIA RELEASE

THREE CONTRACTORS FACE POSSIBLE PENALTY FOR BID RIGGING CARTEL

KUALA LUMPUR, 10 SEPTEMBER - The Malaysia Competition Commission (MyCC), an agency under the Ministry of Domestic Trade and Cost of Living (KPDN) has issued a Proposed Decision against three enterprises for infringing Section 4 of the Competition Act 2010 (the Act) for their involvement in bid rigging in six tenders issued by Perbadanan Putrajaya (PPJ) for maintenance works. These tenders, valued at approximately RM45 million, include two from 2018, three from 2019 and one from 2021.

The three enterprises involved are Abadi Malaysia Sdn Bhd, Kota Lanskap Sdn Bhd and Usia Maintenance Sdn Bhd. The investigation has provisionally found that these enterprises had performed acts of bid rigging through agreements and concerted practices by fixing their bidding prices, exchanging bid information and coordinating the preparation and submission of their bids.

It is important to highlight that at this stage, the Proposed Decision is a provisional finding and it should not be assumed that these enterprises have infringed the Act.

As required by the Act, the enterprises named in the Proposed Decision have been notified of the proposed penalties. These enterprises are given the opportunity to submit their written representations to MyCC within 30 days of receiving the Proposed Decision. The enterprises will also have an opportunity to present their oral representations before the Commission on a date to be determined later. MyCC, as a quasi-judicial body, will issue its Final Decision only after taking into account the representations made by these enterprises together with the evidence obtained during the investigation.

Dato' Seri Mohd Hishamudin Yunus
Chairman
Malaysia Competition Commission (MyCC)

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NEWS / ECONOMIC DESK**

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About the 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 of Malaysia that affect 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.

MyCC celebrated its 13th anniversary on 1 April 2024 and to date, MyCC has taken decisive action against over 100 companies relating to cartels and abuse of dominant positions resulting in a cumulative penalty of more than RM570 million. MyCC's current priorities include amending the Act to introduce the merger control regime, actively targeting bid rigging cartels and cartels in the food and agriculture sectors as well as focusing on the challenges brought by the digital economy to competition law and policy.

For more information on the Act and MyCC activities, log on to www.mycc.gov.my