

NEWS RELEASE

FIRST SPECIAL COMMITTEE MEETING ON COMPETITION POST PANDEMIC

KUALA LUMPUR, 22 SEPTEMBER 2022 – The Special Committee on Competition (“Special Committee”), an initiative by the Malaysia Competition Commission (MyCC), convened on 20th September 2022 for its first meeting of the year. This Special Committee serves as a platform for key sectoral regulators in the country to discuss competition-related developments and chart the way forward in facilitating the harmonization of competition provisions in the respective sectoral legislations for the benefits of the markets.

The Special Committee comprises the Malaysia Competition Commission (MyCC), the Malaysian Communications and Multimedia Commission (MCMC), the Energy Commission (EC), the National Water Services Commission (SPAN), the Central Bank of Malaysia (BNM), the Securities Commission (SC), the Intellectual Property Corporation of Malaysia (MyIPO), the Companies Commission of Malaysia (SSM) and the Malaysian Aviation Commission (MAVCOM). The meeting was chaired by the chairman of MyCC, Dato' Seri Mohd Hishamudin bin Md Yunus.

MyCC shared with the Special Committee the progress on its law amendment exercise where the team is in the midst of assessing the feedback received from the public and simultaneously, holding discussions with the Attorney General Chambers in finalizing the bill. The amendments fall into two broad categories. Firstly, the introduction of a merger control regime and the enhancement of MyCC’s investigation and enforcement powers. On the enforcement front, MyCC provided key updates involving the investigation result of the alleged chicken cartel case and its first bid-rigging decision against eight enterprises for engaging in bid-rigging conducts involving IT-related public procurement projects.

Having regard to the anticipated merger laws that will be introduced in the near future, MAVCOM shared its two (2) recent merger decisions. The first case is the approved merger between Korean Air Lines Co. Ltd. (Korean Air Lines) and Asiana Airlines Inc. (Asiana Airlines), Malaysia’s first competition-related merger transaction. MAVCOM had

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also issued its proposed decision on the anticipated merger between SIA Engineering Company Limited and Pos Aviation Engineering Services Sdn. Bhd. in the ground handling sector in July this year. On the telecommunication front, MCMC highlighted that it has issued a notice of no objection following the conclusion of its substantive assessment of the proposed merger application between Celcom Axiata Bhd. and Digi wherein parties will now advance to the next phase of the proposed transaction.

MCMC further highlighted the positive outcomes arising from the joint effort with MyCC since 2020, in addressing exclusivity arrangements between telecommunications service providers and property developers or building management companies in high-rise buildings including residential complexes following complaints from the public. In fact, both parties have decided to take this successful collaboration a step further by exploring the idea to ink a Memorandum of Understanding (MoU) that would be beneficial to both parties and the public at large.

Meanwhile, EC briefed on its three key priorities in ensuring energy security, energy equity and environmental sustainability. To that end, EC has embarked on a review of all laws under its jurisdiction. This is to ensure that all legislations are future-proof and in line with competition law and policy which in turn, will heighten the competitiveness of industry players that is in line with the aspirations of the country.

“The development of competition law and policy in Malaysia is headed towards the right direction. It is heartening to see all sector regulators joining hands together to provide the platform for competition law to be considered in the issuance of any industrial policy by the respective regulators, which inevitably will have a positive impact on the economic growth of Malaysia. Therefore, MyCC values the commitment by the respective sectoral regulators to work together in achieving a competitive economic landscape in the interest of both businesses and consumers in Malaysia”, said Mr. Iskandar Ismail, Chief Executive Officer of MyCC.

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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 10th year anniversary on 1 April 2021 and announced the launch of its rebranding and redesigned logo to elevate its corporate identity. The Logo embodies the culture and colours of the organization as well as its strengths and work values. The symbol of the butterfly is globally known to represent endurance, change, hope and life. This new look also shows simplicity at its finest, signifying the changes and maturity of MyCC itself.

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