



سوروهنجاي قرسايشن برونئي دارالسلام
COMPETITION COMMISSION
BRUNEI DARUSSALAM

PRESS RELEASE

COMPETITION COMMISSION BRUNEI DARUSSALAM

Law against anti-competitive agreements to come into force from 1 January 2020

Date: December 2019

1. The Competition Commission Brunei Darussalam (CCBD) will enforce the first key prohibition of the Competition Order, the anti-competitive agreements, also known as cartels, beginning 1 January 2020. Anti-competitive agreements are agreements made between two or more businesses involving price fixing, market sharing, supply control or bid rigging. These agreements will be treated as per se illegal due to their detrimental effects when businesses act together, leaving consumers with less or no choice to choose from, in the market.
2. The objective of enforcing the Competition Order is to foster healthy competition in the economic landscape of Brunei Darussalam, consistent with the long-term economic goal of achieving a dynamic and sustainable economy, as aspired in the Wawasan 2035. Developing a competitive market is one of the key building blocks to create an ecosystem that encourages business opportunities, leading to consumer benefits and economic growth.
3. The CCBD through its Executive Secretariat, the Department of Competition and Consumer Affairs in the Department of Economic Planning and Development, Ministry of Finance and Economy, has been active in its preparation work towards the enforcement of the Order, including extensive advocacy work and developing relevant regulations and guidelines related to the first key prohibition to be enforced.

4. In its effort to raise awareness and nurture a competition-aware culture, more than 30 advocacy sessions have been conducted so far, reaching out to various stakeholders, including government agencies and public procurement vendors to discuss effective procurement procedures and measures to deter big rigging.
5. In addition, business dialogues have also been held with professional bodies and trade associations to deliberate on conducts which may or may not fall within the scope of the Competition Order.
6. To support the advocacy effort, the Executive Secretariat has prepared numerous advocacy materials in plain language to help key stakeholders in understanding the prohibitions. They are available in various formats and in different themes such as leaflets on Frequently Asked Questions about the Competition Order and on Fighting Bid Rigging; posters on Dos and Don'ts for Associations; banner on Cartel Prohibitions; and handbooks on Business Guidelines.
7. To date, three guidelines, namely, Guidelines on Anti-Competitive Agreements; Guidelines on Complaint Procedures; and Guidelines on Leniency have been finalised to provide details on how the CCBD will enforce and administer the relevant provisions under the Competition Order.
8. The Competition Commission underscores that the key principle in competition law compliance is essentially for business entities to act independently and free from collusion. Businesses are to compete to win their consumers by offering their best, in terms of goods, services and prices.

9. The CCBD can be reached through its Executive Secretariat at the following details:

Email: brunei.competition@jpke.gov.bn

Phone number: +673 2233344 ext 230 or 343 or 341

Address: Executive Secretariat to the Competition Commission Brunei Darussalam
Department of Competition and Consumer Affairs
Department of Economic Planning and Development
Level 3, West Wing, Block 2A
Ong Sum Ping Road
Bandar Seri Begawan, BA 1311

10. More information about the Competition Order can be found at www.depd.gov.bn/cad.

Note: This press release is to be published with the infographic entitled “Competition Law Series: Part I”.

*Executive Secretariat of Competition Commission Brunei Darussalam
Department of Competition and Consumer Affairs
Department of Economic Planning and Development
Ministry of Finance and Economy*

Competition Commission Brunei Darussalam (CCBD)

By the consent of His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam, the Competition Commission of Brunei Darussalam (CCBD) was established on 1 August 2017 as an independent body that is mandated to promote business competition in Brunei's economic landscape through the enforcement of the Competition Order, 2015.

The Department of the Competition and Consumer Affairs in the Department of Economic Planning and Development, Ministry of Finance and Economy being the Executive Secretariat to the CCBD is responsible in carrying out Commission's functions such as advocacy, receiving complaints, reviewing markets and conducting investigations.



سوروهنجاي قرسايشن برونئي دارالسلام
COMPETITION COMMISSION
BRUNEI DARUSSALAM

SIARAN MEDIA SURUHANJAYA PERSAINGAN BRUNEI DARUSSALAM

Undang-undang yang melarang perjanjian anti-persaingan akan berkuatkuasa pada 1 Januari 2020

Tarikh: Disember 2019

1. Suruhanjaya Persaingan Brunei Darussalam akan menguatkuasakan larangan pertama Perintah Persaingan, iaitu perjanjian anti-persaingan, yang juga dikenali sebagai kartel, bermula 1 Januari 2020. Perjanjian anti-persaingan merupakan perjanjian yang dibuat di antara dua atau lebih peniaga melibatkan penetapan harga, perkongsian pasaran, pengawalan pasaran atau penipuan bidaan. Perjanjian ini dilarang secara jelas mengambilkira kesan mudarat pakatan peniaga yang mengakibatkan pengguna berhadapan dengan kekurangan atau tiada pilihan di pasaran.
2. Objektif penguatkuasaan Perintah Persaingan adalah bagi memupuk persaingan yang sihat di landskap ekonomi Negara Brunei Darussalam, selaras dengan matlamat ekonomi jangka masa panjang bagi mencapai ekonomi yang dinamik dan berdaya tahan, seperti yang diharapkan di dalam Wawasan 2035, ke arah. Membina pasaran yang kompetitif merupakan salah satu daripada tunjang utama dalam mewujudkan eko-sistem yang menggalakkan peluang perniagaan yang membawa kepada kebaikan pengguna dan pertumbuhan ekonomi.
3. Suruhanjaya Persaingan melalui Sekretariat Eksekutif, Jabatan Persaingan dan Hal Ehwal Pengguna di Jabatan Perancangan dan Kemajuan Ekonomi, Kementerian

Kewangan dan Ekonomi, telah melaksanakan kerja-kerja persediaan ke arah penguatkuasaan Perintah Persaingan secara aktif termasuk usaha pemberigaaan yang luas serta merangka peraturan-peraturan dan garispanduan yang berkaitan dengan larangan pertama yang akan dikuatkuasakan.

4. Dalam usaha bagi meningkatkan kesedaran dan memupuk budaya persaingan, setakat ini lebih daripada 30 sesi pemberigaaan telah diadakan, melibatkan pelbagai pihak-pihak berkepentingan termasuk agensi kerajaan dan vendor perolehan awam bagi membincangkan mengenai prosedur perolehan dan langkah-langkah yang efektif bagi mencegah tipuan bidaan.
5. Selain itu, dialog perniagaan juga diadakan bersama badan profesional dan persatuan perniagaan bagi membahaskan mengenai amalan-amalan perniagaan yang boleh melanggar Perintah Persaingan.
6. Bagi mendukung kerja-kerja advokasi, Sekretariat Eksekutif juga telah menyediakan beberapa bahan-bahan pemberigaaan dengan bahasa yang ringkas bagi membantu pihak-pihak yang berkepentingan untuk memahami larangan-larangan di bawah Perintah Persaingan. Bahan-bahan pemberigaaan boleh didapati di dalam pelbagai format dan tema seperti risalah berkenaan dengan Soalan-soalan Lazim mengenai Perintah Persaingan dan Melawan Tipuan Bidaan; poster mengenai *Dos and Don'ts for Associations*; *banner* mengenai Larangan Kartel; dan buku mengenai Panduan Peniaga.
7. Setakat ini tiga garispanduan, iaitu, Garispanduan Perjanjian Anti-Persaingan; Garispanduan Prosedur Aduan; dan Garispanduan Kelonggaran telah dimuktamadkan bagi menyediakan penerangan mengenai prosedur penguatkuasaan dan pentadbiran peruntukan-peruntukan yang berkaitan di bawah Perintah Persaingan.

8. Suruhanjaya Persaingan menekankan bahawa prinsip utama kepatuhan undang-undang persaingan adalah bagi mendorong peniaga untuk bertindak secara bebas tanpa membuat sebarang pakatan. Peniaga hendaklah bersaing bagi memenangi pengguna dengan menawarkan yang terbaik dari segi barangan, perkhidmatan dan harga.
9. Suruhanjaya Persaingan boleh dihubungi melalui Sekretariat Eksekutif di keterangan berikut:

Emel: brunei.competition@jpke.gov.bn

Telefon nombor: +673 2233344 ext 230 or 343 or 341

Alamat: Sekretariat Eksekutif kepada Suruhanjaya Persaingan Brunei Darussalam
Jabatan Persaingan dan Hal Ehwal Pengguna
Jabatan Perancangan dan Kemajuan Ekonomi
Tingkat 3, West Wing, Blok 2A
Jalan Ong Sum Ping
Bandar Seri Begawan, BA 1311

10. Keterangan lanjut mengenai Perintah Persaingan boleh didapati di www.depd.gov.bn/cad.

Nota: Siaran media ini untuk dikeluarkan bersama dengan infografik bertajuk “Siri Undang-Undang Persaingan: Bahagian I”.

*Sekretariat Eksekutif Suruhanjaya Persaingan Brunei Darussalam
Jabatan Persaingan dan Hal Ehwal Pengguna
Jabatan Perancangan dan Kemajuan Ekonomi
Kementerian Kewangan dan Ekonomi*

Suruhanjaya Persaingan Brunei Darussalam

Kebawah Duli Yang Maha Mulia Paduka Seri Baginda Sultan Haji Hassanali Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien, Sultan dan Yang Di-Pertuan Negara Brunei Darussalam telah memperkenan penubuhan Suruhanjaya Persaingan Brunei Darussalam pada 1 Ogos 2017 sebagai sebuah badan bebas yang dimandatkan untuk mempromosi persaingan perniagaan di pasaran ekonomi Brunei Darussalam melalui penguatkuasaan Perintah Persaingan 2015.

Jabatan Persaingan dan Hal Ehwal Pengguna di Jabatan Perancangan dan Kemajuan Ekonomi, Kementerian Kewangan dan Ekonomi selaku Sekretariat Eksekutif kepada Suruhanjaya Persaingan adalah bertanggungjawab dalam melaksanakan fungsi Suruhanjaya Persaingan seperti pemberigaaan, menerima aduan, mengkaji pasaran dan menjalankan siasatan.