



سوروهنجاي قرسايشن برونبي دارالسلام

COMPETITION COMMISSION

BRUNEI DARUSSALAM

# Biennial Report

Competition Commission Brunei Darussalam

April 2020 – March 2022

## **Perpustakaan Dewan Bahasa dan Pustaka Brunei Pengkatalogan Data-dalam-Penerbitan**

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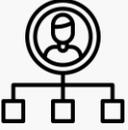
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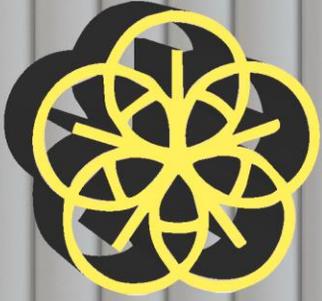
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سوروهنجاي قرسايشن بروني دارالسلام  
**COMPETITION COMMISSION**  
BRUNEI DARUSSALAM

# Chairperson's Message

Yang Mulia Nik Hafimi binti Abdul Haadii

*Chairperson*



The first prohibition on Anti-Competitive Agreements of the Competition Order, 2015 has come into force on 1 January 2020. 2 years since the enforcement, it would be fair to say that the CCBD has made a progress in its two-pronged strategic approach in implementing the Order i.e. through enforcement and advocacy.

Despite the volatile times the COVID-19 pandemic brought in, the CCBD remain with its focus in preventing anti-competitive practices from taking root, while providing relentless support in monitoring the adverse impact of the pandemic in the market.

During the period in review, the CCBD worked closely with the Consumer Affairs Division in the Department of Competition and Consumer Affairs to monitor the market in addressing public concerns regarding price hike and supplies of essential goods arising from the disruption of supply chain. The exercise has helped the CCBD to understand the causes of price and supply issues to provide input to relevant Ministry to device measures. It also served as a preventive strategy to deter unethical business practices as well as cartel / abusive conducts.

On the enforcement front, the CCBD has received more than 20 inquiries and complaints. While some were out of jurisdiction, some others merited further assessment for issuance of advisory from the CCBD or in-depth investigation.

The CCBD places great emphasis in detecting and investigating bid rigging conduct. Bid rigging is one of the most harmful types of anti-competitive conduct that hurts Government expenditure. One in-depth investigation on bid rigging conduct is currently undergoing and we hope to be able to notably close the case with deterrence lesson for others.

Indeed, detecting and investigating case is not a straightforward exercise and it requires considerable economic and legal expertise. Regular capacity building programmes are critical in cultivating and producing expertise within the institution to ensure proper and effective implementation of the law, more so for young agency like CCBD. The complex and technical subject of competition law surely requires continuous specialised trainings. Despite the travel restriction, the CCBD managed to participate in more than 30 workshops / forums held virtually over these two years.

The CCBD continues to invest heavily in our outreach and advocacy efforts covering wide spectrum of audiences such as government institutions including sector regulators and policy makers, as well as businesses including vendors registered in various ministries, professional associations, and Micro, Small and Medium Enterprises (MSMEs). Outreach sessions also covered general public noting the importance of having a society who understand the benefits of competition in enhancing consumer welfare.

Engagement with the media was carried out in early 2020, considering their crucial roles in disseminating information to foster competition towards achieving a healthy market.

With bid rigging being the focus, the CCBD has rolled out Bid Rigging Awareness Campaign at the end of 2021, starting with a series of poster on Deter, Detect and Report bid rigging. As part of the campaign, the CCBD will also ramp up its dialogues and engagement sessions with procurement officials as well as working together with Tender Boards to prevent potential bid rigging conduct. Prevention is always better than cure.

In the past years, the CCBD has also stepped up its efforts to advise the public sector and policy makers to include the competition dimension in policy decisions. A total of 5 competition advisories had been issued, specifically on matters related to sole distributorship practices and pro-competition tendering process.

The CCBD is committed to working together with other Ministries to ensure that well-intended policies are in tandem with the objectives of competition - be it in the early stage of formulating new public initiatives, or when reviewing outdated rules and policies. Ensuring a competitive marketplace cannot rest with CCBD alone as it takes cooperation from all parties.

Ushering in its third year of enforcement, the CCBD looks forward to working on strengthening our resources, accumulating experiences and learning from more established agencies in effectively combating anti-competitive practices. More work lies ahead of us, not only in terms of enforcement, but also in policy advisory and advocacy work so that everyone can benefit from competitive economic landscape.

I am confident that with the commitment and ambition that we have, the CCBD will continue to strive forward and play an increasingly important role in safeguarding and promoting the value of competitive market where consumers are protected and businesses actively compete.

In closing, I want to record my sincere gratitude to fellow Commissioners and the Executive Secretariat for the immense contributions and dedication in effectively discharging the CCBD's functions. The success of any organisation rests on its workforce and I am fortunate to have a highly dedicated and capable team. May we be able to keep abreast with the challenges ahead and will remain steadfast in carrying out our mandate.

I would also like to express my sincere gratitude to the Ministry of Finance and Economy for its continuous support.

We hope to keep the good working relation with our key partners especially policy makers in appreciating and upholding market competition in view of overall consumers' interest and market impact. Together we should work towards a competitive environment created for the benefit of the nation and the people.



**Yang Mulia Nik Hafimi  
binti Abdul Haadii**  
*Chairperson of CCBD*

# About CCBD

The Competition Commission Brunei Darussalam (CCBD) was established on 1 August 2017 as a quasi-judicial body mandated to enforce the Competition Order, 2015. The Commission is committed to promote competitive economic landscape in Brunei Darussalam, for the benefit of consumers and businesses alike.



Under the Competition Order, 2015, the CCBD is tasked to carry the following functions:

- i. To curb anti-competitive conducts which have adverse effect on preventing, restricting or detecting competition in Brunei Darussalam's market;
- ii. To advocate on competition matters and create public understanding of the value of competition and how the Competition Order, 2015 promotes competition;
- iii. To advise the Government or other public authority on national needs and policies in respect to matters concerning competition in Brunei Darussalam;
- iv. To maintain and enhance efficient market conduct and promote overall productivity, innovation and competitiveness of market in Brunei Darussalam;
- v. To promote research into and the development of skills in relation to legal, economic and policy aspects; and
- vi. To represent Brunei Darussalam internationally in respect of competition matter.



## Mission

Deterring anti-competitive practices and promoting competition culture



## Vision

Enhanced market efficiency and consumer welfare

## Goal

WAWASAN  
2035  
NEGARA BRUNEI DARUSSALAM

Dynamic and sustainable economy

# Organisational Structure

**Minister at the Prime Minister's Office and  
Minister of Finance and Economy II**  
as minister responsible in competition matters

Policy matters and  
exemption applications

## Competition Commission Brunei Darussalam (CCBD)

### The Board of Commission

Chairperson

Commissioners

- Steer strategic direction and priority of CCBD
- Issue policy advisory
- Adjudicate anti-competitive cases
- Impose penalties on business entities found to have infringed the Competition Order, 2015

### Executive Secretariat

#### Department of Competition and Consumer Affairs (DCCA)

Director of DCCA

Assistant Director of DCCA

Competition Division

Legal &  
Enforcement

Research &  
Investigation

Advocacy &  
Strategic  
Planning

Corporate  
Affairs

# Meet the Board of Commission



Yang Mulia Nik Hafimi binti Abdul Haadii

*Chairperson*

Chairperson Hafimi was appointed as the Chairperson of the Competition Commission Brunei Darussalam in 2018. She is a founding member of Young Entrepreneur Association Brunei and plays an active role within the following organisations: APEC Business Advisory Council, Asia Business Leaders Advisory Council, University Brunei Darussalam ,Council; and Digital Economy Council. She is a Board Member of Brunei Economic Development Board, Darussalam Enterprise and Bank Usahawan; and a Chairperson of Yayasan Committee on Social Enterprise. She holds a Bachelor of Architecture (Honours) from Deakin University.



Yang Mulia Pengiran Datin Seri Paduka Hajah Zety Sufina binti Pengiran Dato Paduka Haji Sani

*Deputy Minister of Finance and Economy (Fiscal),  
Ministry of Finance and Economy*

Commissioner Pengiran Hajah Zety was appointed as a member of the Competition Commission Brunei Darussalam in 2018. She is the Deputy Minister of Finance and Economy at the Ministry of Finance and Economy. She sits in various boards including the Brunei Economic Development Board, Darussalam Enterprise and Maritime and Port Authority of Brunei Darussalam. She holds an honours bachelor degree in Accounting.

**Yang Mulia Dr Hajah May Fa'ezah binti  
Haji Ahmad Ariffin**

***Permanent Secretary (Economy, Trade and Industry),  
Ministry of Finance and Economy***



Commissioner Dr May holds the position of Permanent Secretary (Economy, Trade and Industry) at the Ministry of Finance and Economy. Her portfolio includes trade promotion and facilitation, Public-Private partnership (PPP) initiatives, national statistics and research at the Ministry of Finance and Economy. Dr May was appointed as a member of the Competition Commission Brunei Darussalam in 2018. She has a PhD in Economics.



**Yang Mulia Awang Haji Amer Hishamuddin bin Pehin Orang  
Kaya Amar Pahlawan Dato Seri Setia Awang Haji Zakaria**

***Permanent Secretary (Infrastructure, Housing and  
Professional), Ministry of Development***

Commissioner Haji Amer is the Permanent Secretary (Infrastructure, Housing and Professional) in the Ministry of Development. He is a Chartered Engineer and a corporate member of Institution of Civil Engineers, United Kingdom and also a member of the Association of Surveyors, Engineers and Architects, Brunei Darussalam. He is also currently the chairman of the Board of Architects, Professional Engineers and Quantity Surveyors (BAPEQS). He was appointed as a member of Competition Commission Brunei Darussalam in 2020.

**Yang Mulia Hajah Nor Hashimah binti  
Haji Mohd Taib**

***Permanent Secretary (Security and Law),  
Prime Minister Office***



Commissioner Hajah Nor Hashimah is the Permanent Secretary (Security and Law) at the Prime Minister's Office. She is a qualified Barrister-at-Law, and started her career in law at the Attorney General's Chambers (AGC) in 1992. She has extensive experience in international law, public law, alternative dispute resolution, commercial law, intellectual property, islamic banking and finance and in negotiations of international trade agreements.



**Yang Mulia Awang Mohammad Harris bin Brigadier General  
(B) Dato Paduka Haji Ibrahim**

***Deputy Permanent Secretary (Trade and Industry),  
Ministry of Finance and Economy***

Commissioner Harris is the Deputy Permanent Secretary (Trade and Industry) at the Ministry of Finance and Economy. Prior to his appointment, he held the positions of Assistant CEO and Head of Foreign Direct Investment Action and Support Centre (FAST) at the Brunei Economic Development Board (BEDB). He was appointed as a member of the Competition Commission Brunei Darussalam since 2017.



**Yang Mulia Dr Joyce Teo Siew Yean**

***Assistant Vice Chancellor & Vice President  
(Global Affairs), Universiti Brunei Darussalam***

Commissioner Dr Joyce Teo Siew Yean is a member of Competition Commission Brunei Darussalam since 2017. She holds the position of Assistant Vice Chancellor and Vice President (Global Affairs) at Universiti Brunei Darussalam. Her professional appointments include Member of APEC HRD Working Group (Capacity Building Network), and Country Representative for projects involving ASEAN Economic Community (AEC) and East Asia Free Trade Area (EAFTA), amongst others. She has a PhD in Economics majored in Labour Economics and Econometrics.

# Executive Secretariat

The Department of Competition and Consumer Affairs (DCCA) in the Department of Economic Planning and Statistics, Ministry of Finance and Economy acts as the Executive Secretariat to the CCBD.

The DCCA, through the Competition Division, is responsible for the overall administration and implementation of the functions, activities and day-to-day affairs of the CCBD. This includes assessing complaints, investigating anti-competitive cases, assessing and drafting policy advisories, conducting market reviews, advocacy as well as representing CCBD in regional and international fora.

In addition, the Consumer Affairs Division in the DCCA is mandated to implement, among others, the Consumer Protection (Fair Trading) Order towards promoting consumer confidence and interest through prohibiting misleading and deceitful business conducts.



**Heidi Farah Sia binti  
Abdul Rahman**

*Director*



**Nurulizzati binti  
Haji Jahari**

*Acting Assistant Director*



**Anisah Syakirah binti  
Haji Anwari**

*Acting Senior Economic Officer*



**Nur Izzawanie binti  
Haji Zainin**

*Economic Officer*



**Norhafizah binti  
Haji Awang Ahmad**

*Legal Counsel*



**Siti Nurezzati binti  
Harun**

*Implementation Coordinator*



**LEGAL  
FRAMEWORK**



**Access Competition Order, 2015 here!**



NEGARA BRUNEI DARUSSALAM

TAMBAHAN KEPADA

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NEGARA BRUNEI DARUSSALAM

TAMBAHAN KEPADA

**WARTA KERAJAAN**

BAHAGIAN II

Disiarkan dengan Kebenaran

SUPPLEMENT TO  
GOVERNMENT GAZETTE  
PART II

Published by Authority

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MARI RABU/WEDNESDAY 7th. JANUARY, 2015

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# Competition Order, 2015

The CCBD is responsible in implementing and enforcing the Competition Order, 2015 with the objectives of promoting market efficiency and consumer welfare.

The Order plays an important role for businesses and consumers alike in fostering healthy competition in the Brunei economic landscape. It reinforces Brunei Darussalam's efforts towards achieving a pro-business and pro-investment climate, in line with the Government's long-term economic goal to achieve a dynamic and sustainable economy, as aspired in Wawasan Brunei 2035.

Through the prohibition of anti-competitive conducts, the Order is expected to provide incentives for businesses to be innovative, productive and responsive to consumer needs. As such, consumers may benefit from competitive prices and wider choices of goods and services in the marketplace. The Order is instrumental in addressing competition-related concerns under the scope of the law, to promote and maintain proper functioning of the markets. This will not only provide certainty and enhance investors' confidence but also provide business opportunities to micro, small and medium enterprises to enter the market.

## Key Prohibitions



### **Section 11** **Anti-Competitive Agreements**

Agreements between businesses, which have the objective or effect of preventing, distorting or restricting competition

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### **Section 21** **Abuse of Dominant Position**

Business with substantial market power engages in conducts that prevents or hamper others from competing in the market



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### **Section 23** **Anti-Competitive Mergers**

Mergers, which have resulted, or expected to result, in a substantial lessening competition in the market



# Powers of CCBD under the Competition Order, 2015



## Advocacy

- Create awareness on Competition Order and its prohibitions
- Promote self-compliance



## Market study

- Examine market characteristics and competition issues in the market
- Explore causes of insufficient competition



## Policy advisory

- Provide recommendations towards policy coherence with competition principles



## Investigate

- Access information or documents
- Enter premises with or without warrant
- Access computerised data
- Seize record, book, account



## Impose interim measure

- Issue immediate direction to act against anti-competitive conduct to prevent serious damage or to protect public interest



## Accept undertaking and commitment

- Settlement by businesses



## Grant leniency

- Immunity of up to 100 percent in exchange of cartel member who come forward to disclose the cartel agreement



## Design remedy

- Direction to remedy, mitigate or eliminate any adverse effect of the conduct
- Cease order or terminate agreement



## Impose penalty

- Financial penalty not exceeding 10% of business turnover in Brunei for a maximum of 3 years

# Application and exclusions

The Competition Order, 2015 applies to commercial arrangements and economic activities across sectors regardless of ownership of the entities. As the Order intends to regulate the conduct of market players, it does not apply to any activity, agreement or conduct undertaken by the Government, Statutory Body or any person acting on their behalf.

Third Schedule of the Competition Order, 2015 provides for a number of exclusions, as follows:

Applicable prohibition(s)	Exclusions
<b>Anti-Competitive Agreements</b>	Vertical agreement
	Agreement with net benefit
<b>Anti-Competitive Agreements and Abuse of Dominant Position</b>	Undertaking entrusted with the operation of services of general economic interest or having the character of a revenue-producing monopoly
	Agreement/conduct made in order to comply with legal requirements imposed by/under any written law
	Necessary agreement to avoid a conflict with international obligation of Brunei Darussalam
	Agreement made on the ground of public policy
	Agreement/conduct which relates to Clearing House established under the Banking Order, 2016
	Agreement/conduct that is directly related and necessary to the implementation of merger
	Agreement/conduct that results or would result in a merger
	Undertaking of specified activities: <ol style="list-style-type: none"> <li>a) Supply of waste management services, including the collection, treatment and disposal of waste;</li> <li>b) Supply of scheduled bus services under the Road Traffic Act (Chapter 68);</li> <li>c) Supply of goods and services specified in the Monopolies Act (Chapter 73):               <ol style="list-style-type: none"> <li>i. Licensed to collect within and exporting from Brunei Darussalam the skins of crocodiles, pythons and monitor lizards</li> <li>ii. Dealing of all kinds of firearms and ammunition and all kinds of defence equipment and armaments for lawfully established security forces of the Government of His Majesty the Sultan and Yang Di-Pertuan</li> </ol> </li> </ol>

Applicable prohibition(s)	Exclusions
<b>Anti-Competitive Mergers</b>	Merger approved by any Minister or regulatory authority under any written law
	Merger approved by Brunei Darussalam Central Bank
	Merger under the jurisdiction of any regulatory authority under any written law relating to competition, or code of practice relating to competition issued under any written law
	Merger where economic efficiencies outweigh the adverse effects due to the substantial lessening of competition in the relevant market in Brunei Darussalam

These exclusions apply automatically without the need for a prior determination by the CCBD. Businesses are encouraged to seek legal advice on the exclusions in the Third Schedule of the Order to determine if the relevant exclusion can apply.

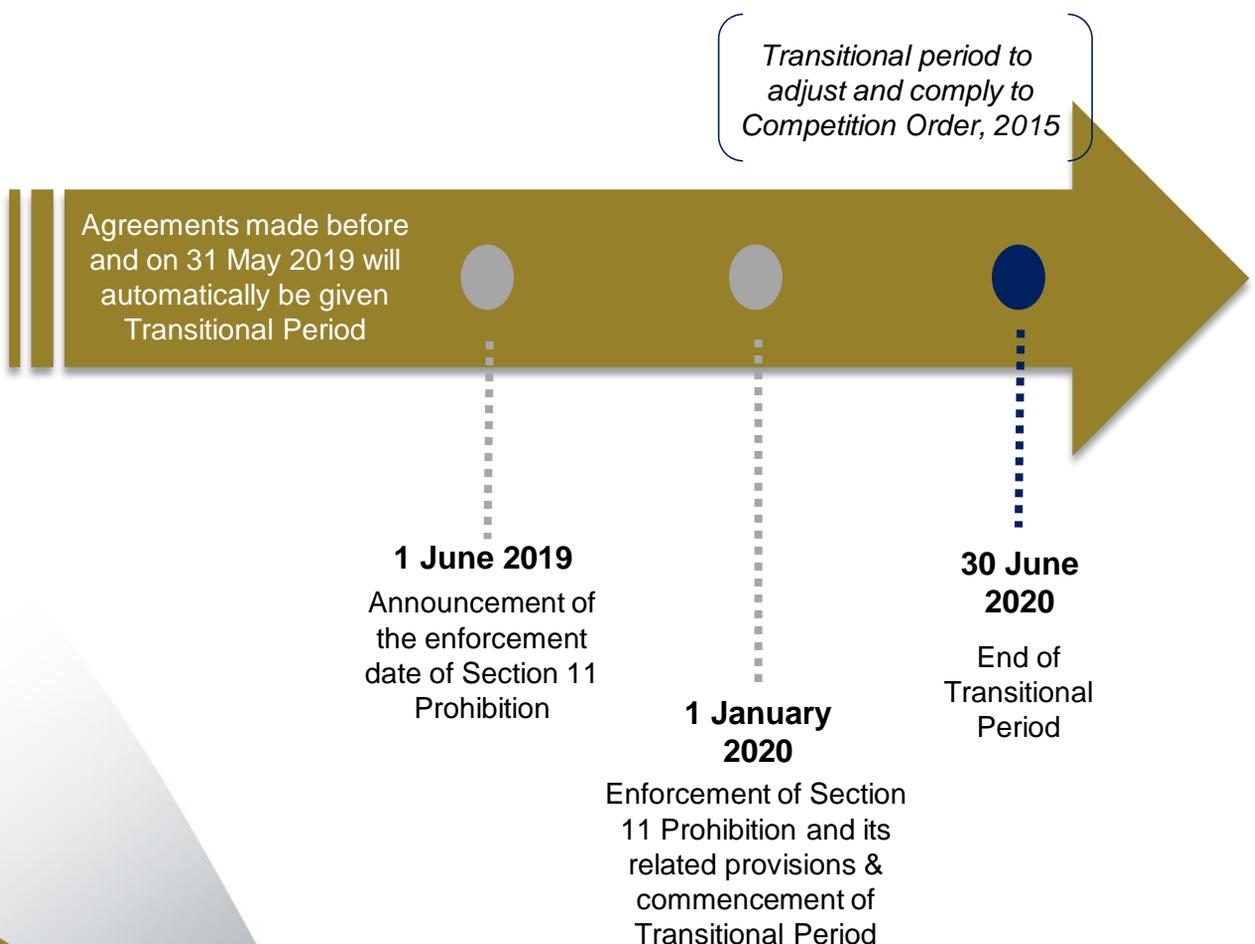
In addition, the CCBD may issue block exemption under Section 15 of the Order to exempt a category of agreements.

# Enforcement **timeline**

With phased-implementation approach admissible under the Competition Order, 2015, the enforcement of key parts and prohibitions of the Order will commence in phases beginning with the establishment of the CCBD. This phased approach allows sufficient time for the CCBD and key stakeholders to prepare for the enforcement of the new competition law in an orderly fashion.

The enforcement of the first key prohibition, Anti-Competitive Agreements and its related provisions had come into force in 1 January 2020. The enforcement of prohibitions related to abuse of dominant position and anti-competitive merger will initiate in the later phases.

The parties to an Anti-Competitive Agreement made before and on 31 May 2019 is granted a transitional period, starting from 1 January 2020 to 30 June 2020 to adjust, renegotiate, and terminate their agreement to comply with the Competition Order.



# Competition Regulations

## 1. **Competition Regulations, 2020**

Regulations to cover commitments, guidance, proposed decisions in respect of investigations, decisions following applications and investigations, directions, block exemptions, exercise of powers of investigations, miscellaneous which includes information on forms, notices, time, confidentiality, consultation, public register, revocation.

## 2. **Competition (Transitional Provisions for Section 11 Prohibition) Regulations, 2020**

Regulations dealing with parties seeking an extended transitional period to be immune from the penalty imposed to an agreement.

## 3. **Competition (Appeals) Regulations, 2020**

Appeals regulation includes commencing of and response to appeal proceedings, roles and functions of the Appeal Board Secretary, publication and consolidation, case management and the general provisions.

## 4. **Competition (Composition of Offences) Regulations, 2020**

Regulations on compoundable offences under the competition act as well as acceptance of composition of offence.



***Access Competition  
Regulations here!***

# Competition Guidelines



- 1. Guidelines on Anti-Competitive Agreements**  
Incorporates the examples of business agreements that may adversely affect competition process in the marketplace and practical recommendations for business compliance.
- 2. Guidelines on Complaint Procedures**  
Describes the complaint mechanisms and process in handling complaints.
- 3. Guidelines on Leniency**  
Details the process and procedures for cartel members to break up a cartel, in exchange for immunity from the financial penalty.
- 4. Guidelines on Extension of Transitional Period**  
Includes the rules and procedures for applications relating to extension of the transitional period. This is only applicable for agreements that were made before 1 June 2019.
- 5. Guidelines on Financial Penalty in Pursuant to Section 42**  
Provides general guidance and information on how the CCBD determines the appropriate financial penalty for the infringement of Section 11, Section 21 and Section 23 prohibitions under the Order.
- 6. Guidelines on Application of Confidential Treatment**  
Sets out the definition and criteria of confidential information and outlines process and procedures on how parties may apply for confidentiality claim for preservation of secrecy as per Section 70(1)(b).



**Access Competition Guidelines here!**



# ENFORCEMENT WORKS

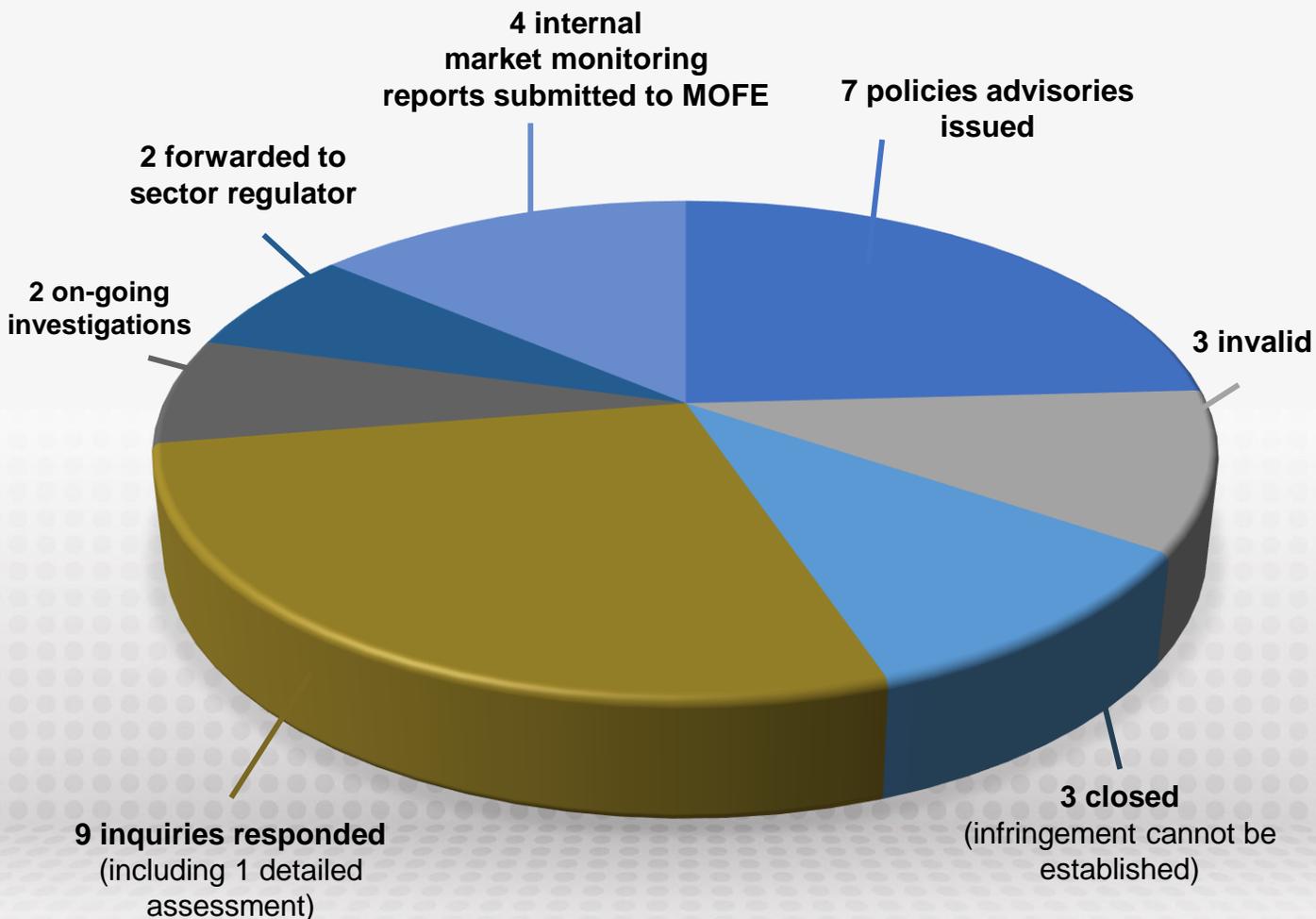
# Complaints and Inquiries

The CCBD relies on complaints and inquiries to identify possible infringement against the Competition Order, 2015. Businesses involved in cartel may also approach the CCBD for leniency application. In addition, the CCBD may also initiate investigation from other sources including its own market findings, directives from Ministry or referrals from other government agencies.

Since the enforcement of Section 11 of the Order, the CCBD has assessed a total of 26 complaints / inquiries, which have been concluded as follows:

Total of  
**30**

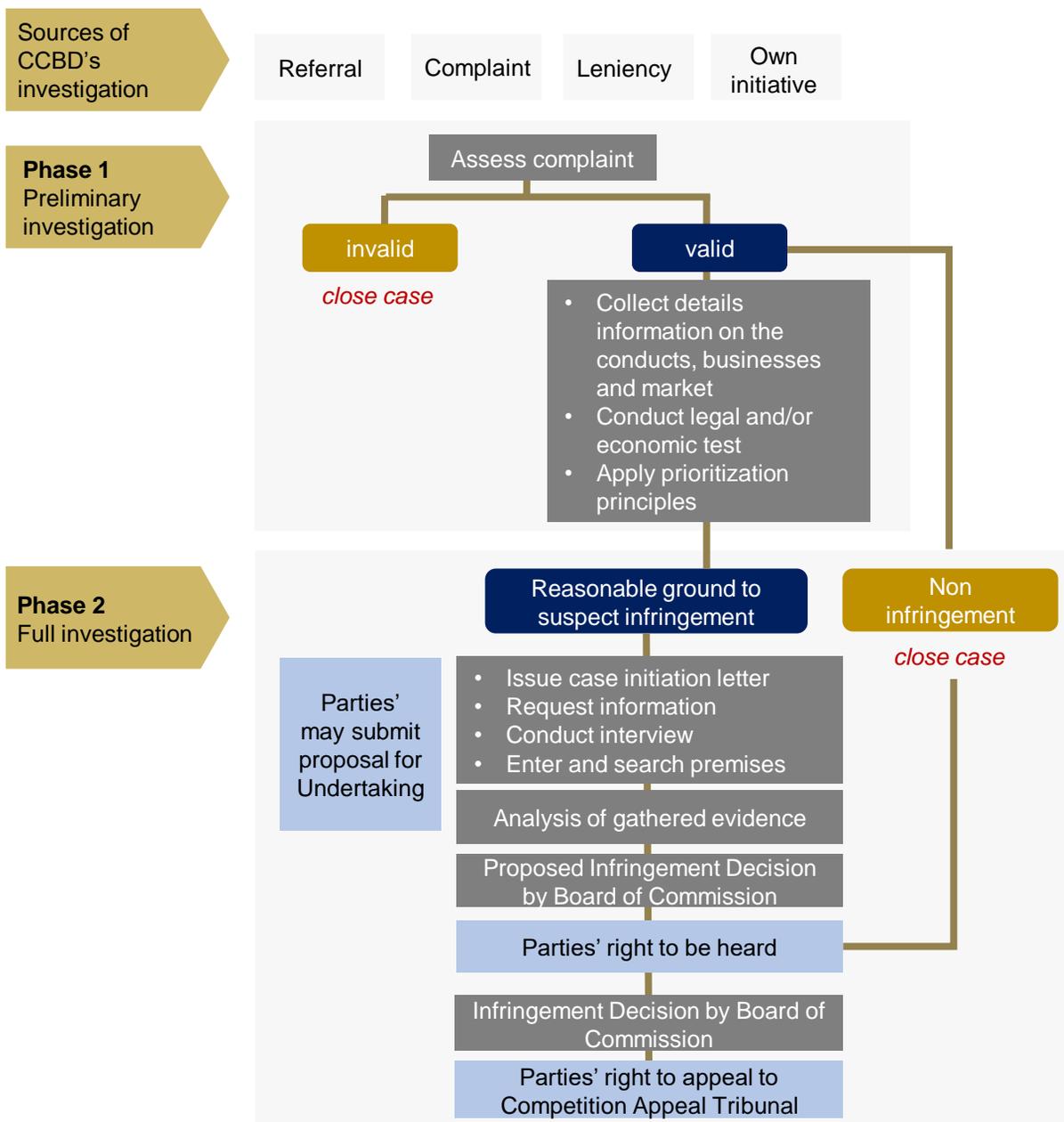
complaints / inquiries received  
Jan 2020 – March 2022



The nature of some complaints received were relevant to Section 11 prohibition, with allegation on bid rigging; price fixing and limiting supply. Nonetheless, most of these were closed at a preliminary investigation phase as no prima facie indication of infringement can be established to pursue a full investigation.

Apart from general inquiries on the application of the Competition Order, 2015, the CCBD also received complaints and inquiries related to business practices that may raise concerns under Section 21 prohibition of Abuse of Dominant Position such as refusal to supply; tying and bundling; and distributorship arrangement.

## CCBD's investigation procedures



# Policy Advisories

On the policy advisories front, the CCBD stepped up its efforts to advise government agencies to include competition dimension in their policy formulation and decision. The CCBD also received a fair amount of requests for assessment and guidance from Ministries and government agencies to ensure their existing regulations, policies and procedures are in accordance with the competition principles and the objectives of the law.

To date, a total of 10 competition advisories on matters related to trade policies, licensing requirements, scale of fees, sole-distributorship practices, and pro-competition tendering processes.

These advisories were issued to Ministries/agencies such as the Ministry of Education; Ministry of Health; Ministry of Transport and Info-Communication; Ministry of Development; Ministry of Religious Affairs and State Tender Board.



On pro-competition tendering process, emphasis was given on improving the tender designs and regulations to ensure the tender does not introduce any unjustified restrictions for companies to participate. The CCBD also highlighted on the administrative measures that may be taken to effectively address tender bids that do not comply to any conditions, regulations or laws.

Additionally, the advisory underscored the notion of ‘prevention is better than cure’ in combatting potential bid rigging conducts such as requiring participating bidders to declare their compliance to Competition Order. Following this, the CCBD has issued a Declaration Compliance with the Competition Order, 2015 clauses for procurement agencies’ adoption.

## Declaration on Compliance with the Competition Order, 2015

*I/We as the registered owner(s)/manager/director of the firm/company \_\_\_\_\_ with address of business at \_\_\_\_\_ have submitted a Tender Proposal for the above mentioned project, hereby make the following declaration:*

- i. that I/We or any person representing my/our firm/company understand that colluding with other firm (s)/company (ies) or any other person or entity in submitting the Tender Proposal for the above mentioned project is an offence under the Competition Order 2015.*
- ii. that I/We have not colluded with any other firm (s)/company (ies) or any other person or entity in submitting the Tender Proposal for the above mentioned project, and my/our firm/company's participation/involvement in the Tender Proposal for the above mentioned project is fair and transparent.*
- iii. that I/We or any person representing my/our firm/company will comply with the Competition Order 2015.*
- iv. that I/We or any person representing my/our firm/company understand that procurement agency may report suspected collusion conduct to the Competition Commission Brunei Darussalam and provide the Competition Commission Brunei Darussalam with any relevant information, including but not limited to information on our Tender Proposal for the above mentioned project or personal information.*
- v. that I/We or any person representing my/our firm/company understand that any infringement to the Competition Order 2015 may be imposed with financial penalty of up to 10 percent of business turnover for maximum of 3 years in pursuant to section 42(4) of the Order.*

# Response to COVID-19 impact

Following the outbreak of the first and second waves of COVID-19 pandemic in Brunei Darussalam, back in March 2020 and in August 2021 respectively, the CCBD has collaborated with the Consumer Affairs Division in responding to public complaints on price and supply issues resulting from the adverse impact of COVID-19 pandemic to the market.

In responding to the price issues and supply chain disruptions in the market brought about by the COVID-19 pandemic, the CCBD together with the Consumer Affairs Division has implemented market monitoring exercise of certain essential goods. Data including prices and stock availability of monitored essentials such as face masks, hand sanitisers, Antigen Rapid Test Kits and several food items including chicken and eggs were gathered and analysed to understand the causes and concerns in the market and prevent anti-competitive conducts.

As the outcome of the exercise, retail prices data were published in the public domain to promote information transparency and choice availability, which also serves as a preventive strategy to deter unethical business practices as well as cartel/abusive conducts.

In addition, the exercise also provides inputs for relevant sector regulators to devise measure to address any supply chain issues/shortages; and insights to ensure measures do not raise competition concerns.





**ADVOCACY  
& EDUCATION**

# Advocacy and education

The CCBD recognised that a two-pronged approach of enforcement and advocacy is crucial for the effective implementation of the competition law. To this end, the CCBD committed to reach out to a spectrum of stakeholders to promote competition principles and encourage greater compliance. Despite the challenges brought by the pandemic and limited physical events during the period in review, the CCBD had managed to conduct at least 22 engagement sessions reaching different audiences including policy makers, professional bodies, business community, media partners, and academic institutions.



## Government agencies

**22 June 2020**

Brunei Economic Development Board (BEDB)

**25 July 2020**

Audit Department, Prime Minister's Office

**24 October 2020 & 7 November 2020**

*Tabung Amanah Pekerja (TAP)*

**14 January 2021**

Ministry of Finance and Economy Coffee Table Discussion for Division 4 and 5

**15 February 2021**

Launching of Organization for Economic Cooperation and Development (OECD) Reports on Competition Impact and State-Owned Enterprises

**4 March 2021**

Royal Customs and Excise Department

**1 April 2021**

Permanent Secretary's Meeting

**16 June 2021**

Transport Division, Ministry of Education



**28 December 2021**

Anti-Corruption Bureau

**26 January 2022**

Department of Road, Public Works Department

Sessions with government agencies delved into the topics of government participation in markets and importance of competition principles in formulating policy in pursuit of achieving the overall benefits for the people and economic as a whole. This is in line with the priority of the CCBD to promote competition policy coherence to the policy makers.

Some sessions also gave focus to the prohibition of bid rigging conduct and how the relevant officers can play a role in improving its procurement process to minimise the risks of bid rigging conduct.

As a result of the engagement, the CCBD not only recorded requests on policy assessment and guidance from government agencies, but also forthcoming information on possible bid rigging conduct in public tender.



## Business community and professional bodies

**8 July 2020**

Licensed Surveyors and members of Brunei Institute of Geomatics (B.I.G)

**29 July 2020**

Muara Maritime Services

**9 June 2021**

Gadong Wet Market Vendors (Beef and Chicken)

**24 June 2021**

Butra Heidelberg Cement

**10 July 2021**

Brunei Institute of Geomatics

**16 February 2022**

Brunei Shell Marketing

With the enforcement of Competition Order's Anti-Competitive Agreements prohibition, the CCBD recorded an increase in businesses' interests to learn about the Order. The sessions highlighted on the objectives of the Order to create more opportunities for businesses and to maintain a fair marketplace. Effective implementation of competition policy and law will encourage businesses to be innovative, productive, and compete on a fair-level playing field resulting in goods and services being provided to consumers at competitive prices.



The sessions also served as a candid discussion platform for the CCBD to learn on the potential competition issues in the market. Frequently raised issues were gathered and categorised, which helps the CCBD to navigate its enforcement priority.



## Media and public

**17 August 2020**

Media Community

**4 – 6 December 2020**

Roadshow Bruneian Made



CCBD acknowledges the role of media as a crucial partner in disseminating information to foster competition and smart consumer culture in achieving a healthy market and enhanced consumer welfare. The session elaborated on how effective implementation of the Competition Order, 2015 can serve as building blocks to promote a healthy market, which can create business opportunities and boost domestic consumption and contribute to growth, as aspired in the Wawasan 2035.



## Academic institutions

**19 October 2020**

University Brunei Darussalam (UBD)

**19 October 2020**

Institute of Brunei Technical Education (IBTE)

CCBD continues to engage higher learning institutions to develop and nurture the next generation that can comprehend the importance of competition law and policy in economic growth. Topics discussed were economics concepts, the application of Competition Order, 2015 as well as its key prohibitions. The sessions also took the opportunity to inspire and stimulate interest to undertake research in competition law and policy, considering the relevance and importance of the subject in achieving Brunei Darussalam's long-term economic vision of a dynamic and sustainable economic growth.

# Advocacy materials

To create more awareness on the Competition Order and its prohibitions, numerous advocacy materials had been developed and published in several media platforms to maximise the outreach and get the message across the general public. The materials were prepared in both Malay and English language.

## Leaflets

### Frequently Asked Questions on Competition Order



#### COMPETITION ORDER 2015

##### 1 What is Competition Order 2015?

The Competition Order 2015 is a law that seeks to promote and maintain a healthy market competitor by prohibiting business practices which restrain or restrict a fair competition process. The Order prohibits three key anti-competitive conducts as follows:

- Anti-Competitive Agreements;
- Abuse of Dominant Position; and
- Anti-Competitive Mergers.

##### 2 Who does the Order apply to?

The Order applies to all commercial activities across sectors regardless of ownership of the entity.

The Order does not apply to the Government and Statutory Bodies, as well as any entities that carry out activities on behalf of them.

Its application also does not cover activities listed in the Third Schedule of Competition Order 2015 which include the provision of services of general economic interest; compliance with legal requirements; avoidance of conflict with international commitment; and public policy.

##### 3 What are key prohibitions under the Competition Order 2015?

The three key anti-competitive conducts prohibited by the Order are:

###### 1. Anti-Competitive Agreements (cartels)

Agreements which prevent, distort or restrict competition in the market are prohibited under the Order, regardless of whether the agreements are reached formally or informally between businesses. Anti-competitive agreements between businesses are also known as cartels. Businesses should not engage in any of the following hard core cartel

- Price fixing
- Market sharing
- Supply control
- Bid rigging (collusive tender)



This prohibition has entered into force on 1 January 2020.

###### 2. Abuse of Dominant Position

The Order prohibits a business with significant power in a market from abusing its dominant position by engaging in an anti-competitive conduct that can harm competition in the market, such as:

- Deliberately selling below cost (Predatory pricing)
- Refusal to supply
- Apply dissimilar conditions for the same transaction without reasonable justifications



###### 3. Anti-Competitive Mergers

A merger that results to a substantial lessening of competition in the market is prohibited. For instance, a merger that creates or reinforces a dominant position, resulting in reduced consumers' choice of goods and services, as well as higher prices.



##### 4 Why do we need the Order?

Anti-competitive conducts can exist in any market and may cause harm to the economy. Thus, having a law which deters such conduct is crucial.

With the prohibition of anti-competitive conducts, the Order provides incentives and opportunities for businesses to compete fairly in the market. Healthy competition stimulates growth and generates benefits for consumers, businesses and economy at large, such as:

- Provides good-value-for-money
- Increases consumer choice
- Improves quality of goods and services
- Encourages productivity
- Spurs Innovation
- Promotes market efficiency

The implementation and enforcement of the Order would contribute in achieving a sustainable economic growth in line with the Brunei Government's efforts to realise the goals of *Wawasan Brunei 2035*.

##### 6 How is anti-competitive conducts detected?

The following are some of the commonly used tools to detect anti-competitive conducts, such as cartels:

- **Market reviews**  
Market reviews aim to examine competition process in a market. Findings from market reviews may not be evidence of anti-competitive conducts, but could reveal a tell-tale sign for anti-competitive behaviour, which warrants further assessment.
- **Leniency Programmes**  
Leniency Programmes provides avenue for businesses who are involved in a cartel to come forward to disclose information on cartel conduct in exchange for immunity from penalties.
- **Complaints**  
Complaints could be received from consumers, competitors, or referrals from sector regulators.



#### PERINTAH PERSAINGAN 2015

##### 1 Apakah Perintah Persaingan 2015?

Perintah Persaingan 2015 adalah undang-undang yang bertujuan untuk menggalakkan dan mengekalkan persaingan pasaran yang sihat melalaui larangan amalan-amalan perniagaan yang menghalang atau menyekat proses persaingan yang adil. Perintah ini melarang tiga amalan utama anti-persaingan seperti berikut:

- Perjanjian Anti-Persaingan;
- Penyalahgunaan Kedudukan Dominan; dan
- Penggabungan Anti-Persaingan.

##### 2 Kepada siapakah Perintah ini dikenakan?

Perintah ini dikenakan kepada semua aktiviti komersial di seluruh sektor tanpa mengira pemilik entiti.

Perintah ini tidak dikenakan kepada Kerajaan dan Badan Berkanun, serta mana-mana entiti yang menjalankan aktiviti bagi pihak mereka.

Perintah ini juga tidak dikenakan kepada aktiviti aktiviti yang tersenarai di dalam Jadual Ketiga di bawah Perintah Persaingan 2015, termasuk perkhidmatan yang mempunyai kepentingan ekonomi umum; pematuhan terhadap keperluan undang-undang; menggalakkan perancangan dengan komitmen antarabangsa; dan dasar awam.

##### 3 Apakah jenis-jenis amalan perniagaan yang dilarang di bawah Perintah Persaingan 2015?

Tiga larangan utama di bawah Perintah ini adalah:

###### 1. Perjanjian Anti-Persaingan (kartel)

Perjanjian yang menghalang, mengganggu atau menyekat persaingan di pasaran adalah dilarang di bawah Perintah ini, tanpa mengira sama ada perjanjian dicapai secara formal atau sebaliknya. Perjanjian anti-persaingan di antara peniaga juga dikenali sebagai kartel. Para peniaga dilarang melibatkan diri di dalam mana-mana amalan *hard core* kartel seperti:

- Penetapan harga
- Pembahagian pasaran
- Pengawasan bekalan
- Tawaran tender secara kolusif



Larangan ini telah dikuatkuasakan bermula 1 Januari 2020.

###### 2. Penyalahgunaan Kedudukan Dominan

Perintah ini melarang peniaga yang mempunyai kuasa dominan di dalam pasaran daripada menyalahgunakan kedudukan tersebut dengan melakukan amalan anti-persaingan yang boleh memudaratkan persaingan di dalam pasaran, seperti:

- Menjual di bawah kos dengan sengaja (*Predatory pricing*)
- Keengganan membekal
- Mengenaikan syarat yang berbeza bagi transaksi yang sama tanpa sebab munasabah



###### 3. Penggabungan Anti-Persaingan

Penggabungan yang mengakibatkan pengurangan persaingan yang besar di dalam pasaran adalah dilarang. Sebagai contoh, penggabungan yang mewujudkan atau mengukuhkan kedudukan dominan sehingga menyebabkan pilihan barangan dan perkhidmatan yang terhad serta kenaikan harga.



##### 4 Kenapa Perintah ini perlu ada?

Amalan anti-persaingan boleh wujud di dalam mana-mana pasaran dan boleh mengakibatkan kemudatan kepada ekonomi. Oleh itu, mempunyai perundangan yang menghalang amalan sedemikian adalah penting.

Melalui larangan amalan anti-persaingan, Perintah ini menyediakan insentif dan peluang bagi peniaga untuk bersaing secara adil di pasaran. Persaingan yang sihat merangsang pertumbuhan dan mendatangkan manfaat kepada pengguna, peniaga dan ekonomi secara keseluruhannya, seperti berikut:

- Memberi nilai harga baik
- Mempelbagai pilihan pengguna
- Meningkatkan kualiti barangan & perkhidmatan
- Menggalakkan produktiviti
- Menggalakkan inovasi
- Mempromosi pasaran cecap

Pelaksanaan dan penguatkuasaan Perintah ini akan turut menyumbang dalam mencapai pertumbuhan ekonomi yang mampan selaras dengan usaha Kerajaan merealisasikan matlamat *Wawasan Brunei 2035*.

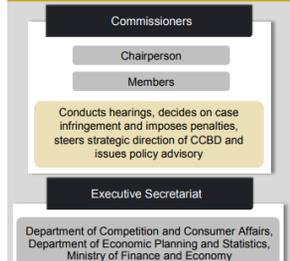
##### 6 Bagaimana amalan anti-persaingan dikesan?

Berikut adalah beberapa keadaan yang lazim digunakan dalam mengesan amalan anti-persaingan seperti kartel:

- **Kajian pasaran**  
Kajian pasaran dilaksanakan bagi menilai proses persaingan di dalam pasaran. Walaupun dapatan kajian pasaran tidak menjadi bukti amalan anti-persaingan, tetapi boleh digunakan sebagai petanda bagi penilaian lanjut.
- **Program Kelonggaran (Leniency)**  
Program Kelonggaran menyediakan platform bagi peniaga yang terlibat dalam kartel untuk tampil bagi mendedahkan maklumat mengenai kartel sebagai ganti kepada imuniti daripada penalti.
- **Aduan**  
Aduan boleh diterima daripada pengguna, pesaing atau pengawalsia sektor.

##### 5 Who are the authorities responsible in enforcing the Order?

###### Competition Commission Brunei Darussalam

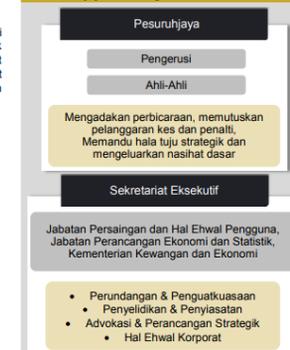


- Legal & Enforcement
- Research & Investigation
- Advocacy & Strategic Planning
- Corporate Affairs

The decision of the CCBD is appealable to the **Competition Appeal Tribunal**.

##### 5 Siapakah autoriti yang menguatkuasakan Perintah Persaingan 2015?

###### Suruhjaya Persaingan Brunei Darussalam



Keputusan Suruhjaya Persaingan boleh dirayu kepada **Tribunal Rayuan Persaingan**.

Are you aware of any Anti-Competitive Agreements?

**LODGE A COMPLAINT**



www.ccbd.gov.bn

Supporting documents are necessary to enable the Competition Commission to make assessment of the complaint and to decide if it warrants investigation.

For general inquiries: 2233344 ext 230 / 343

Think twice before exchanging information with competitors

**Exchanging commercially sensitive information could breach the Competition Order 2015**

What are commercially sensitive information?

- 1 Future pricing
- 2 Profit margins / calculations
- 3 Pricing / discount strategies
- 4 Output level
- 5 Commercial or marketing plan
- 6 Terms and conditions of purchase and supply

For more information visit [www.ccbd.gov.bn](http://www.ccbd.gov.bn)

Adakah awda menyedari sebarang Perjanjian Anti-Persaingan?

**LAPORKAN ADUAN**



www.ccbd.gov.bn

Dokumen sokongan perlu bagi membolehkan Suruhanjaya Persaingan membuat penilaian terhadap aduan dan membuat keputusan bagi melancarkan siasatan.

Bagi pertanyaan am: 2233344 samb 230 / 343

**HENTIKAN KARTEL**

Perintah Persaingan, 2015 memperuntukkan **kelonggaran (leniency)** atau **imuniti daripada penalti** bagi ahli kartel yang tampil **mendedahkan kartel berserta bukti**.

Identiti pemohon akan dirahsiakan - Bab 70, Perintah Persaingan.

Bagi memohon kelonggaran 

Bagi maklumat lanjut [www.ccbd.gov.bn](http://www.ccbd.gov.bn) | 2233344 samb 230 / 343 | mohon taklimat

**BREAK A CARTEL**

The Competition Order, 2015 grants **leniency or immunity from penalty** for a member of a cartel to **come forward with evidence** to reveal a cartel.

Identity of leniency applicant will be kept confidential - Section 70, Competition Order.

To apply for leniency 

To learn more [www.ccbd.gov.bn](http://www.ccbd.gov.bn) | 2233344 ext 230 or 343 | request for briefing

**MENDAPATI AMALAN ANTI-PERSAINGAN DI PASARAN?**

**LAPORKAN ADUAN**



www.ccbd.gov.bn

Amalan anti-persaingan adalah perjanjian yang dibuat oleh dua atau lebih entiti perniagaan untuk:

- Menetapkan Harga
- Membahagikan Pasaran
- Menghadkan Bekalan
- Menipu Bidaan (Kolusif Tender)

brunei.competition@jpes.gov.bn  
Level 3, West Wing, Block 2A, Ong Sum Ping Road, Bandar Seri Begawan, BA 1311

**NOTICE ANY ANTI-COMPETITIVE CONDUCT IN THE MARKET?**

**LODGE A COMPLAINT**



www.ccbd.gov.bn

Anti-competitive conducts are agreements made between two or more business entities in:

- Price Fixing
- Market Sharing
- Limiting Supply
- Bid Rigging (Tender Collusion)

brunei.competition@jpes.gov.bn  
Level 3, West Wing, Block 2A, Ong Sum Ping Road, Bandar Seri Begawan, BA 1311

# Bid rigging awareness campaign

Consistent with the CCBD's focus against bid rigging or collusive tendering to promote competitive public procurement processes, the CCBD launched Bid Rigging Awareness campaign in December 2021 to enhance knowledge among public procurement officials or agencies on the risks and preventive measures to deter anti-competitive conducts in public tenders.

The Bid Rigging Awareness campaign includes releasing a series of posters to raise awareness on the risks and preventive measures from the outset of a tender process.

**FIGHTING BID RIGGING IN PUBLIC TENDER**

Public projects and contracts account for a significant amount of Government expenditure and business opportunity.

To ensure Government budget is efficiently used, a competitive procurement exercise is expected to get the best value for money offers. But this may not be the case if bid rigging occurs in a tender.

**Learn how to deter and detect possible bid rigging conduct**

**Prevention is more effective than cure**

Bid rigging is prohibited under Section 11: Anti-Competitive Agreement of the Competition Order, 2015

www.ocbd.gov.bn | brunei.competition@pes.gov.bn

**BID RIGGING**

Bid rigging, or collusive tendering, occurs when bidders or potential bidders make an agreement on who should win the tender. It undermines the bidding process and can result in a higher price, than otherwise be obtained in a competitive bidding process. Bid rigging is an illegal conduct prohibited under the Competition Order, 2015.

**Types of bid rigging**

- Bid suppression:** "I won't bid so that you may win"
- Complementary bidding:** "I am going to raise my price so that you may win"
- Bid rotation:** "I am now you will need this"
- Subcontracting:** "Let me win and I will subcontract to you"

**What can be done?**

- DETER:** Prevention is better than cure
- DETECT:** Look out for warning signs
- REPORT:** Call CCBD for assessment & investigation

www.ocbd.gov.bn | brunei.competition@pes.gov.bn

**DETER BID RIGGING**

**Reduce the risks! Design your procurement process carefully.**

- 1. Understand the market**
  - Collect information about the market including product characteristics, suppliers, substitutes and price trend.
- 2. Encourage more bidders**
  - Practice open tender
  - Keep participation fees reasonable
  - Avoid requirements which hinder potential bidders
  - Allow adequate time for submission
- 3. Define requirements clearly**
  - Use performance/functionality specification instead of brand name
  - Allow substitute products
- 4. Invite bids with itemised costs**
  - Require submission on itemised basis rather than lump sum
- 5. Reduce communication among bidders**
  - Avoid bringing potential bidders together in pre-bid meetings
  - Keep bidders' information secret
  - Consider electronic bidding
- 6. State clear evaluating and award criteria**
  - Weigh criteria other than price aspect
  - Do not favour incumbents
- 7. Include warning sanction in tender document**
  - Make reference to the prohibition of bid rigging under the Order

www.ocbd.gov.bn | brunei.competition@pes.gov.bn

**DETECT BID RIGGING**

**Stay vigilant on its warning signs**

- Bid submission pattern**
  - Number of bids lower than usual
  - Usual bidders fail to submit bid
  - Bids unexpectedly withdrawn
  - Same company often offers lowest bid
- Bid document**
  - Different bids that display same handwriting / formatting, editing, terminology used, information gaps, mistakes (typos, grammar or miscalculation)
- Bid pricing**
  - Different bids with same price
  - Substantial difference between winning bids and remaining bids
  - Unjustified price increase relative to previous bids
- Bidders' statement**
  - Make reference agreement among bidders
  - "Industry suggested prices"
  - Use same terminology when explaining price increase
- Bidders' behaviour**
  - Company requests for tender forms for itself and its competitors
  - Company submits bids of its own and its competitors
  - Companies meet privately before submitting tender
- Bid outcome**
  - Fluctuating pattern in terms of the winning bid
  - Bid winner recurrently subcontract to losing company

The warning signs may not be in themselves evidence for collusion but it is a call for further examination / investigation

www.ocbd.gov.bn | brunei.competition@pes.gov.bn

**REPORT BID RIGGING**

**Bid rigging is a serious offence under Competition Order, 2015**

**Suspect any bid-rigging conduct? We are counting on you to help us put an end to bid rigging**

- 01 Submit your complaint through CCBD's website at [www.ocbd.gov.bn](http://www.ocbd.gov.bn)
- 02 Keep all documents including envelopes, correspondence, and tender documents
- 03 Keep detailed record of all suspicious behaviours and statements
- 04 Do not discuss your concerns with suspect participants

**Did you know?**

Studies estimate average bid rigging overcharge is at 10 - 45%. Fighting bid-rigging through competitive procurement process and opening up bidders' participation can lead to significant Government's saving.

Source: OECD

www.ocbd.gov.bn | brunei.competition@pes.gov.bn



# **CAPACITY BUILDING AND TRAINING**

# Institutional capacity

In strengthening the Commission's overall capability and effectiveness in handling competition issues, the CCBD remains committed in building its internal capacities. Despite the travel restrictions imposed during the period in review, the CCBD managed to participate in more than 30 workshops/forums held virtually, organised by regional and international counterparts. Participation in capacity building programmes provides the opportunity for CCBD to gain knowledge and exposure through experience shared by other countries in relation to the implementation and enforcement of competition law, as well as to develop informal cooperation with other competition authorities.

In addition, the CCBD had the opportunity to host the OECD Competition Workshop for Younger Competition Agencies virtually in 2020. The workshop, co-organised by the CCBD and the OECD, Korea Policy Centre (KPC) under the OECD/KPC Competition Programme, was targeted at young competition agencies in ASEAN with the aim of facilitating knowledge and experience sharing on the first necessary steps of implementing and enforcing competition law.

## Competition Workshop for Younger Competition Agencies - First Steps



## List of capacity building programmes attended

No	Date	Title
1	21 April 2020	Webinar on Competition Authorities Responses to COVID-19
2	28 May 2020	OECD Webinar – 'Antitrust in Times of Crisis'
3	16 - 21 July 2020	OECD Korea Policy Centre (KPC) Web Workshop on Health Sector
4	3 - 4 September 2020	GCR Live Singapore: 9th Annual Asia-Pacific Law Leaders Conference 2020
5	9 September 2020	ACCC Competition and Consumer Protection in Digital Markets: Group Discussion
6	16 September 2020	OTCC Competition Assessment Report under OECD-ASEAN Competition Assessment Project
7	17 - 18 September 2020	CTI-EC FTAAP Policy Dialogue on Competition Related Provisions in FTAs / EPAs from a Business Perspective
8	30 September 2020	Taiwan Anti-Trust Seminar
9	5 - 9 October 2020	OECD/KPC/ADB/PCC Workshop on Competition Economics - Abuse of Dominance
10	7 - 8 October 2020	Validation Workshop of the Study on Recommended Procedures for Cooperation on Cross-Border Competition Cases
11	19 - 23 October 2020	OECD/KPC/ADB/PCC Workshop on Competition Economics - Merger
12	27 January, 10/17 February 2021	USDOJ ASEAN Merger Investigation Workshop
13	29 January 2021	PHCC Launching of OECD report
14	2-3 February 2021	ASEAN-OECD Regional Report Workshop
15	23 February 2021	Workshop on Methodologies to Measure Market Competition
16	22 - 23 February 2021	PHCC Forum on Competition in Developing Country
17	2 March 2021	UNDTAC-ESCAP Regional Policy Dialogue on the role of competition policy in supporting the economic recovery of MSMEs post COVID-19
18	3/10/17/24 March 2021	CCCS Competition Law Series
19	4,9,18 & 23 March, 8,12,22,27 April 2021	"Train-the-Trainer" series of webinars and one-to-one mentoring sessions
20	27 May 2021	Indonesia Launching of OECD Report
21	4 June 2021	Singapore Launching of OECD Report
22	1-2 July 2021	Merger Case Workshop



No	Date	Title
23	28 July 2021	Cambodia Launching of OECD Report
24	2-4 August 2021	Training Course on Unilateral Conduct and Abuse of Dominance
25	31 August 2021	Vietnam Launching of OECD Report
26	09 September 2021	Regional Launch OECD Competition Assessment and Competitive Neutrality Reports in ASEAN
27	22-23 September 2021	Media and Advocacy Workshop
28	23 September 2021	Lessons Learned from the RCEP Agreement and Other Relevant FTAs to support the AANZFTA Negotiations
29	28 September 2021	East Asia Top Level Officials' Meeting on Competition Policy
30	29 September 2021	East Asia Conference on Competition Law and Policy
31	4,5 & 7 September 2021	OECD / KPC Workshop on Competitive Neutrality
32	5 October 2021	MyCC Launching of Market Review
33	5 October 2021	Malaysia Launching of OECD Report
34	5 November 2021	Making Digital Markets Work for Consumers: Competition, Consumer Protection and Data
35	17-19 November 2021	Workshop on Competition and Public Procurement
36	1-2 December 2021	9th ASEAN Competition Conference (ACC)
37	6-8 December 2021	2021 OECD Global Forum on Competition
38	9 December 2021	OECD Workshop on the OECD Competition Assessment Reviews and Competitive Neutrality Reviews in ASEAN
39	13-14 December 2021	Workshop on New Economic Issues in Merger Enforcement
40	15 December 2021	Virtual International Competition Workshop
41	24-25 January 2022	ASEAN-US DOJ Investigation Cooperation on Cross-border Mergers and Cartels Workshop
42	8, 10-11 March 2022	OECD/KPC Workshop on Market Studies for Competition Advocacy and Enforcement
43	14 March 2022	APEC Capacity Building Workshop on Data Science Tools for Sector Regulators and Competition Authorities Amidst the New Normal
44	17 March 2022	Official Launch of the National Dissemination Workshop on Cambodia Competition Law





# **INTERNATIONAL ENGAGEMENT**

# International engagement

The CCBD continues to establish engagement with other competition agencies, be it informally via bilateral communications or formally through platform such as the ASEAN Experts Group of Competition (AEGC), the ASEAN Heads of Competition Agencies (AHCA) and APEC Competition Policy and Law Group. In 2022, Brunei Darussalam has the privilege to become the Chair of the AEGC to lead the implementation of competition deliverables in the region. During the year in review, the CCBD participated in 14 regional and international meetings including negotiations for Free Trade Agreements upgrade.

## AEGC and Related Meetings

- AEGC Online Video Conference Meetings
- 3rd ASEAN Competition Enforcers' Network, 7-8 Oct 2020
- 25th AEGC and related meetings, 20-22 Oct 2020
- 26th AEGC and related meetings, 22-26 Mac 2021
- 27th AEGC and related meetings, 11-15 Oct 2021
- 28<sup>th</sup> AEGC and related meetings, 28 Mac – 1 Apr 2022



## AHCA Meetings

- 1<sup>st</sup> AHCA Meeting, 11 October 2021
- 2<sup>nd</sup> AHCA Meeting, 15 March 2022



## AANZFTA Upgrade Negotiations

- ASEAN Caucus for the 1<sup>st</sup> Round AANZFTA CC Negotiations, 13-14 Jul 2021
- 2<sup>nd</sup> Round AANZFTA CC Negotiations, 23-24 Aug 2021
- 3<sup>rd</sup> Round AANZFTA CC Negotiations, 27 Oct 2021



## APEC CPLG Meetings

- APEC CPLG Meeting, 25 February 2021
- APEC CPLG Meeting, 18 February 2021



## OECD Asia-Pacific

- Special Covid 19 OECD High Level Meeting Webinar Asia Pacific, 15 Jul 2020
- 6th Meeting of High Level Representatives of Asia-Pacific Competition Authorities, 13 Dec 2021



**MEDIA  
APPEARANCES**





# OECD puji perkembangan dikecapi CCBD



YANG Berhormat Ahli Majlis Mesyuarat Negara menyertai bengkel dalam talian, bertajuk 'Competition Workshop for Younger Competition Agencies - First Steps' yang diadakan pada 26 Disember tahun lepas.

## Siaran Akhbar dan Foto: Suruhannya Persekitaran Brunei Darussalam

**BANDAR SERI BEGAWAN,** 4 Januari - Usaha memperkembangkan Suruhannya Persekitaran Brunei Darussalam (Competition Commission Brunei Darussalam - CCBD) dalam melaksanakan Perintah Persekitaran (Competition and Development Policy Order) (CCPD) semasa bengkel dalam talian, bertajuk 'Competition Workshop for Younger Competition Agencies - First Steps' yang diadakan pada 26 Disember tahun lepas.

## Berhenti diwariskan kepada agensi-agensinya

Berhenti diwariskan kepada agensi-agensinya pada 2021, termasuk kepada agensi-agensinya yang bersempena dengan pelaksanaan undang-undang perundangan. Lebih daripada 20 pegawai dari agensi-agensinya pada 2021, termasuk kepada agensi-agensinya yang bersempena dengan pelaksanaan undang-undang perundangan. Lebih daripada 20 pegawai dari agensi-agensinya pada 2021, termasuk kepada agensi-agensinya yang bersempena dengan pelaksanaan undang-undang perundangan.

# PATUHI PERINTAH PERSAINGAN PENIAGA

Peraturan yang membolehkan persaingan yang adil dan terbuka dalam pasaran perniagaan. Peraturan ini bertujuan untuk melindungi kepentingan pengguna dan memastikan persaingan yang adil dan terbuka dalam pasaran perniagaan. Peraturan ini bertujuan untuk melindungi kepentingan pengguna dan memastikan persaingan yang adil dan terbuka dalam pasaran perniagaan.



Perwakilan dari beberapa organisasi perniagaan menghadiri bengkel mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan.

## 10 terima sijil Asas Bahasa Isyarat

Sebuah bengkel mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan. Bengkel ini bertujuan untuk meningkatkan pemahaman mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan.

## Ops Langsir: 7 diperiksa di tapak binaan

Sebuah operasi pemeriksaan mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan. Operasi ini bertujuan untuk memastikan kepatuhan terhadap peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan.

# Fair competitive market provides better growth opportunity

Sebuah artikel mengenai pentingnya pasaran persaingan yang adil dan terbuka dalam pasaran perniagaan. Artikel ini menjelaskan bagaimana pasaran persaingan yang adil dan terbuka dapat meningkatkan pertumbuhan ekonomi dan memberikan peluang yang lebih baik kepada semua pihak.

# 66 cadangan penambahbaikan promosi sektor logistik yang kompetitif dan inovatif

Sebuah artikel mengenai cadangan-cadangan untuk meningkatkan sektor logistik. Artikel ini mencadangkan 66 langkah untuk meningkatkan promosi sektor logistik yang kompetitif dan inovatif.

# Situasi COVID-19 pelajar NBD di UK

Sebuah artikel mengenai situasi COVID-19 di kalangan pelajar NBD di United Kingdom. Artikel ini melaporkan mengenai langkah-langkah yang diambil oleh NBD untuk memastikan keselamatan dan kesejahteraan pelajar-pelajarnya.

# Over 70 attend continuous professional development talk

Sebuah artikel mengenai kehadiran lebih daripada 70 orang dalam sesi perkongsian pengetahuan profesional. Sesi ini bertujuan untuk meningkatkan kualiti perkhidmatan dan profesionalisme kakitangan.

## Law breakers run out of luck

Sebuah artikel mengenai tindakan tegas terhadap penjenayah undang-undang. Artikel ini melaporkan mengenai beberapa kes yang telah ditangani oleh pihak berkuasa.

## Sebuah bengkel mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan

Sebuah artikel mengenai bengkel mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan. Bengkel ini bertujuan untuk meningkatkan pemahaman mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan.

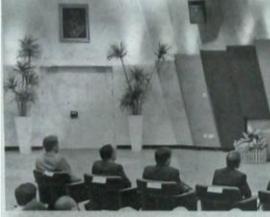
## Sebuah operasi pemeriksaan mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan

Sebuah artikel mengenai operasi pemeriksaan mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan. Operasi ini bertujuan untuk memastikan kepatuhan terhadap peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan.

## Sebuah artikel mengenai cadangan-cadangan untuk meningkatkan sektor logistik

Sebuah artikel mengenai cadangan-cadangan untuk meningkatkan sektor logistik. Artikel ini mencadangkan 66 langkah untuk meningkatkan promosi sektor logistik yang kompetitif dan inovatif.

# Reports highlight importance of competition



Sebuah bengkel mengenai peraturan persaingan yang adil dan terbuka dalam pasaran perniagaan.

# Competition Order ensures innovation, efficiency

Sebuah artikel mengenai pelaksanaan Peraturan Persekitaran (Competition Order) yang bertujuan untuk memastikan persaingan yang adil dan terbuka dalam pasaran perniagaan. Peraturan ini bertujuan untuk melindungi kepentingan pengguna dan memastikan persaingan yang adil dan terbuka dalam pasaran perniagaan.

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**YEARS**  
**AHEAD**

# 2022/2023 focus

In terms of the enforcement priority, the CCBD will continue to place focus in fighting bid rigging conducts, noting the potential significant harm to the consumers, economy and government expenditure. This is in support of the national agenda that emphasizes on preventing leakages in public procurement, as well as to uphold prudent spending and value-for-money public procurement.

Notably, priority is also given to policy coherence to ensure policies are consistent with the competition principle and national vision towards achieving the long term economic objective – a dynamic and sustainable economy.

As such, several agendas have been lined up as CCBD's commitment moving forward.



## Enforcement works

- Cartel and bid rigging Investigation
- Policy advisory



## Awareness and compliance

- Outreach sessions to government agencies, business associations and academics
- Advocacy materials including video
- Media appearances



## Legal frameworks

- Guidelines on (i) Competition Impact Assessment and (ii) Exemption Application
- Internal manual and procedures



## International commitments

- ASEAN Experts Group on Competition (AEGC)'s Chair
- Free Trade Agreements (RCEP, AANZFTA, CPTPP)
- International cooperations including APEC, UNCTAD, EATOP, OECD



## Capacity building

- Structure and staff strength
- On-the job training with competition advisor
- Secondment to enforcement agency
- Workshops/forums



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