ISSUE 2026-03

PHILIPPINE COMPETITION BULLETIN

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PHILIPPINE COMPETITION COMMISSION

Ensuring businesses compete and consumers benefit

(Front, center, from left to right) DEPDev Secretary Arsenio Balisacan, ICN Chair Andrea Marvan, and PCC Chairperson Michael Aguinaldo, together with heads of competition agencies and delegates from 73 jurisdictions at the 25th ICN Annual Conference, held on May 5-8 in Pasay City.

PCC hosts 2026 ICN Annual Conference

By Judielyn Agua

The Philippine Competition Commission (PCC) successfully hosted the 2026 International Competition Network (ICN) Annual Conference held on May 5-8 in Pasay City. Marking the ICN's 25th anniversary, the event gathered 330 delegates from 73 jurisdictions to discuss emerging issues in competition law and policy.

Opening the conference, ICN Chair Andrea Marvan, who also heads Mexico's Federal Economic Competition Commission, reflected on the network's evolution since its founding in 2001, noting that it has grown into a community of more than 140 competition authorities. As markets become increasingly shaped by digitalization, artificial intelligence (AI), and the green transition, she said the ICN continues to provide a unique forum for "dialogue, debate, and collective development."

PCC Chairperson Michael Aguinaldo echoed these sentiments, describing the ICN not merely as an organization but as a community where competition authorities "lean on each other and learn from each other." Aguinaldo also emphasized that while the ICN is primarily driven by competition authorities, it is meant for everyone, including "related agencies, justice ministries and departments, competition tribunals, international organizations, as well as non-governmental advisors (NGAs), academics, practitioners, economists, lawyers, and professionals from various disciplines." The annual conference, he added, offered a chance to come together, celebrate this community, and deepen the professional relationships that make international cooperation possible.

In a keynote address, Department of Economy, Planning, and Development (DEPDev) Secretary Arsenio Balisacan described competition policy as a vital development tool. Balisacan, the founding Chairperson of the PCC, argued that in an era of geopolitical tension and trade fragmentation, competition policy acts as a stabilizing force that preserves fairness and innovation. He noted that in the face of digital evolution, competition authorities must ensure that "innovation remains open" and "economic opportunity remains within reach for all."

The conference featured plenary sessions, breakout discussions, and working group meetings where delegates exchanged experiences and explored practical approaches to strengthening competition policy and enforcement. Discussions covered regional cooperation among competition authorities, procedural fairness, strategic planning, competition in food and agriculture markets, merger control, unilateral conduct, digital markets, and innovative approaches to advocacy. A special plenary session also marked the network's 25th anniversary by reflecting on the network's achievements and future priorities.

The ICN Annual Conference hosting coincided with the 10th anniversary of the PCC, which is among the youngest antitrust agencies in Southeast Asia and only the second in the region, after the Competition and Consumer Commission of Singapore (CCCS), to have hosted the ICN's annual gathering. ■

Fijian counterpart benchmarks with PCC during scoping visit

By Lea Marie Diño

Officials from the Fijian Competition and Consumer Commission (FCCC) visited the Philippine Competition Commission (PCC) on May 11-13 at its office in Quezon City to learn about how the Philippines enforces its competition law and policies. The scoping visit aimed to strengthen cooperation and support the FCCC's ongoing reforms to expand its antitrust functions by drawing on the PCC's experience and expertise.

In welcoming the delegation, PCC Executive Director Kenneth Tanate said the visit provided an opportunity to share the Commission's experience in implementing the Philippine Competition Act over the past decade and to exchange lessons on the operational challenges faced by relatively young competition authorities. FCCC General Manager Vinitesh Kumar, meanwhile, noted the similarities between the two jurisdictions and expressed the delegation's interest in learning from the PCC's institutional development, enforcement experience, and established procedures.

The benchmarking program featured presentations by various PCC offices on enforcement and adjudication procedures, merger review, competition advocacy, and the National Competition Policy. The FCCC delegation also learned about the PCC's journey toward ISO certification and toured the Commission's facilities.

The visit concluded with discussions on a possible memorandum of understanding to formalize future cooperation and institutional support between the PCC and the FCCC.

The FCCC is Fiji's competition authority, responsible for enforcing the Fijian Competition and Consumer Commission Act 2010, promoting fair trade, protecting consumers, and regulating markets where competition is limited. ■

PCC Executive Director Kenneth Tanate (third from right) and FCCC General Manager Vinitesh Kumar (center) marked a successful benchmarking visit on May 11-13. They are joined by (from left to right) PCC Office of the Chairperson Technical Assistant Lee Mauro Balmaceda, PCC Communications and Knowledge Management Office Director IV Frederick Romero, FCCC Enforcement Manager Christina Choy, PCC Administrative Office Director IV Jeson de la Torre, and PCC Finance, Planning and Management Office Director IV Joseph Melvin Basas.

FCCC General Manager Vinitesh Kumar (standing) presented an overview of the Fijian competition regime to PCC officials during their benchmarking visit to the PCC office.

PCC receives global advocacy recognition for second straight year

By Jannel Ventura

The Philippine Competition Commission (PCC) received an honorable mention at the 2026 International Competition Network (ICN) and World Bank Group (WBG) Competition Advocacy Contest, marking its second consecutive year of international recognition for competition advocacy. The award was presented on May 7 during the 25th ICN Annual Conference, held in Pasay City on May 5-8. The annual contest recognizes outstanding non-enforcement initiatives by competition authorities worldwide.

The PCC was recognized under the category, "Promoting a culture of compliance through innovative advocacy and digital tools", for its Competition Compliance Program (CCP) Toolkit and Champions of Competition Program, which includes the Competition Local Advocacy Network (CLAN) and the Competition Advocacy Pledge (CAP). Together, these initiatives promote voluntary compliance with competition law through practical guidance for businesses and partnerships with state universities, colleges, and business organizations.

Designed particularly for micro, small, and medium enterprises (MSMEs), the CCP Toolkit helps businesses identify competition risks and strengthen compliance programs. Meanwhile, the CLAN and CAP seek to broaden competition advocacy through regional partnerships. By 2025, these initiatives had reached more than 2,400 stakeholders across hundreds of localities, expanding awareness of competition law, and promoting a culture of compliance.

"This recognition affirms our commitment to making competition law accessible and actionable for every Filipino business. By empowering MSMEs with the right tools and building a network of advocates across the regions, we are not just enforcing a law; we are cultivating a culture of fairness that drives inclusive economic growth," PCC Chairperson Michael Aguinaldo said.

The recognition follows the PCC's 2025 recognition in the same global competition for its Bid-Rigging Screening Tool (BiRST), which uses public procurement data analytics to help detect potential cartels and strengthen proactive competition enforcement in partnership with other government agencies. ■

(Left to right) PCC Chairperson Michael Aguinaldo, Communications and Knowledge Management Office (CKMO)-Capacity Building and Advocacy Division (CBAD) Chief Inah Geneve Mangilin, CKMO Director III Arnold Roy Tenorio, and Executive Director Kenneth Tanate at the ICN-WBG Competition Advocacy Contest awarding ceremony held during the 2026 ICN Annual Conference in Pasay City.

PCC Chairperson Michael Aguinaldo delivered the opening remarks during the opening day of the 2026 ICN Annual Conference.

(From left to right) CKMO Director III Arnold Roy Tenorio, Executive Director Kenneth Tanate, Chairperson Michael Aguinaldo, and CKMO-CBAD Chief Inah Geneve Mangilin (12th from left) together with other awardees during the ICN-WBG Advocacy Contest awarding ceremony held on May 7 in Pasay City.

AI, emerging competition issues tackled during pre-ICN conference activities

By Lea Gomez and Miguel Simon Mendoza

Ahead of the 2026 International Competition Network (ICN) Annual Conference, the Philippine Competition Commission (PCC) tapped foreign competition experts visiting the country as resource speakers for a series of learning activities aimed at strengthening the Commission's institutional capacity on artificial intelligence (AI), digital markets, and emerging competition issues.

The learning experience began on May 4 with an AI bootcamp, during which PCC officials and personnel explored AI fundamentals, responsible AI governance, competitive dynamics, and the technology's potential applications in competition law enforcement.

PCC Chairperson Michael Aguinaldo (fifth from left); Commissioners Michael Peloton (leftmost); Marah Victoria Querol, Lolibeth Ramit-Medrano, and Ferdinand Negre (ninth to eleventh from left); Executive Director Kenneth Tanate (second from left) with PCC personnel and resource speakers during the AI Bootcamp held on May 4 at the PCC office in Quezon City.

Also on May 4, in coordination with the University of the Philippines Law Center's Competition Law and Policy Program (UP-CLPP), the PCC participated in the Second Global Governance of Competition Law and Policy Colloquium. Sponsored by the University College London (UCL) Centre for Law, Economics and Society, the University of Hong Kong Faculty of Law, and the Inclusive Competition Forum, the colloquium convened more than 30 competition authorities, legal scholars, and policy experts to discuss strategic trade, artificial intelligence (AI), public infrastructure, higher education, and other emerging competition issues.

PCC Chairperson Michael Aguinaldo (10th from left) and Executive Director Kenneth Tanate (16th from left) join event co-organizers University College London (UCL) Professor Ioannis Lianos (ninth from left) and Dr. Stavros Makris (11th from left), along with other participants, during the Second Global Governance of Competition Law and Policy Colloquium on May 4.

(From left to right) ADB Economic Research and Development Impact Department Advisor Yesim Elhan-Kayalar, PCC Commissioner Lolibeth Ramit-Medrano, and Melbourne Law School Senior Fellow Wan Khatina Nawawi during the pre-ICN Annual Conference 2026 policy dialogue on AI platforms and ASEAN competition policy held on May 5 in Pasay City.

On May 5, the PCC and the Asian Development Bank (ADB) co-hosted the policy dialogue, "Regulating the Unregulated: Artificial Intelligence (AI) Platforms and Competition Policy in the ASEAN", during which experts discussed the implications of AI for competition policy in the region. PCC Commissioner Lolibeth Ramit-Medrano underscored the need for coordinated yet flexible regulatory approaches that balance innovation, competition, consumer welfare, and effective governance, noting that the ASEAN's diverse legal systems and varying levels of digital readiness make a "one-size-fits-all" framework impractical.

On the same day, the inaugural Small Economies Forum (SEF), organized by the Institute for Small Markets in Law and Economics (ISLE), examined competition law and economics in small and insular economies. In her opening remarks, PCC Commissioner Marah Victoria Querol emphasized the need to tailor competition policies to the realities of smaller jurisdictions while maintaining a balance between promoting competition and avoiding unnecessary regulatory burdens. The event also marked the launch of ISLE and its first publication on competition law in small and insular economies.

The PCC also contributed to discussions on competition and economic resilience during a lecture at the Ateneo Law School on May 5. PCC Commissioner Ferdinand Negre underscored the role of competition policy in addressing energy challenges, while ESSEC Business School Professor Emeritus Frederic Jenny discussed structural issues affecting the Philippine and European energy sectors, including grid constraints, high electricity costs, and the transition to renewable energy. The discussion also examined how AI is reshaping energy demand and the implications for competition policy, with Negre highlighting the need for approaches that integrate innovation, sustainability, and consumer welfare. ■

PCC Commissioner Marah Victoria Querol delivers the introductory remarks at the inaugural Small Economies Forum on May 5 in Pasay City.

(From left to right, front row) Puyat Jacinto & Santos (PJS) Law Senior Partner Nahja Estrella, PCC Commissioner Ferdinand Negre, ESSEC Business School Professor Emeritus Frederic Jenny, and PCC Executive Director Kenneth Tanate, together with attendees during a lecture on the role of competition during the energy crisis in the EU and the Philippines, held on May 5 at the Ateneo School of Law.

PCC expands competition law awareness among government agencies, businesses, and students

By Gaille Ayn Yaffa Dancel and Rejine Ann Vianzee Valmonte

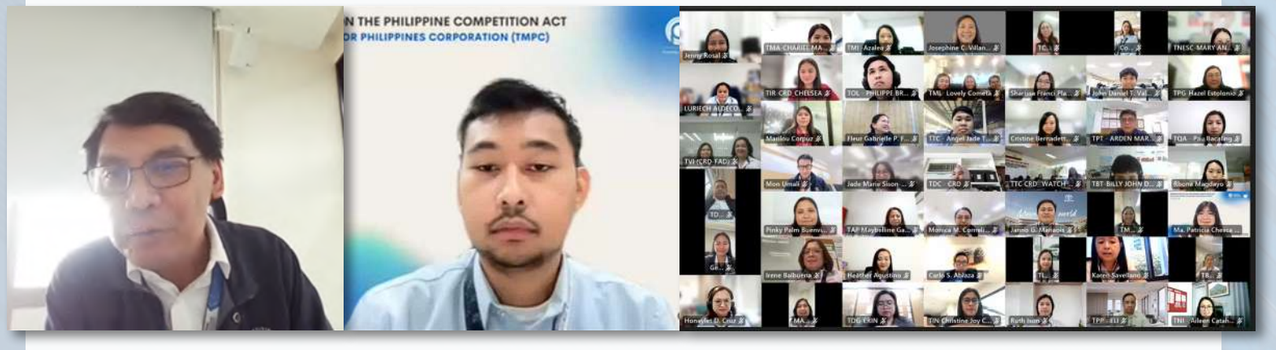
The Philippine Competition Commission (PCC) held several advocacy activities during the second quarter of 2026 through the Competition Orientation Outreach Program (COOP), the Competition Academy, and other initiatives that promote greater awareness of the Philippine Competition Act (PCA) among government agencies, businesses, and students.

On May 12, the PCC conducted a virtual COOP session for the Department of Trade and Industry-Davao City Field Office (DTI-DCFO), attended by around 120 participants from the government, business, and academic sectors. Resource speakers from the PCC and the Mindanao State University (MSU) discussed the importance of market competition, prohibited acts under the PCA, and the PCC's enforcement mandate, equipping field personnel with the knowledge to promote market competition in their engagement with businesses and consumers. MSU is among the 10 state universities and colleges partnering with the PCC under the Champions of Competition-Competition Local Advocacy Network (CLAN) Project.

(Left photo, clockwise from top left) Competition Enforcement Office (CEO) Investigation Agent I Mac Vincent Javier, Mindanao State University (MSU) Associate Professor III Harvey Niere, Communications and Knowledge Management Office (CKMO) Director III Arnold Roy Tenorio, and MSU College of Agriculture Director I Jayneveb Recentes-Magolama served as speakers during the virtual COOP session for DTI-DCFO on May 12.

(Right photo) Some of the participants from the government, business, and academic sectors during the session

The PCC also conducted a virtual COOP for the Toyota Motor Philippines Corporation (TMPC) on June 18, attended by 217 participants from dealers nationwide. Covering the PCA, the PCC's mandate, compliance obligations for businesses, non-adversarial remedies, and the Commission's leniency program, the session used practical scenarios to help participants identify potential competition law issues. On June 25, the PCC hosted a COOP refresher session for Rockwool Building Materials (Philippines) Ltd. and its main distributor, Philippine Insulation Company Inc., encouraging participants to strengthen internal compliance measures and develop their own Competition Compliance Program (CCP) using the PCC's Competition Compliance Toolkit.



(Left photo, from left to right) CKMO Director III Arnold Roy Tenorio and CEO Attorney III Reinier Dubongco served as speakers during the COOP session with TMPC on June 18.

(Right photo) Participants from different dealers of the TMPC.

CKMO Director III Arnold Roy Tenorio (ninth from left), CEO Investigation Agent I Mac Vincent Javier (second from right), and CKMO-Capacity Building and Advocacy Division (CBAD) Chief Inah Geneve Mangilin (rightmost) together with participants during the COOP session for Rockwool.

The PCC likewise strengthened its engagement with the academe through the Competition Academy. On April 6, the Commission welcomed 24 students from the University of the Philippines (UP) National College of Public Administration and Governance (UP NCPAG) for an educational seminar and office tour where the students learned about the Commission's mandate and the application of competition law in public service. The 2026 Competition Campus Tour also reached UP Los Baños (UPLB) on April 27—its first provincial stop—where around 100 students and faculty members from the College of Economics and Management participated in discussions on the PCA and competition issues affecting the agricultural sector. ■

PCC Commissioner Lalibeth Ramit-Medrano (front row, fourth from left), Executive Director Kenneth Tanate (front row, fourth from right), CKMO Director IV Frederick Romero (second row, rightmost), and Office of the Commission Clerk and Sheriff (OCCS) Director III Sheryl Fortune Supapo-Sandigan (front row, third from right) with students from the UP NCPAG during the educational seminar and office tour at the PCC office on April 6.

CKMO Director IV Frederick Romero, resource speaker EO Economist III Elizabeth Udaundo (front row, fifth and sixth from left, respectively), and other PCC staff, with UPLB faculty members and students during the Competition Academy's Campus Tour at UPLB on April 27.

PCC Economics Office-Policy and Markets Division Chief Jestoni Olivo (rightmost) served as a panelist on regional competitiveness and market competition at the BusinessWorld Economic Forum 2026 held on May 18 in Taguig City.

PCC shares competition expertise in regional and local knowledge platforms

By Lea Gomez

As part of its advocacy mandate, the Philippine Competition Commission (PCC) continued to promote competition law and policy through local and international speaking engagements, contributing insights on digital markets, market competitiveness, and anti-competitive conduct.

On May 18, Economics Office (EO)-Policy and Markets Division Chief Jestoni Olivo served as a panelist at the BusinessWorld Economic Forum 2026, emphasizing the role of competitive markets, effective institutions, and human capital development in driving innovation, productivity, and long-term economic growth.

The PCC likewise strengthened stakeholders' capacity to detect anti-competitive conduct through the Department of Justice-Office for Competition (DOJ-OFC) lecture series. During the orientation-workshop "Maging Mapanuri sa Bidding: Orientation-Workshop on How to Spot Bidding-Biddingan at Presyong Sabwatan" held on May 14-15 online and on June 10-11 in Cebu, Competition Enforcement Office (CEO) Attorney III Lea Lyn Jimenez, Attorney III Ma. Nerissa Recolizado, and Investigation Agent III Mary Grace Culo discussed the forms, elements, indicators, and economic effects of bid rigging and price fixing. The sessions also featured practical exercises to help participants identify red flags and apply competition law concepts to real-world procurement scenarios. ■

(Top row, third from left) CEO Attorney III Lea Lyn Jimenez provides participants an overview of price fixing and bid rigging during the virtual "Maging Mapanuri sa Bidding: Orientation-Workshop on How to Spot Bidding-Biddingan at Presyong Sabwatan" held on May 14-15.

CEO Attorney III Ma. Nerissa Recolizado (left photo) and Investigation Agent III Mary Grace Culo (right photo) explain key concepts of bid rigging and price fixing at the orientation-workshop held on June 10-11 in Cebu.

FEATURE

How the PCC investigates possible anti-competitive conduct

By Jannel Ventura

The Philippine Competition Commission (PCC), as the country's primary competition authority, is mandated to investigate and act against anti-competitive agreements and abuse of dominant position under Republic Act No. 10667 or the Philippine Competition Act (PCA).

The Commission follows a structured enforcement framework under its Rules of Procedure to ensure fairness, efficiency, and adherence to due process. This framework comprises four sequential stages: preliminary inquiry (PI), full administrative investigation (FAI), adjudication, and appeal.

Preliminary inquiry: initial determination of violation

A PI is an initial fact-finding process conducted by the PCC to assess whether there are potential violations of competition law that merit further investigation. To proceed to further investigation or FAI, the applicable legal threshold is existence of reasonable grounds. The inquiry is handled by the PCC's Competition Enforcement Office (CEO) and may be initiated through a verified complaint filed by an interested entity, a referral from a regulatory agency, or a *motu proprio* directive from the Commission.

During the PI, the CEO examines whether the conduct or agreement in question may affect consumer welfare, competition in the relevant market, or public interest. The PCC may also consider several factors, such as the interest of the complainant, the PCC's jurisdiction over the matter, the provisions of the law that may have been violated, and the identity of the possible violators.

For verified complaints and referrals from a regulatory agency, the PI officially begins within 10 days from receipt of the complaint or referral, unless the Commission resolves to deny due course to the said complaint or referral taking into consideration the following: (a) jurisdiction of the PCC; (b) public interest; (c) resource allocation; (d) likelihood of a successful outcome; (e) non-compliance to procedural requirements; or (f) absence of reasonable grounds to commence the PI. In the event that a verified complaint or referral from a regulatory agency is denied due course, the appropriate notice shall be issued to the complainant or referring agency within 10 days from the adoption of the pertinent resolution. Once commenced, the PI must be completed within 90 days.

At the end of the PI, the CEO may close the inquiry if no violation is found; close the inquiry without prejudice if available facts are insufficient to justify further investigation; or proceed to an FAI upon finding reasonable grounds. The PCC may also refer the matter to the Department of Justice (DOJ) for preliminary investigations and prosecution after the termination of the PI if the evidence gathered so warrants.

Full administrative investigation: building the case

When the PI establishes reasonable grounds, the PCC proceeds to an FAI, which seeks to determine whether there is sufficient basis to formally charge an entity for violating the PCA, its implementing rules and regulations, or other competition laws. At this stage, the CEO collects and evaluates information, documents, and other evidence that are admissible and sufficient to substantiate the alleged violations.

The CEO may issue a notice of investigation to the entity involved, provided that doing so will not compromise the integrity of the investigation. The commencement of the FAI is likewise published on the PCC website at https://www.phcc.gov.ph/public/resource-category/full-administrative-investigations, stating therein a general description of the industry involved and the legal provisions that may have been violated. This limited disclosure preserves the integrity of the ongoing investigation and prevents entities under investigation from concealing or destroying evidence of the violation.

Throughout the FAI, the CEO exercises broad investigative powers. These include administering oaths, summoning and examining witnesses, issuing subpoenas, receiving evidence, requesting documents and electronically stored information, and conducting dawn raids of business premises pursuant to court-issued inspection orders when necessary.

The CEO may also hold conferences with the entity under investigation to clarify facts, issues, and other matters relevant to the investigation. While the entity may be assisted by counsel, the counsel's participation is limited to advising legal rights and does not extend to answering questions on behalf of the entity.

After evaluating the evidence gathered during the FAI, the CEO may either close the investigation or file a Statement of Objections (SO) before the Commission if sufficient basis exists to believe that a violation has been committed. The SO is the document that formally charges the respondents of the violations. The SO identifies the respondents, describes the alleged violations, summarizes the supporting facts and evidence, and may include recommendations on penalties and remedies.

Closure of the FAI does not permanently bar future investigations. The Rules provide that investigations may be reopened if circumstances later warrant further inquiry.

Non-adversarial remedies

Apart from adversarial investigations and enforcement proceedings, the PCC Rules of Procedure also provide mechanisms that encourage voluntary compliance and early resolution of competition issues. These remedies include binding rulings, show cause orders, and consent orders.

Entities that are uncertain whether a contemplated act, a course of conduct, an agreement, or a decision complies with competition law may request the Commission in writing to issue a binding ruling. This allows businesses to obtain regulatory guidance and avoid potential violations before engaging in certain activities.

The Rules also provide for the issuance of a show cause order as a non-adversarial remedy. After a PI, if an entity's conduct may violate competition law, the CEO may issue a show cause order requiring the entity to explain or justify its conduct. The entity may either dispute the allegations or submit a written proposal to address the anti-competitive behaviors identified by the Commission.

Another available mechanism is the consent order. Before the termination of an investigation, an entity may apply for a consent order without admitting liability. Through this process, the entity may propose commitments or remedies, such as payment of fines, compliance measures, or compensation to affected parties, subject to the approval of the Commission.

These non-adversarial remedies are intended to promote corrective action, facilitate cooperation, and resolve competition concerns without the need for prolonged litigation. However, availing of these remedies does not automatically suspend ongoing investigations. The Commission typically retains full discretion to continue its fact-finding, issue requests for information, and carry out inspections until a formal decision is adopted—such as the acceptance of binding commitments or the conclusion of a settlement.

Upholding fair competition

The PI and FAI processes are essential components of the PCC's efforts to detect and address possible violations of the PCA. Guided by the Rules of Procedure, these processes ensure that investigations are conducted thoroughly, fairly, and with due regard to the rights of all parties involved.

At the same time, the availability of non-adversarial remedies demonstrates the Commission's commitment not only to enforcement but also to encouraging compliance and preventing harm to competition at the earliest possible stage. Through these mechanisms, the PCC continues to promote fair competition, protect consumer welfare, and foster a level playing field for businesses in the Philippine market.

To read the PCC's Rules of Procedure in full, visit https://www.phcc.gov.ph/enforcement/rules-of-procedure. To get a copy of the Rules for offline use, download the Enforcement Handbook at https://www.phcc.gov.ph/storage/pdf-resources/1683855052_PCC-Enforcement-Handbook.pdf. ■

Sources: FAQs on the Philippine Competition Act by the Philippine Competition Commission (PCC), Investigating Violations of the Philippine Competition Act by the Philippine Competition Commission (PCC), 2017 Rules of Procedure of the Philippine Competition Commission (PCC)

Editorial Note: In line with the Philippine Competition Commission's (PCC) continued efforts to educate the public on competition law and policy, the Philippine Competition Bulletin will feature a series of articles on the Commission's enforcement procedure to provide a clearer understanding of how cases are initiated, assessed, and resolved under its mandate.

The PCC adjudication process: How competition cases are decided

By Judielyn Agua

Adjudication is conducted by the PCC to determine whether an entity has violated the Philippine Competition Act (PCA), its implementing rules, or other competition laws, and whether administrative sanctions or corrective remedies should be imposed.

Under Section 12 of the PCA, the PCC has original and primary jurisdiction over the enforcement and implementation of the Act and its implementing rules. It may investigate and decide cases involving violations, impose administrative sanctions, issue cease and desist orders, and apply appropriate remedies, including injunctions, divestment, and disgorgement of excess profits.

Commencement of formal proceedings

Formal adjudication commences upon the filing of a Statement of Objections (SO) by the Competition Enforcement Office (CEO). The SO identifies the alleged violation, the material facts supporting the charge, and the relief or sanctions being sought. Within 15 days from the filing of the SO, the Commission may either issue a summons with a copy of the SO or dismiss the SO outright if it fails to state a cognizable violation.

The summons itself is a critical document. It should inform the respondent of the charge and direct the respondent to file a verified answer within a period of not less than 30, but not more than 60 days. It should also explicitly warn that failure to answer may result in a decision based on the record, including the imposition of penalties and remedies. A motion to dismiss is not allowed.

Service of summons may be effected through personal delivery, registered mail, publication in newspapers of general circulation, posting on the PCC website, or other recognized electronic means. Voluntary appearance by the respondent or counsel is also deemed equivalent to valid service and confers jurisdiction over the person of the respondent.

Verified answer and default

The respondent's primary defensive pleading is the verified answer. It must be in written form and must contain specific admissions and denials of the material facts alleged in the SO, the factual and legal grounds on which the defense rests, the evidence supporting those claims, and, if the respondent consents, an email address for electronic service of orders, decisions, and other papers emanating from the Commission. Denials must be particularized, and the respondent is expected to set forth the substance of the matters that support them.

Failure to file a verified answer within the allowed period carries repercussions. Upon motion of the CEO, with notice to the respondent and proof of failure, the Commission may declare the respondent in default. Once declared in default, the respondent loses the right to take part in subsequent proceedings, although it remains entitled to receiving notice of the same. The Commission may then require the CEO to submit additional evidence *ex parte*[1] or proceed directly to render judgment as the allegations and evidence may warrant.

After the verified answer is filed by the respondent, the CEO and any other respondents (charged in the complaint) may file a reply within 20 days. If a party does not file a reply, all new matters alleged in the answer are deemed controverted—that is, the law presumes they are denied by the other side without the need for an express denial in a pleading. Importantly, even while the period for answering runs or a default is pending, the Commission retains full authority to issue interim measures and compulsory processes.

[1] *On or from one party only, usually without notice to or argument from the adverse party*

Interim measures and compulsory processes

Interim measures are provisional remedies intended to preserve the status quo, prevent further harm, or ensure the effectiveness of the proceedings. These include show cause orders and cease and desist orders.

A show cause order is expressly recognized by Section 37(b) of the PCA as a non-adversarial remedy. It may be issued upon preliminary findings, *motu proprio*, or upon a written complaint under oath by an interested party, when the PCC finds that the order would be in the public interest. The order must describe the questioned conduct, state the supporting facts and information, and require the entity to explain why it should not be directed to cease or modify the conduct or pay the specified administrative fine.

The Commission may likewise issue compulsory processes, such as a subpoena *duces tecum*, which requires the production of books, records, documents, or other data relevant to the investigation, and a subpoena *ad testificandum*, which compels a person to appear before the Commission to testify as a witness. Unlike interim measures, which are protective and preventive in nature, subpoenas are evidentiary tools used to obtain information necessary for the proceedings. Both may be issued even in the absence of an answer from the respondent.

Preliminary conference and further proceedings

After the pleadings are completed, the Commission may either submit the case for decision if the record is sufficient or proceed to a preliminary conference to clarify issues and streamline proceedings.

The preliminary conference is designed to simplify the adjudication process. Parties are required to submit preliminary conference briefs identifying admitted facts, proposed stipulations, issues for resolution, evidence lists, and requests for subpoenas. They may also indicate their willingness to explore settlement.

During the conference, the case officer and parties discuss factual and legal issues, procedural timelines, confidentiality concerns, and possible settlement. Failure of the sole respondent—or all respondents—to appear allows the Commission to proceed based on the record or receive evidence *ex parte*. In multi-respondent cases, non-appearing parties forfeit participation in subsequent proceedings but remain entitled to notice thereof.

The outcomes of the conference are recorded in a preliminary conference order issued within 15 days. This order is binding and governs subsequent proceedings. The parties thereafter submit position papers and supporting evidence within the prescribed periods.

The Commission may also obtain the assistance of economists, industry specialists, or other resource persons in resolving technically complex issues.

Decision, settlement, appeal

Settlement is encouraged as a means of efficiently resolving competition concerns while ensuring compliance with the law. In evaluating settlement proposals, the Commission considers factors such as the stage of the proceedings, the number of parties involved, the seriousness of the alleged violation, the likelihood of addressing the alleged anti-competitive conduct at the soonest possible time, and other procedural efficiencies and resource savings that can be achieved by a settlement.

Settlement-related discussions may happen during the adjudication stage. Should the CEO and a respondent arrive at mutually acceptable terms, they may file a joint motion for settlement with the Commission. The motion must set out the agreed terms and consequences of non-compliance, and include proper authority from the respondent's representative. The Commission may approve or deny the motion, and may also guide the parties toward acceptable terms. Settlement discussions must be completed within 60 days. Once approved, the settlement order is immediately executory and binding.

Before submitting the case for decision, the Commission may take additional steps to facilitate its expeditious and judicious resolution. These include conducting a clarificatory hearing to ascertain facts, issues, and other matters necessary to resolve the case; requiring the submission of additional documents; directing the parties to answer clarificatory questions, submit position papers or memoranda, or make oral presentations; and consulting sector regulators, relevant government agencies, or foreign competition authorities, when appropriate.

After the last pleading is filed, the period for filing expires, or the final hearing concludes (as the case may be), the Commission issues an order submitting the case for decision. The decision must be rendered within 60 days from submission, unless additional time is warranted. Every decision contains a concise statement of findings, the legal basis, the penalties or remedies imposed, and such other matters as the Commission deems appropriate. The decision may be published on the PCC website after review for confidential business information and any confidentiality claims by the parties, subject to further instructions from the Commission.

A motion for reconsideration may be filed within 15 days from receipt of the decision, but only on grounds of insufficient evidence or error of law. If no motion or appeal is filed within the prescribed period, the decision becomes final.

Final decisions of the Commission may be appealed to the Court of Appeals. However, appeals do not automatically stay execution unless ordered by the appellate court.

Fines and final remedies

The PCC may impose administrative fines based on the gravity, duration, and impact of the violation, as well as mitigating or aggravating circumstances. Higher penalties may apply for repeat offenders or cases involving essential goods or services.

In addition to administrative sanctions, criminal liability may arise for cartel conduct under Sections 14(a) and 14(b) of the PCA. The Commission may also impose penalties for procedural violations, including non-compliance with orders, obstruction of proceedings, or provision of false information.

Beyond imposing penalties, the PCC may order remedies designed to restore and preserve competition in the market. These include behavioral remedies that require an entity to modify or cease certain conduct, structural remedies that address the underlying market structure, injunctions to compel or prohibit specific actions, and disgorgement of excess profits or other gains derived from the violation. Among these, divestiture is considered an exceptional structural remedy and may be imposed only when no equally effective behavioral remedy is available or when a behavioral remedy would be more burdensome to the entity concerned. It is likewise subject to strict procedural safeguards, including Commission approval and post-divestiture restrictions to prevent circumvention of the remedy.

Once a decision becomes final, the Commission issues a writ of execution to ensure compliance. Execution continues until full satisfaction of the judgment. The Commission likewise retains the authority to monitor compliance through reports, its compliance officers, external experts, or through other means.

Through a clear adjudication process and a wide array of remedial tools, the PCC enforces the PCA with both rigor and balance—safeguarding competition while respecting the rights of the parties before it. ■

Sources: 2017 Rules of Procedure of the Philippine Competition Commission (PCC), Republic Act No. 10667 (Philippine Competition Act)

Competition policy featured in special issue of economic journal to mark PCC's 10th anniversary

By Judielyn Agua

As the Philippine Competition Commission (PCC) marks its 10th anniversary, chief economist Carlos Vega of the Economics Office (EO) co-edited a symposium on competition policy in the June 2026 issue of the Philippine Review of Economics (PRE). Co-edited with Loughborough University Economics Professor Farasat Bokhari, the issue examines the first decade of competition law enforcement in the Philippines through peer-reviewed research on both traditional competition concerns and emerging policy challenges.

The symposium opens with an article by Bokhari and Vega, entitled "The Philippine Competition Commission: The First Ten Years," which traces the Commission's evolution from a newly established regulator into a full-fledged competition authority. The article highlights key institutional milestones, including the review of 383 merger and acquisition transactions valued at ₱7.39 trillion, 57 preliminary inquiries, 44 full administrative investigations, 12 statements of objections, three dawn raids, the promulgation of 49 rules and guidelines, and the completion of 57 research studies.

The special issue also features contributions from Department of Economy, Planning, and Development (DEPDev) Secretary and former PCC Chairperson Arsenio Balisacan, EO-Economics Division Chief Edgardo Manuel Jopson, former EO staff members Vincent Jerald Ramos, Shereena Salas, and Philip Amadeus Libre, and former Mergers and Acquisitions Office (MAO) staff member Charles David Icasiano, alongside research from other scholars on competition policy and enforcement.

Vega described the publication as a collaborative undertaking involving the academic community and competition authorities from Asia, North America, and Europe. "This has been a truly fulfilling experience, following through from conceptualization, marketing and networking, manuscript review, and corresponding with authors and co-editors," Vega said. "Through this special project, institutional dynamics between the PCC and academia were made more salient. Indeed, the potential gains from developing meaningful working relationships can be substantial."

The PRE is a biannual joint publication of the University of the Philippines (UP) School of Economics and the Philippine Economic Society. The full PDF copy of the special issue is available on the PRE website at https://pre.econ.upd.edu.ph. ■

The June 2026 issue of the Philippine Review of Economics (PRE) features a special symposium on competition policy in the Philippines, showcasing research by PCC economists and other scholars on a decade of antitrust enforcement and emerging competition issues.

IN THE NEWS

PHL, South Korea sign MoU to enforce competition law

The Philippine Competition Commission (PCC) said it signed an agreement with the Korea Fair Trade Commission (KFTC) to boost the enforcement of competition law in both jurisdictions. The memorandum of understanding (MoU), signed on May 8, creates a framework for bilateral coordination and consultation on ensuring enforcement of competition law.

(Beatriz Marie Cruz, BusinessWorld, 11 May 2026)

Philippine competition watchdog taps US FTC expertise in merger-control workshop

The Philippine Competition Commission held a merger control workshop on May 11 to strengthen its merger-review capabilities, with experts from the US Federal Trade Commission, legal practice, economics and private equity sectors participating.

(MLex Online, 18 May 2026)

PCC officials share expertise, present research at international forums

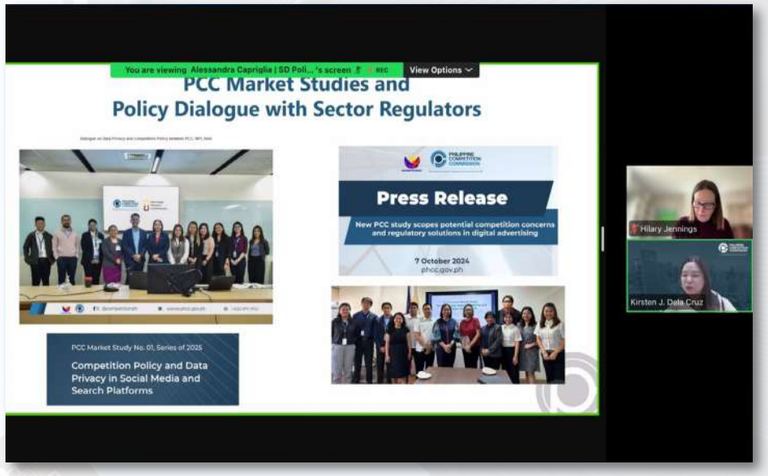
By Jannel Ventura

The Philippine Competition Commission (PCC) strengthened its engagement with the global competition community through participation in international conferences and capacity-building programs focused on market studies, merger analysis, and competition policy.

On April 16, Economics Office (EO) Director III Kirsten Dela Cruz represented the PCC at the EU-Asia Cooperation on Competition and Subsidies Control webinar, where she discussed the Commission's use of market studies to support competition advocacy in digital markets. She highlighted how competition principles are integrated into digital economy policies and regulations, and shared the PCC's research methodologies and collaboration with sector regulators to develop evidence-based policy recommendations.

EO Economist III Jenno Ravalo represented the Commission at the Organisation for Economic Co-operation and Development-Korea Policy Centre (OECD-KPC) workshop, "Tools to Assess Markets' Competition: Market Studies and Market Investigations," held on May 19-21 in Guangzhou, China. The workshop gathered competition officials and experts from across Asia and Europe to exchange best practices on market studies, investigations, and competition assessment. During the program, Ravalo presented the PCC's competition impact assessment (CIA) of Republic Act No. 11202, or the Mobile Number Portability Act, highlighting how competition assessments support evidence-based policymaking and improve market outcomes in the telecommunications sector.

PCC Economist III Jenno Ravalo during his presentation of the PCC's CIA of the Mobile Number Portability Act at the OECD-KPC Workshop on "Tools to Assess Markets' Competition: Market Studies and Market Investigations" held on May 19-21 in China.



PCC EO Director III Kirsten Dela Cruz served as a speaker during a webinar on digital regulation and enforcement held on April 16.

PCC EO's chief economist Carlos Vega presented his co-authored research on merger efficiencies during the EU-Asia Cooperation on Competition and Subsidies Control webinar held on April 16.

EO chief economist Carlos Vega, meanwhile, presented his co-authored research on merger efficiencies and coordinated effects in the Philippine pharmaceutical industry at the 24th International Industrial Organization Conference in Boston, Massachusetts on April 10-12 and the 10th Annual Conference on Competition Policy in Bergen, Norway on June 4-5. The study examined the acquisition of Pfizer's consumer healthcare business by GlaxoSmithKline (GSK), finding that while the transaction generated efficiency gains, it also showed evidence of increased coordination that contributed to higher prices. The Bergen presentation featured an updated version of the study incorporating additional robustness checks and model refinements following its initial presentation in Boston. ■

IN THE NEWS

PCC, IEMOP sign data-sharing tie-up

The Philippine Competition Commission (PCC) said it signed a partnership with the Independent Electricity Market Operator of the Philippines, Inc. (IEMOP) to share data to help promote fair competition in the power industry. PCC Executive Director Kenneth V. Tanate said the framework would allow the PCC and IEMOP to work systemically in monitoring the electric power sector.

(Beatriz Marie Cruz, BusinessWorld, 10 June 2026)

PCC, DLSU to teach competition economics

The Philippine Competition Commission (PCC) on Wednesday said that it signed a memorandum of agreement with De La Salle University's (DLSU) Carlos L. Tiu School of Economics to promote competition economics and policy in higher education. The agreement, signed by PCC Executive Director Kenneth Tanate and DLSU dean Arlene Inocencio on June 23, makes DLSU the inaugural partner under the PCC Academic Hubs Project.

(Chynna Grace Ong, Manila Times Online, 25 June 2026)

PCC Chairperson Michael Aguinaldo (left) and Korea Fair Trade Commission (KFTC) Chairperson Biung-Ghi Ju (right) exchange handshakes after signing a memorandum of understanding (MOU) on the sidelines of the 2026 International Competition Network (ICN) Annual Conference on May 8 in Pasay City.

PCC and KFTC ink MOU to strengthen competition law cooperation

By Judielyn Agua

The Philippine Competition Commission (PCC) and the Korea Fair Trade Commission (KFTC) formalized their cooperation on May 8 with the signing of a memorandum of understanding (MOU) to strengthen competition law enforcement and institutional collaboration between the two authorities.

The agreement was signed by PCC Chairperson Michael Aguinaldo and KFTC Chairperson Biung-Ghi Ju on the sidelines of the 2026 International Competition Network (ICN) Annual Conference in Pasay City. The MOU builds on the longstanding cooperation between the PCC and the KFTC, which has supported the Philippine agency's institutional development since its establishment in 2016.

"The friendship between the Philippines and South Korea goes back quite a long way. It is something that has continued and been nurtured through the decades," Aguinaldo said. "This memorandum of understanding formalizes the cooperation between our two agencies. This is a continuation of a lot of cooperative efforts moving forward."

Under the MOU, the two competition authorities will strengthen coordination and consultation on matters of mutual interest, consistent with their respective laws, regulations, and confidentiality requirements. Areas of collaboration include the exchange of information, best practices, and enforcement experience, as well as discussions on emerging competition issues, policies, and regulations. The agreement also provides for notifications on enforcement activities that may affect the interests of either authority, the designation of liaison officers, and opportunities for staff exchanges and other capacity-building initiatives. ■

PCC takes part in separate ASEAN, ASEAN-EU, APEC meetings of competition agencies

By Lea Marie Diño

The Philippine Competition Commission (PCC) in May took part in a series of high-level engagements with competition authorities from across the region, advancing cooperation on competition policy and enforcement.

On May 5, PCC Chairperson Michael Aguinaldo, along with Commissioners Marah Victoria Querol and Lolibeth Ramit-Medrano, participated in the 7th Association of Southeast Asian Nations (ASEAN) Heads of Competition Agencies' (AHCA) Meeting in Pasay City. Discussions focused on competition issues arising from the digital economy, cross-border cooperation, strategies to promote competition within the ASEAN, and the institutionalization of AHCA's working mechanism. On the same day, Aguinaldo co-chaired the inaugural ASEAN-European Union Heads of Competition Authorities Roundtable, while Ramit-Medrano joined discussions on digitalization, market concentration, and the importance of maintaining open and competitive markets for micro, small, and medium enterprises (MSMEs) through stronger regional cooperation.

PCC Chairperson Michael Aguinaldo (seated, fourth from left) represented the Philippines at the ASEAN Heads of Competition Agencies' Meeting on May 5. Commissioners Marah Victoria Querol (standing, fourth from right) and Lolibeth Ramit-Medrano (standing, third from right) also joined the discussion.

PCC Chairperson Michael Aguinaldo (front row, 10th from right) convened with fellow leaders of competition agencies in the ASEAN and EU at the 1st ASEAN-European Union Heads of Competition Authorities Roundtable on May 5. Commissioner Lolibeth Ramit-Medrano (front row, seventh from right) was also present at the event.

Ramit-Medrano also represented the PCC at the Asia-Pacific Economic Cooperation (APEC) Committee on Trade and Investment's Free Trade Area of the Asia-Pacific (FTAAP) Dialogue on Competition Policy during the Second Senior Officials' Meeting (SOM) in Shanghai, China, on May 15. She presented the Commission's "whole-of-government" approach to competition policy, highlighting its mandate to work with sector regulators through consultations and joint rulemaking. She explained that the PCC's approach is anchored on three pillars—pro-competitive policies, regulatory advocacy, and robust enforcement—and cited the Anti-Agricultural Economic Sabotage Act of 2024 and the Konektadong Pinoy Act of 2025 as examples of integrating competition principles into policymaking. ■

PCC Chairperson Michael Aguinaldo (center), with Commissioners Lolibeth Ramit-Medrano (left) and Marah Victoria Querol (right), at the 7th ASEAN Heads of Competition Agencies' Meeting on May 5.

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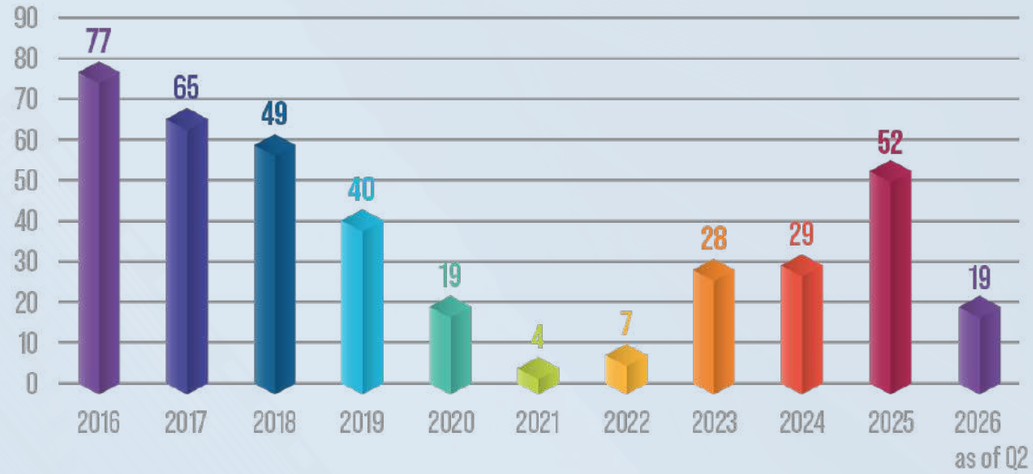

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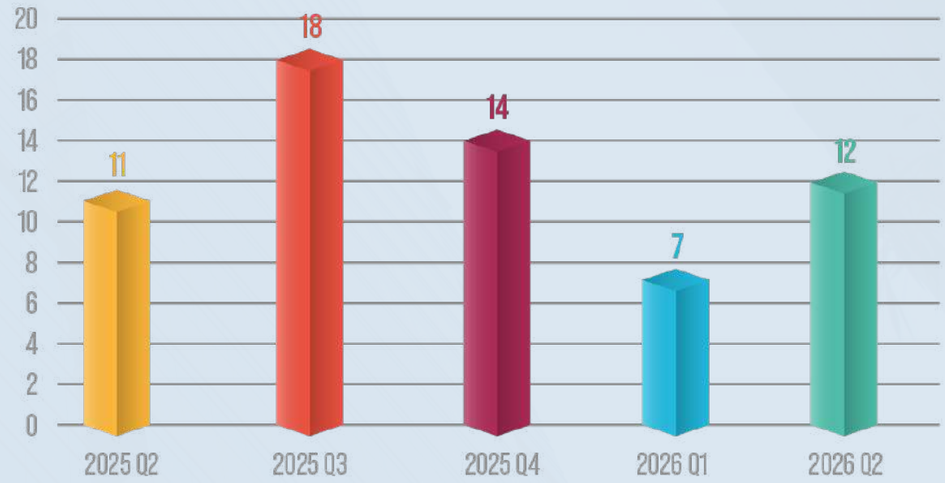

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