



# PHILIPPINE COMPETITION BULLETIN

THE OFFICIAL NEWSLETTER OF THE PHILIPPINE COMPETITION COMMISSION

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# 01

## IRR of Philippine Competition Act Out

The Philippine Competition Commission (PCC) released the Implementing Rules and Regulations (IRR) of the *Philippine Competition Act* on June 3, 2016, following a series of public consultations around the country.

PCC Chairman Arsenio M. Balisacan said that the Commission, which officially started operations in February 2016, prioritized the crafting of the IRR.

“What we intended to achieve was a reasonably implementable IRR, recognizing that we can update the document from time to time, as well as issue clarificatory guidelines, notes and manuals along the way to supplement the IRR,” Chairman Balisacan said.

The IRR became effective on June 18, 2016 after its publication on PCC’s website and major dailies.

Some of its key features are:

- Defining prohibited acts, including anti-competitive agreements and abuse of dominant position, as well as determining exceptions.



- Setting rules for notifications of mergers and acquisitions and the thresholds for compulsory notifications.
- Providing procedures and timelines for reviewing mergers and acquisitions.

The PCC has completed and posted on the website a prescribed merger notification form.

The IRR benefited from public consultation fora conducted around the country. Two public consultations were conducted in Manila and one each in Cebu and Davao. These were attended by a diverse group of stakeholders including business owners, law practitioners, government leaders, and trade organizations.

## PCC Officials Engage Public to Boost Awareness on Competition Law



Following the release of the Implementing Rules and Regulations (IRR) of the Philippine Competition Act of 2015, or R.A. 10667, the officials of the Philippine Competition Commission (PCC) attended numerous fora to discuss and raise awareness on R.A. 10667 and the importance of fair market competition in the country.

Representing the country, PCC Commissioner Stella Quimbo will join the “Competition Law Workshop on Merger Control” in Seoul, South Korea, on September 5-7, 2016.

### CHAIRMAN ARSENIO M. BALISACAN

Swiss Executive Business Luncheon  
June 7, 2016

Roundtable Discussion on Enforcing  
Market Competition: Enacting the  
Philippine Competition Act and  
Implementing its Provisions  
June 9, 2016

General Membership Luncheon Meeting of  
the American Chamber of the Philippines  
June 15, 2016

Anti-Trust Asia Pacific Summit  
June 22-24, 2016

UP Visayas, Tacloban  
40th Commencement Exercises  
June 27, 2016

First *BusinessWorld* Economic Forum  
July 12, 2016

*Financial Times* - First Metro Philippines  
Investment Summit  
August 2, 2016

Foundation for Economic Freedom  
Members' Monthly Meeting  
Manila Golf Club  
29 June 2016

### COMMISSIONER JOHANNES R. BERNABE

6th ASEAN Competition Conference:  
Combatting Cartels in ASEAN  
- Getting it Right  
July 27-28, 2016

### COMMISSIONER STELLA LUZ A. QUIMBO

"Law and Economics:  
The Philippine Competition Act"  
Mandatory Continuing Legal Education  
September 1, 2016

Competition Law Workshop  
on Merger Control  
September 5-7, 2016

# 03

## PCC Reviews Over 60 Mergers in 6 Months

A little more than a year after the implementation of the landmark anti-trust law in the country, over 60 mergers and acquisitions have been reviewed by the Philippine Competition Commission (PCC) to promote fair market competition.

“While still young, the PCC has been vigilant in safeguarding market competition to ensure consumer benefit,” PCC Chairman Arsenio M. Balisacan said.

PCC was officially organized in February 2016. Since then, the agency has been proactive in its role, processing and deciding on mergers and acquisitions that covered a diverse range of industries, including, but not limited to, healthcare, retail, and telecommunications.

Balisacan assured the public that the PCC will continue to protect fair market competition, which is key to accelerating investments in the Philippines.

The PCC chair said businesses can expect nothing less than an independent, credible, and objective delegation of its duties.

“The PCC will continue to serve its mandate, which we believe is a vital contribution not only for sustaining the Philippine economy’s robust growth but also for making this growth more inclusive,” he said.

# 04

## PCC joins Int'l Competition Network Conference

The Philippine Competition Commission (PCC) joined over 500 experts from the international competition community to discuss leading developments in competition policy and law during the International Competition Network (ICN) Annual Conference in Singapore on 25-29 April 2016.

PCC Chairman Arsenio M. Balisacan was among the speakers of the pre-conference panel on "Shaping Better Competition Policies Through Regional Initiatives." He underscored the role of the *Philippine Competition Act* in deepening economic reforms in the country by promoting competition-enhancing policies.

The ICN is an international body dedicated to the enforcement of superior standards and procedures of competition policy around the world while its members represent national and multinational competition authorities.



The Philippine Competition Commission represented the country in the Annual International Competition Network Conference held in Singapore on April 25-29, 2016. (From L-R): Comm. Johannes Bernabe, Comm. Stella Quimbo, Chairman Arsenio M. Balisacan, Comm. El Cid Butuyan, and former Comm. Menardo Guevarra.



# 05

## PCC Conducts Capacity-Building Workshops with US Anti-trust Experts

The Philippine Competition Commission (PCC) conducted a number of workshops for its technical experts and staff to support the implementation of the Philippine Competition Act (R.A. 10667) in the country.

In a workshop last July 25, 2016, Atty. Cynthia L. Lagdameo and Atty. Nicholas Franczyk, both representatives of the United States Federal Trade Commission (US FTC), discussed the principles of merger review in the context of competition law. They expounded on aspects of market definition, market shares, and market power in competition assessment. During this workshop, they also touched on investigation planning for enforcement cases.



Following this, PCC then conducted another capacity building activity that covered investigative processes and principles in competition enforcement, with a focus on the importance of procedural fairness. US FTC Counsel Paul O'Brien emphasized the importance of transparency in engaging merging and third parties and the protection of confidential information provided. The workshop ran from August 18 to 19, 2016 in Pasig City.

# 06

## PHL-Aus Anti-Trust Experts Meet for Competition Cooperation



Philippine Competition Commission (PCC) Chairman Arsenio M. Balisacan (middle) and Commissioners of PCC, a newly-instituted quasi-judicial body that promotes fair competition, visited Australia to have dialogues with top officials of the Australian Competition and Consumer Commission (ACCC) and other experts from March 21 to March 22, 2016.

The study tour was aimed at strengthening the anti-trust regime in the country with valuable insights and international best practices of ACCC, a recognized global leader in competition law.

## WE ARE HIRING!

The Commission invites qualified candidates to join its team. For interested individuals, job opportunities can be found at [phcc.gov.ph](http://phcc.gov.ph).



# 07

## Connect with PCC

You can now stay current with the Philippine Competition Commission's updates and announcements online. The PCC maintains its interim website, Facebook, and Twitter accounts, which serve as information portals and sources of news. The social media accounts aim at encouraging interaction with audiences.

The new website, designed to be more dynamic and user-friendly, will also be live soon.



Philippine Competition Commission



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