

**COMPETITION ENFORCEMENT  
OFFICE OF THE PHILIPPINE  
COMPETITION COMMISSION,**

*Complainant,*

- versus -

**BORACAY BUSINESS  
ADMINISTRATION OF SCUBA SHOPS,  
ECLIPSE DIVE CENTER BORACAY,  
INC., UNDERWATERWORLD  
EXPLORER, INC., DIVEGURUS DIVING  
SERVICES, AQUALIFE DIVERS  
ACADEMY, FISHEYE DIVERS,  
VICTORY DIVERS, BIG BLUE DIVE  
RESORT CORP., BORACAY ISLAND  
NEW WAVE DIVERS, BORACAY  
SCUBA INC., CALYPSO DIVING  
INTERNATIONAL, EASY DIVE, GO  
DIVING, NEPTUNE DIVE CENTER,  
ISLAND STAFF DIVING & TOUR  
SHOPPE INC., KE & SAM DIVE  
CENTER, LAPU-LAPU DIVING CENTER,  
LETS GO DIVING, MARIO DIVING  
GROUP CO., MILKY'S DIVE CENTER  
AND HELMET-DIVING AND SCUBA  
DIVING, OCEAN PHIL., PARADISE DIVE  
CENTER, PARTY HOUSE DIVING,  
SHARKY DIVING, SCOTTY'S  
SHANGRILA, SEA WORLD CORP.,  
BORACAY VIKING DIVERS CENTER  
INC., WHITEBEACH DIVERS, YAPAK K.  
DIVE ACADEMY INC., YEGRINA DIVE  
CENTER, DIVERS ADVENTURES, BLUE  
OCEAN, BLUE SEA DIVERS, BORACAY  
D5 DIVING CENTER, CALYPSO  
FRIDAYS, FROG DIVERS  
PROFESSIONAL TRAINING CORP.,  
PROSCUBA DIVING, SCUBA CHAMP  
INC., SEA GAIA INC. DIVING RESORT,  
FREE WILLY DIVING, INC., SEAPARK  
DIVING,**

*Respondents.*

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**PCC Case No. E-2021-001**

For: Violation of Sec. 14(a)(1) of  
Republic Act No. 10667 or the  
Philippine Competition Act

## SUMMONS

**TO: BORACAY ISLAND NEW WAVE DIVERS, INC.**

Barangay Balabag  
Boracay, Malay, Aklan

Through:

President, Executive Head, General Manager,  
Corporate Secretary, Treasurer, Compliance Officer,  
In-house Counsel, Director, Trustee, Managing  
Agent, General Agent, Or any other Authorized  
Agent.

Please take notice that an administrative complaint for violation of Section 14(a)(1) of Republic Act No. 10667 or the Philippine Competition Act has been filed against you by the Competition Enforcement Office (“Complainant”) before this Commission.

The charge involves the alleged execution by and among members of the Boracay Business Administration of Scuba Shops (BBASS) of prohibited agreements, specifically the *2016 BBASS Rules and Regulations*, the *15 January 2018 Price Agreement among Dive Shops, Instructors, Assistant Instructors and Divemasters* and the *1 February 2019 Price Agreement among Dive Shops, Instructors, Assistant Instructors and Divemasters*, which restrict competition as to price, or components thereof, or other terms of trade. Complainant’s detailed claim is stated in the *Statement of Objections* dated 13 December 2021 attached and served with this Summons.

In order to defend against this complaint, you are required to respond to the *Statement of Objections*, within **sixty (60) days** from receipt of this Summons, by filing with the Commission a Verified Answer stating your defense in writing and serving a copy to the Complainant. You have the right to defend yourself or to be represented in this case by counsel.

Your failure to file a verified answer may be sufficient ground for you to lose the opportunity to answer or participate in any stage of the case. Such failure will also authorize the Commission to render a decision granting such relief as the records and evidence may warrant and impose the appropriate penalties and remedies.

You may refer to Rule IV of the 2017 Rules of Procedure of Philippine Competition Commission to direct you on the contents of the Verified Answer, the prohibited motions, and the procedures observed in the adjudication proceedings before the Commission.

Any and all filings to the Commission must be done in accordance with PCC Interim Guidelines During Periods of Community Quarantine issued on 25 May 2021.

16 December 2021.

For the Commission:

A handwritten signature in black ink, reading "Sfv Supapo-Sandigan". The signature is written in a cursive, flowing style.

**SHERYL FORTUNE V. SUPAPO-SANDIGAN**  
Chief, Adjudication Services Division