



Unbundling Competition

Episode 3: Competition law in Southeast Asia – Singapore

In this episode, Adelaide Luke, who is partner and Head of Competition Asia in the HSF Hong Kong office, and Ban Leong Oo, who is the managing director at our formal law alliance firm in Singapore, Prolegis, discuss the recent developments in Singapore competition law.

Singapore has a robust competition law regime, and its competition regulator, the Competition and Consumer Commission Singapore (CCCS) is regarded as one of the most sophisticated and active authorities in the region. Singapore's Competition Act is similar in many respects to its UK counterpart. It is, however, unique in several respects, including that vertical agreements between non-dominant parties are expressly excluded from the scope of prohibited anticompetitive agreements.

Singapore is also relatively unique in having a voluntary merger filing regime, which leads to only a small number of filings each year. However, despite being voluntary, the Competition Act prohibits the implementation of concentrations that bring about a "substantial lessening of competition". This leaves open the possibility of a fine being imposed for failure to file.

The CCCS itself is equipped with broad powers to investigate, prosecute, adjudicate and enforce decisions, and it imposes substantial fines in comparison with other regulators in the region. It is

also well-resourced, and praised for its professionalism and speediness in progressing its investigations and merger reviews.

The CCCS has been particularly focused on digital markets in recent years, and commissioned an independent study on e-commerce in Singapore, which concluded in September this year. The study provides insights on issues that are currently under debate in a number of jurisdictions, such as the relationship between data and competition.

The CCCS is also a driving force behind regional cooperation in implementing competition laws within Southeast Asia. This has included providing training and seconding staff to other regulators in the region.

