Recent Developments and Trends in Myanmar Competition Policy and Law

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What have we done?
Organization Structure of Competition Policy Division

- Ministry of Commerce
- Department of Trade
- Competition Policy Division under Department of Trade was organized and implementing competition affairs on 2013 May 16.
The Competition Law

- Started in 2012
- Enacted the Union parliament by the Law No.9/2015 on 24th February 2015
- Come into force on 24-2-2017
Objectives

- To protect and prevent acts that injure public interest through monopolization or manipulation of prices by individual or group with intent to endanger fair competition in economic activities, for the purpose of development of the national economy;
- To be able to control unfair market competition on the internal and external trade and economic development;
- To be able to prevent from abuse of dominant market power;
- To be able to control the restrictive agreements and arrangements among businesses.
13 Chapters & 56 Sections

Covering for all businesses including trade and services.

Competition Commission will act as the enforcement authority to control and monitor to be fair competition, anti monopoly, misuse of market power, mergers & acquisitions that would substantially lessen competition.

It includes the section for punishment for those who violate the law.
The Competition Law 2015

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# The Competition Law 2015

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What are we doing?
Drafting the Competition Rules

• Working Group level (5) times
• Competition Policy Implementing Committee Level (3) times
• Stakeholders
• Asking for opinions on competition rules (draft) from related Ministries and Organizations
• International Experts
• Local Expert
Next steps for Competition Rules

• Attorney General’s Office
• President Office
• Cabinet
• Will be signed by Minister
• Will be sent to Parliament
Awareness Activities

- Public Consultation
  - Draft competition law was made public through the press in May 2014 with an invitation for comments.
- Translation of -
  - “ASEAN Regional Guideline for Competition”
  - “Handbook on Competition Policy and Law in ASEAN for Business 2013”
Awareness Activities cont;

- Articles in newspapers and Journals
  - Newspapers
  - Journals

- Training
  - Internal
    - In Ministry
    - Yangon Economic University
    - UMFCCI
    - Other States and Regions
  - External
    - Chaing Mai University, Thailand (19-29 May, 2014)
Awareness Activities cont;

- **Workshops**

  1. **Title** - The Importance of Competition and Competition Law
     - **Place** - Mann Myanmar Hotel (Nay Pyi Taw)
     - **Date** - 27-29 Oct, 2014
     - **Participants** - 50

  2. **Title** - In-country Workshop on Competition Policy and Law
     - **Place** - Thingaha Hotel (Nay Pyi Taw)
     - **Date** - 2-3 Feb, 2015
     - **Participants** - 100
Awareness Activities cont;

- **Workshops**

  (3) **Title** - The Importance of Competition and Competition Law for private sector

  **Place** - SME Hall (Yangon)

  **Date** - 30 May, 2015

  **Participants** - 50

  (4) **Title** - The Importance of Competition and Competition Law for private sector

  **Place** - Chatrium Hotel (Yangon)

  **Date** - 24-25 Nov, 2015

  **Participants** - 100 (24.11.2015)

  - 50 (25.11.2015)
Awareness Activities cont;

- **Workshops**

  (5) Title - Benefits and Challenges of Competition Policy and Law

  Place - Hotel Hazel (Mandalay)

  Date - 7-8 June, 2016

  Participants - 50
Study Visit

Title - Competition Study Visit
Place - Indonesia (KPPU)
Date - 4-9 Oct, 2015
Participants - 12
Study Visit to KPPU
Awareness Activities cont;

- Facebook
  - Myanmar Competition

- Website
  - ASEAN
    - http://www.aseancompetition.org/
  - Myanmar (Commerce)
    - http://www.commerce.gov.mm/
Recent Cooperation with other organizations/programs

- FNF
- GIZ
- KFTC
- CLIP
Signing MoU with FNF
Mandalay Workshop (FNF)
Competition Pamphlets

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Myanmar Competition
Expert Placement (KFTC)
Muse Workshop (GIZ)
Expert Placement (CLIP)
Expert Placement (CLIP)
What will we do?
Next Steps

- The Competition Rules --- drafting stage
- Myanmar Competition Commission and Office
- Capacity building for Government staffs
- Awareness activities in different regions
- Coordination with other organizations
Challenges

1. Institutional building
2. Inadequate knowledge
3. Insufficient capable staff
4. Culture
5. Sector regulators
Conclusion

• Commitment
• Enforcement
• Implementation
  • Awareness activities
  • Other agencies
  • Other sector regulators
Thank You