



TERMS OF REFERENCE

RESEARCH GRANT PROGRAMME ON COMPETITION LAW

1. BACKGROUND

The Research Grant Programme on Competition Law (RGPL) is an initiative undertaken by Malaysia Competition Commission (the “Commission”) to foster institutional knowledge and advancing expertise related to competition economics and laws. The RGPCL is to fund research on market studies, surveys and case studies related to the identified focus areas.

Apart to enhance the Commission’s knowledge on the current competition issues, laws and practices as well as to understand and assess the future challenges of competition law in Malaysia, this RGPCL enables the Commission to build its institutional knowledge and develop expertise across institutions from the collaborative research projects.

2. OBJECTIVES OF THE RGPCL

2.1 The objective of the RGPCL is to promote a deeper understanding of and to develop a body of knowledge on competition issues, laws and practices in Malaysia by:

2.1.1 Funding research in the area of competition policy, laws and economics in Malaysia;

2.1.2 Using the findings of the research to develop



informed and evidence-based competition policies, competition policies, laws, guidelines, codes of practice and to design competition advocacy activities;

2.1.3 Enabling the dissemination (nationally and internationally) of academic as well as renowned articles and publications on competition issues and challenges of specific relevance to the Malaysia's economy; and

2.1.4 Provide an opportunity for knowledge transfer and know-how among academics and the officers of the Commission to the development of competition policy making and advocacy.

3. SCOPE OF RGPLC

3.1 The RGPLC will cover the following identified research focus areas, namely:

3.1.1 Improving market for basic consumer goods and services

It is important for the Commission to understand and conduct an assessment of basic consumer goods and services market. Shelter, food, transport and utilities account for 68 percent of spending by the average household in the bottom 40 percent of the income



distribution. The consumer price index is in an increasing trend above inflation for well over a decade. In some cases, it does not appear to be justified by cost increases or quality improvements. Detailed studies are required to address the competition issues in this market.

3.1.2 **Shaping competition policy in an era of digitalisation**

The rise of platforms based businesses, play an increasingly important role in our economy and consumers. The sophistication of online platforms and scale of some of these platforms have offered them a strong position within modern consumers, with little competition. This has raised numerous questions, on how to deal with the challenges of these platforms could bring into the market. Meanwhile, market power such as the increasing use of data and algorithms is being mentioned as a new challenge for the regulators and competition authorities to further studies on the impact to the competition laws.



3.2 The grant applicant may suggest to the Commission on suitable research focus area other than the above. However in doing so, grant applicant is encouraged to tailor the proposal to the Commission's identified research areas. The proposed research topic is however subject to the approval of the Commission.

3.3 The RGPLC should include the below requirements:

3.3.1 Market definition for the study; which covers both on the relevant product and relevant geographical market;

3.3.2 Overview of existing legislation and regulations in relation to the scope of study;

3.3.3 Overview of the market structure and its supply chain;

3.3.4 Profile of the industry players, market share and concentration;

3.3.5 Competition issues / concerns in the market; and

3.3.6 Recommendations and conclusion.



4. EXPECTED OUTCOME

4.1 The expected outcome of the RGPLC are as follows:

4.1.1 To determine the competition issues and concerns;

4.1.2 To recommend measures to promote competition;

4.1.3 To identify the possibility of existing legislations and policies that may impede competition and the areas where the Commission can provide policy advice to the respective government agencies or ministries on the matter; and

4.1.4 To develop training manual in conducting competition economics analysis as performed in the RGPCL project.

5. RESEARCH TEAM

5.1 Qualified grant recipients(s) to undertake to the RGPCL with the supervision of Commission's officer from Business and Economics Division.

6. TIMELINE

6.1 The duration of project for RGPCL in 2019 must not exceed more than 1 year from the date of the signing of the contract between the grant recipient and the Commission.



- 6.2 Application of extension is upon sole discretion of the Commission and it is based on the acceptable and reasonable extenuating circumstances.
- 6.2 The researcher(s) who are appointed by the Commission is proposed to submit the report in stages as follows:
- i) Mid-term progress report within 6 months upon signing the contract;
 - ii) RGPCL draft final report within 2 months upon the submission of mid-term progress report;
 - iii) RGPCL final report within 2 months upon the submission of RGPCL draft final report; and
 - iv) Submission of training manual and/or training session for research analysis before the project closing meeting.

7. INTELLECTUAL PROPERTY RIGHTS

- 7.1 The result of the research funded under the RGPCL will be freely disseminated through the internet and other means at the sole discretion of the Commission.
- 7.2 The Commission need not seek the permission of the researcher(s) for the dissemination of the research results in any form but will duly acknowledge the authors of the work.



7.3 Copyright for the report and research is solely with the Commission.

8. BUDGET

8.1 The research funding for each grant is up to RM50,000.00.

9. SUBMISSION

9.1 All proposals shall be in English Language. Associated appendices can be submitted in Bahasa Malaysia or English.