

GUIDELINES ON COMPLAINT PROCEDURES



BACKGROUND



Section 15(1) of the Competition Act provides that the Malaysia Competition Commission may, upon a **complaint by a person**, conduct any investigation on any enterprise, agreement conduct that has infringed or is infringing any prohibition...

Section 15(2) provides the complaint shall specify the person against whom the complaint is made and **details of the alleged infringement** or offence under this Act



SCOPE

The Guidelines applies to complaints regarding section 4 and section 10 prohibitions

Complaints on infringements that took place after **1 January 2012**

Does not apply to activities exempted or excluded under the Act

DETAILS OF COMPLAINT



Information about complainant

Information about the party or parties complained of

Brief description of the alleged infringement

Any other relevant information or evidence

SUBMISSION OF COMPLAINT



By email to complaints@mycc.gov.my

By post to CEO, MyCC

By Fax to No. 03 7803 2637

In Person

Email to helpdesk@mycc.gov.my for enquiry on filing a complaint

ANONYMOUS COMPLAINT



MyCC do not encourage anonymous complaints due to difficulty of verifying the complainant and information in the complaint.

Priority will be given to complaint which is complete, reliable and credible

CONFIDENTIALITY OF COMPLAINANT



MyCC may have to disclose the identity and/or information provided in a complaint when conducting an investigation

Complainant concerned with its identity may raise with MyCC when lodging the complaint

However MyCC will only disclose any confidential Information in accordance with the law

COMPLAINT PROCEDURE



- MyCC will determine if the complaint falls within its scope
- MyCC may conduct inquiries to decide if it should investigate the complaint
- MyCC may launch investigation where there is reasonable grounds for suspecting an infringement
- In deciding to launch an investigation, MyCC will take into consideration its strategic priorities

CLOSE OF INVESTIGATION OF COMPLAINT



MyCC if decides not to investigate a complaint, it shall inform the complainant of the decision and the reasons for the decision

MyCC if after deciding to investigate, decides to close the investigation, the MyCC shall publish a statement that the investigation has been closed and set out a brief summary of the MyCC's reasons for closing the Investigation.

COMPLAINT FORM



All complaints are to be made in the prescribed form available on the MyCC's website

The information provided in the form is crucial for MyCC to decide if the complaint will meet the legal threshold for MyCC to conduct an investigation

THANK YOU
TERIMA KASIH

