
FOR IMMEDIATE RELEASE

MyCC WELCOMES COMPLAINTS

KUALA LUMPUR, 13 March 2012 – Wangsa Maju MP Wee Choo Keong is welcomed to lodge a formal complaint with MyCC, said MyCC CEO, Pn Shila Dorai Raj, in response to his report that Malaysia Airlines (MAS) may have allegedly suffered huge financial losses as a result of carrying AirAsia X (AAX) passengers for ‘almost’ free.

“As MyCC is currently investigating the Air Asia-MAS share swap situation, any formal allegations backed with evidence would certainly help in further establishing the chain of evidence needed to build a case,” she added.

She further reiterated that the public are welcome to lodge complaints related to anti-competitive behaviour and may refer to the guideline on complaint procedures on the MyCC website, www.mycc.gov.my. The official complaint form is available for download from the website.

On a separate note, regarding the Competition watchdog of Australia, Australian Competition and Consumer Commission’s (ACCC) proceedings against Air Asia for non disclosure of total fares, Pn Shila clarified the position of MyCC in the matter.

The Competition Act 2010 (CA 2010) contains provisions to take action against anti-competitive practices, specifically, anti-competitive agreements and abuse of dominant position.

The CA 2010 under the MyCC is purely a competition law in that it does not address consumer related issues. There is a difference between competition issues and consumer issues. Competition offences distort the supply side while consumer protection offences distort the demand side, said the MyCC CEO.

In some jurisdictions a competition agency looks at both these issues, for example, the Japan Fair Trade Commission, the Korea Fair Trade Commission, the ACCC and the Vietnam Competition Agency have fair trade

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acts and consumer protection acts under the umbrella of the competition watchdogs. Therefore they are able to take on and investigate consumer related issues such as unfair trading, misleading advertisements or false trade descriptions and this was the case of the ACCC which acted on Air Asia's misleading advertisements of air fares to Sydney.

In Malaysia, consumer related issues are addressed by the Ministry of Domestic Trade, Cooperatives & Consumerism, where the laws on such issues fall within the Consumer Protection 1999 and the Trade Description Act 2011 resides and consumers who are seeking redress may approach the Ministry for further information or direction.

On the other hand, if the public has information on any anti-competitive agreements and abuse of dominant position, they may lodge complaints with the MyCC.

Price fixing, dividing markets, controlling supplies and bid rigging are among examples of anti-competitive agreements. An abuse of dominant position occurs when an enterprise which has market power acts in a manner that ensures competitors have no chance to enter the market and engages in activities that leaves the consumers no choice, such as forcing consumers to buy products which they do not need or purposely limiting supply of goods for which they are the sole suppliers.

For more information on the Act and MyCC activities, log on to www.mycc.gov.my.

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For media enquiries, please contact:
Tel +603-7803 2607, Email: rowena@mycc.gov.my
Corporate Communications
Malaysia Competition Commission