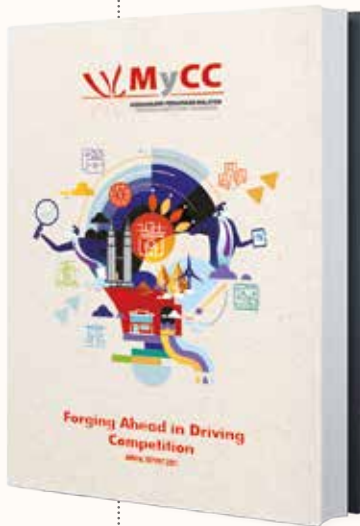




Forging Ahead in Driving Competition

ANNUAL REPORT 2021



Forging Ahead in Driving Competition

10th year of MyCC's establishment means ushering in the new while bidding adieu to the old. Past successes will pave our way to future triumphs. As we look ahead to the next decade with MyCC, we are mindful to ensure that the role and mission of MyCC remains relevant along with its vision and mission. MyCC will forge ahead in its duties as more people are aware of the work we do. MyCC hopes to become among the country's best and most active enforcement agencies. Moving forward, MyCC will continue to grow and expand in tandem with MyCC's bigger scope of duties in protecting the competition process in the market.



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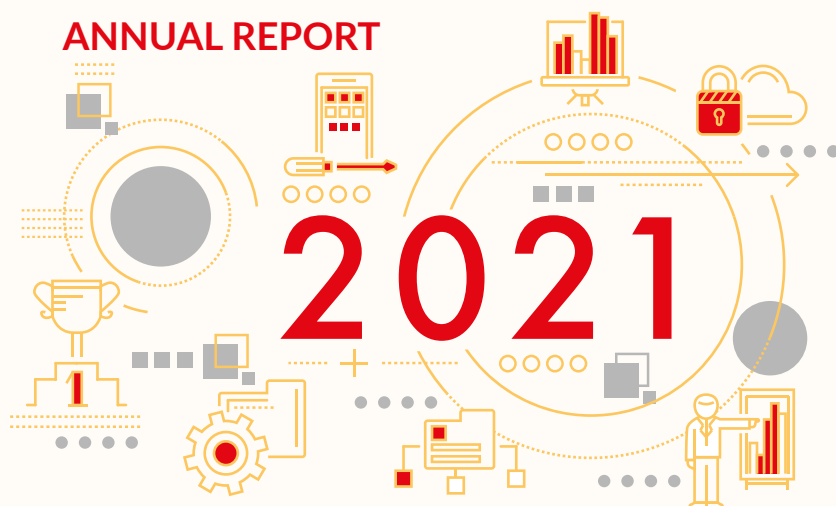


This annual report is available at

www.mycc.gov.my



ANNUAL REPORT



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MINISTER'S FOREWORD

“

2021 marks the 10th year of the establishment of the Malaysia Competition Commission (MyCC). This is a testament of MyCC's commitment, in protecting the process of competition for the interests of consumers, businesses and economy. ”



YB DATO SRI
ALEXANDER NANTA LINGGI
Minister Of Domestic Trade
and Consumer Affairs (MDTCA)

2021 marks the 10th year of the establishment of the Malaysia Competition Commission (MyCC). This is a testament of MyCC's commitment, in protecting the process of competition for the interests of consumers, businesses and economy.

MyCC was established on 1st April 2011 and was tasked to enforce the Competition Act 2010 in order to protect and promote the process of competition in Malaysia. Despite being the youngest agency under the Ministry, it can clearly be seen that MyCC has grown and evolved tremendously over time.

The main objective of the Competition Act 2010 is to promote and protect the process of competition among enterprises in the market. Competition can facilitate efficiency and innovation to produce a wide range of products and services with high quality at low cost. Competition law is one of the measures taken by the government to ensure that the country's economy remains competitive and free of anti-competitive practices that can undermine the country's economic development.

MyCC has successfully handled many high-profile cases which sent a strong message that anti-competitive practices will not be tolerated and stern actions including the imposition of financial penalties will be taken against those that indulge in anti-competitive behavior. Despite numerous challenges faced along the way, MyCC has delivered great works. I have no doubt that MyCC will continue to build on this impressive body of work with the Ministry's full and continuous support.

Despite the increasing uncertainty about economic and social developments due to globalization, Malaysia remains a competitive and economically

sustainable country. MyCC has proven that it has what it takes to be the trusted authority in protecting the process of competition and handle high-profile cases. The Ministry alongside MyCC is committed in ensuring that the process of competition in Malaysia is safe from harmful behaviors.

In a recent report, the World Bank stated that in order for Malaysia to transition to a high-income state, national competition policies need to be strengthened to promote competitive markets. I am confident that MyCC is up to the task, as they have been actively engaging with various parties including government agencies, stakeholders, academia, industry players as well as international competition agencies to enforce competition law effectively.

Despite the many achievements by MyCC, there is still a lot of potential that has yet to be unearthed. I hope that MyCC will be more visible and relevant to the public as the trusted authority to protect the process of competition in the market. I hope that MyCC will expand so that they can continue to deliver good work and achievements in the future. I am confident that MyCC can establish itself as one of the main drivers of the economy and be recognized alongside other established agencies.

The Ministry fully supports all of MyCC's efforts in promoting competition in the market. I believe that in the past 10 years, the work of MyCC has been instrumental in maintaining the public trust for the Ministry. Ten years from now, we want to see MyCC become even stronger and better equipped in dealing with the challenges of the ever-evolving economy.

CHAIRMAN'S MESSAGE

“

Moving forward, MyCC hopes that it will be known as the trusted authority in protecting the process of competition so that consumers and businesses will benefit from the bolstered efficiency, innovation and entrepreneurship. ”

YBHG. DATO' SERI MOHD
HISHAMUDIN MD YUNUS

Chairman



MyCC was established on 1 April 2011 for the purpose of enforcing Competition Act 2010. Since then, MyCC has been entrusted by the Government of Malaysia, to safeguard the process of free and fair competition in commercial markets for the benefit of consumer welfare, efficiency of enterprises and the development of the economy as a whole.

MyCC, since its establishment has continuously promoted and upheld competition law in the country. Many have now taken notice of the importance and function of MyCC, especially on the ways in which competition may benefit consumers in the market and economy of Malaysia.

In the past decade, MyCC has demonstrated great dedication and commitment in carrying out its role as Malaysia's competition watchdog. Up until the year 2021, MyCC had issued more than 20 enforcement decisions and 68 policy advices. MyCC has also conducted more than 320 advocacy programs and published 7 guidelines on competition law. This year, MyCC has launched its 7th market review which is the Market Review under the Competition Act 2010 for Selected Transportation Sectors in Malaysia. This market review is aimed, among others, to identify issues, challenges and anti-competitive practices in the port logistics ecosystem and motor vehicles warranty. We would like to thank all stakeholders including the Government agencies for providing valuable feedback and suggestions during the public consultation period.

I wish to express my utmost gratitude to all government agencies, the business communities, legal practitioners, MoU partners, academicians, students, consumers and our colleagues across the globe who have helped and supported MyCC to where it is today. The numerous collaborations between MyCC and all these stakeholders have served as an ideal platform to exchange ideas, best practices and experiences. We hope that the

continued cooperation and relationship will lead our collaborations to greater heights.

To commemorate this 10th anniversary, it would be befitting to introduce our logo, refined and reimagined, that represents our strength and work value. The introduction of this improved logo is aimed to reflect our mission to ensure a conducive competition culture to make markets work well for consumers, businesses and the economy. Moving forward, MyCC hopes that it will be known as the trusted authority in protecting the process of competition so that consumers and businesses will benefit from the bolstered efficiency, innovation and entrepreneurship. We are mindful to ensure that the roles and functions of MyCC remain relevant to its vision and mission. I believe that MyCC will become among the country's best and most active enforcement agencies.

On behalf of the management team, I would like to express my heartfelt gratitude to the Minister of Domestic Trade and Consumer Affairs for his continuous support towards MyCC. A special word of thanks also to the Members of the Commission for their continuous dedication. Last, but certainly not least, my deepest appreciation to my fellow management team members and staff for their dedication and commitment in carrying out their tasks. In view of the impending challenges in the next decade to come, MyCC will remain committed to upholding the stakeholders' well-being, and towards this end, it will keep abreast with the dynamism and fast changing market environment and will remain steadfast in striving towards promoting safe and fair competition in Malaysia. With the Ministry's support and guidance, MyCC will surely grow and continue to work harder than ever towards our goals in protecting the process of competition and interests of consumers.

CHIEF EXECUTIVE OFFICER'S **MESSAGE**

“

MyCC also launched the MyCC Strategic Plan 2021-2025. The five-year strategic plan commensurates with MyCC entering its next decade, which is a significant milestone for the Commission. ”

MR. ISKANDAR ISMAIL

Chief Executive Officer



Welcoming the 10th year means ushering a new decade of opportunities and achievements. At MyCC, we pride ourselves in implementing and enforcing the Competition Act 2010. This pride is most appropriately placed as 2021 marks a full decade of the enforcement of competition law in Malaysia.

MyCC celebrated its 10th anniversary on 1st April 2021. Many milestones have been achieved. Despite being a relatively young agency in the region, MyCC has managed to establish clear precedents in several landmark cases. Amongst others, these cases include the final decision issued against General Insurance Association of Malaysia and its 22 members, My E.G. Services Berhad and Malaysian Airline System Berhad, AirAsia Berhad and AirAsia X Sdn. Bhd.

Amongst the many initiatives that have brought pride and joy to MyCC is our work in advocacy. Our advocacy efforts towards businesses, consumer groups, government bodies, as well as students are aimed at increasing the awareness level and creating a better understanding on the benefits of healthy competition, the provisions of competition policy and law, and the mandate of MyCC. Restrictions in the movement of people had forced meetings to be carried out online via various virtual platforms. Despite such circumstances, MyCC has managed to organize both virtual and physical advocacy programs by means of seminars and talks.

Apart from that, MyCC published its 7th Market Review on Selected Transportation Sectors in Malaysia this year. Market Reviews provide new perspectives to the market, help identify competition issues, market-driven and regulatory concerns. This has also led to reforms by key stakeholders, relevant ministries and agencies to correct market behavior.

This year, MyCC also launched the MyCC Strategic Plan 2021-2025. The five-year strategic plan commensurates with MyCC entering its next decade, which is a significant milestone for the Commission. It outlines the strategic and action plans to achieve MyCC's objectives for the next five years. It also details the expansion of MyCC that will be consistent with its bigger mandate in supporting the implementation of national-level economic plans and the wider scope of MyCC's functions and powers.

MyCC also places emphasis on the importance of capacity building locally and internationally to develop best practices and enhance the workforce's competencies while building experts on competition law in strengthening and enhancing the enforcement regime in Malaysia. We are also privileged to be able to work with other government agencies, to advise on the competition impact of government policies.

As we look ahead to the next decade, we are mindful to ensure that the role and mission of MyCC remains relevant alongside its vision and mission. By examining the key driving forces that affect MyCC, we recognized that market structures and business conduct are becoming increasingly more complex with technological changes.

As an enforcement agency in Malaysia, MyCC requires transparency and integrity in carrying out its responsibilities to ensure public confidence towards the credibility of MyCC. It is my greatest hope that the Commission forges ahead in its duties and that more people are aware of the work we do. It is also my humble vision for MyCC to be among the country's best and most active enforcement agencies. Moving forward, let us continue to grow and expand in tandem with MyCC's wider scope of duties in protecting the competition process in the market.



CORPORATE INFORMATION

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INTRODUCTION

The **Malaysia Competition Commission, known as MyCC** is an enforcement authority that is mandated to enforce and protect the process of competition in Malaysia. It was established on 1 April 2011 under the Competition Commission Act 2010 [Act 713] with the mandate to implement and enforce the provisions of Competition Act 2010 [Act 712]. The Competition Act 2010 was designed to foster sustainable economic development through **enhancing efficiency, innovation and competitive entrepreneurship**. MyCC serves to empower the market in the interest of consumers, businesses and the overall economic progress of the nation. Ultimately, the objective is to ensure more competitive pricing, better quality products and wider choices in the market for consumers in the protection of their rights and interests.



VISION

Aiming to achieve a robust, efficient, and sustainable economy for Malaysia and Malaysians through the implementation and enforcement of competition policy and law.

MISSION

Committed to excellence in ensuring and protecting well-functioned and innovative markets for businesses and consumers by championing competition.



FUNCTIONS AND POWERS OF MYCC

FUNCTIONS (Section 16)



- ▶ To advise the Minister, Government or other public authority on matters related to competition.



- ▶ To enforce competition laws through investigation and market study, and to issue guidelines related to the implementation and enforcement of competition laws.



- ▶ To educate the public, businesses and other stakeholders on the benefits of competition to the economy as a whole.



POWERS (Section 17)



- ▶ To impose penalty for the infringement of the provisions of the competition laws.



- ▶ To impose fees or charges for services rendered by MyCC.



- ▶ To conduct programs in the course of performing the functions of MyCC.



- ▶ To collaborate with any other organizations or Government agencies for the purpose of performing MyCC's functions.



- ▶ To require the furnishing of information by enterprises to assist MyCC in the performance of its functions.

WORKING COMMITTEE

Audit and Risk Committee



The main responsibilities of the Audit and Risk Committee are to examine all the records, documents and reports pertaining to financial and non-financial matters; to advise the Members of the Commission on the performance of activities which are subject to audit examination; to ensure the appropriate procedures are in place to identify, assess and manage risk from a strategic and operational perspective; and to ensure compliance with procedures and processes that have been approved and put in place by the Commission.

Investigation and Enforcement Committee



The Investigation and Enforcement Committee shall ensure that all investigations undertaken by the Investigation and Enforcement Division are carried out in accordance with Standard Operating Procedures (SOPs) and best practices to ensure the effective and efficient enforcement of the prohibitions of the Competition Act 2010 by the Commission.

Advocacy and Communication Committee



The Advocacy and Communication Committee is established to ensure all stakeholders that need to be educated about the law are involved in the advocacy and communications plan, ensure messages delivered are consistent and ensure continuous publicity for the Commission.

Economics Committee



The Economics Committee is established to examine and give direction on matters related to economic analysis, market review and policy advisory work. The Economics Committee provides policy advice and evaluates appropriate justification from economic perspective; provides guidance, advice and reviews on economic assessments, analysis and issues for investigation and exemption cases; and provides suggestions and proposes action plans for market review.

Finance and Administration Committee



The Finance and Administration Committee is established to formulate principles and guidelines governing financial, administrative and human resource matters, including financial management control, accounting procedure, procurement process, general administration and human resource management for the Commission.

Legal and Drafting Committee



The Legal and Drafting Committee is established in order to carry out the tasks in relation to legal advice and drafting provisions of the Competition Act 2010 [Act 712] and the Competition Commission Act 2010 [Act 713], as well as their subsidiary legislations including guidelines.

Selection and Appointment Committee



The Selection and Appointment Committee is established to formulate principles and guidelines in governing human resource matters, focusing on selection and appointment of permanent and contract positions for Research Assistants and Officers for the Commission.

SPECIAL COMMITTEE ON COMPETITION

MyCC has a strong network support for its competition work and activities. This has been cultivated via its role as chair in the Special Committee on Competition. The Special Committee on Competition is a committee that has been established since 2012. The Committee comprises of representatives from various sectoral regulators. The Committee holds a meeting annually to discuss various issues affecting competition in the markets involving different sectors covering key industries namely telecommunications, land and public transport, finance, electricity and water supply, aviation and intellectual properties.



Functions

- ▶ Review and discuss competition issues with sector regulators
- ▶ Ensure, where possible, harmonization of competition principles, interpretation and application of the law
- ▶ Conduct joint research and make recommendations on the development of competition policy and law including peer review of related competition policy and law framework in respective sectors
- ▶ Carry out joint educational activities and media campaigns on competition-related issues, if necessary, to the public
- ▶ Provide necessary support to MyCC and vice versa to the respective sector regulators at national and international forums on competition
- ▶ Provide necessary technical support to MyCC and vice versa to the respective sector regulators
- ▶ Conduct joint advocacy program in the promotion of competition policy and law in Malaysia
- ▶ Any other functions necessary for the promotion of competition policy and law in Malaysia

SCOPE OF COMPETITION ACT 2010 [ACT 712]

Act 712 applies to all commercial activities conducted within and outside Malaysia which affect competition in any market within Malaysia.

Activities that are excluded from the scope of Act 712 are:



Activities that involve the exercise of Governmental authority



Agreements or conducts that are entered into to comply with any law



Activities which are conducted based on the principle of solidarity



Purchase of goods or services not for re-sale or re-supply



Services involving general economic interest, which cover public utilities, or having the character of a revenue-producing monopoly



Collective bargaining activities or collective agreements on behalf of employees between employers and trade union



Act 712 does not apply to commercial activities which are regulated under:



Communications and Multimedia Act 1998



Energy Commission Act 2001



Petroleum Development Act 1974



Petroleum Regulations 1974



Malaysian Aviation Commission Act 2015

MAIN PROHIBITIONS UNDER THE COMPETITION ACT 712



Anti-Competitive Agreements

(Section 4)

The Act prohibits any agreement, whether in written form or otherwise between enterprises which has the object, or effect of significantly preventing, restricting or distorting competition within a market for goods or services.

An anti-competitive agreement, which may be either made open or secret (e.g., cartel), is one by which enterprises collectively agree not to compete or to collaborate with one another to reduce competition and distort market forces.

The following horizontal agreements are in every instance deemed to have the object of significantly reducing competition and are therefore prohibited:

- ▶ Price Fixing
- ▶ Bid Rigging
- ▶ Market Sharing
- ▶ Limiting or Controlling Production
- ▶ Resale Price Maintenance
- ▶ Exclusive Agreement



Abuse of Dominant Position

(Section 10)

An enterprise that has a market share of more than 60% is considered to be in a dominant position in relation to its relevant market.

An enterprise with a dominant position in a market is not in breach of any law unless it has abused that position by restricting competition of other enterprises in the same market that could adversely affect the interests of consumers.

Examples of Abuse of Dominance:

- ▶ Imposing Unfair Pricing or Conditions
- ▶ Predatory Behavior
- ▶ Refusing to Supply
- ▶ Tying and Bundling
- ▶ Buying Up Scarce Goods or Resources
- ▶ Imposing Different Conditions



Financial Penalty

If MyCC determines that there has been an infringement of Act 712, an enterprise can be imposed a **financial penalty of up to a maximum of 10%** of its worldwide turnover and directed to comply with any other direction as MyCC deems appropriate to bring the infringement to an end.



Leniency Regime

(Section 41)

The leniency regime established under Section 41 is available only to enterprise(s) which admits to an infringement in relation to horizontal agreements as outlined in Section 4(2) of Act 712.

Section 41 requires the applicant not only to make an admission but also extend significant cooperation and assistance to the Commission. Once the two requirements are completed to the satisfaction of the Commission, the enterprise(s) will be granted up to 100% reduction of the financial penalties. Usually, the first enterprise to apply will be given the highest reduction in fine.

ENFORCEMENT PROCEDURE

MyCC as a Quasi-Judicial Body



MyCC conducts investigation



MyCC makes decision



MyCC enforces the decision

OVERVIEW OF ENFORCEMENT PROCEDURE



Ex-Officio
Section 14 (1)



Complaint
Section 15



Minister's Direction
Section 14 (2)



Leniency Regime
Section 41

Assessment
and/or
Inquiry



INVESTIGATION

Interim
Measures
Section 35



PROPOSED DECISION
Section 36

Undertaking
Section 43



CONDUCT OF HEARINGS
Section 38



Written
and/or
Oral

Hearing



FINAL DECISION

Non-Infringement
Section 39

Infringement
Section 40

Competition Appeal Tribunal

Judicial Review (High Court)

Court of Appeal

Federal Court

ORGANIZATION CHART



MEMBERS OF THE **COMMISSION**



Dr. Nor Mazny
Binti Abdul Majid

Dato'
Jagjit Singh A/L
Bant Singh

Dato' Seri
Mohd Hishamudin
Md Yunus
Chairman

Datuk
Tay Lee Ly

Dr. Nasarudin Bin
Abdul Rahman

MEMBERS OF THE **COMMISSION**



Mr. Anil Abraham

Mrs. Siti Juriani
Binti Jalaluddin

Dato Dr.
Madeline Berma

Dato' Ir. Hj.
Mohd Jamal Bin
Sulaiman

Mr. Arunan Tan Sri
K. Kumaran

MEMBERS OF THE COMMISSION

The Commission comprises the Chairman, five members representing the Government and four members representing the private sector. The Prime Minister upon the recommendation from the Minister of Domestic Trade and Consumer Affairs (MDTCA) appoints the Chairman and the members of the Commission. Each member serves a three-year term subject to a maximum of two consecutive terms. The Members of the Commission represent multiple fields of legal, economic, financial, trade and consumer interests. Meanwhile, MyCC's administration and management work and activities are led by the CEO and supported by the senior management team.



**DATO' SERI
MOHD
HISHAMUDIN
MD YUNUS**
CHAIRMAN

Dato' Seri Mohd Hishamudin Md Yunus is a law graduate from the University of London who has previously served as the Malaysian Court of Appeal Judge, Chief Registrar of the Supreme Court, Senior Federal Counsel and the President of the Sessions Court. With 45 years of legal experience, he has also obtained the International Commercial Arbitration certification from the Chartered Institute of Arbitrators, United Kingdom. During his service in the High Court, he has written more than 750 judgments which have been reported in law journals.

He has also served as Legal Advisor to the Ministry of Primary Industry and a spokesman for rubber producing countries at the Natural Rubber Agreement Negotiations in Switzerland. Other than that, he has also served as the Head of Delegation for the International Bar Association's Human Rights Institute (IBAHRI) to South Africa before becoming the Arbitrator at the Kuala Lumpur Regional Centre for Arbitration.

MEMBERS OF THE **COMMISSION**



**DATO' JAGJIT
SINGH A/L BANT
SINGH**

Dato' Jagjit is the founding partner of a legal firm, Jagjit Ariff & Co. He holds a Masters of Law with Merit (Commercial and Corporate Law-Intellectual Property) degree from King's College, University of London. His expertise is in the laws and practical and procedural aspects of intellectual property matters. Dato' Jagjit was a former Judge and has served the Malaysian Judicial and Legal Service for 28 years in various positions, including Senior Federal Counsel, Deputy Treasury Solicitor, Legal Advisor to the Ministry of Health, Deputy Public Prosecutor and Senior Assistant Parliamentary Draftsman.

He was also a member of the Special Copyright Task Force of the Ministry of Domestic Trade and Consumer Affairs (MDTCA) from 1999 to 2001, Panel of Experts Committee, National ICT Security and Emergency Response Centre from 2001 to 2003 and a Legal Advisor to the Special Parliamentary Select Committee on the Penal Code (Amendment) Bill 2004 and the Criminal Procedure Code (Amendment) Bill 2004. He has authored 'The Practical Approach to the Enforcement of Intellectual Property Rights' and co-authored 'Civil Trials Guidebook'.

MEMBERS OF THE **COMMISSION**



**DATUK
TAY LEE LY**

Datuk Tay Lee Ly was appointed as a Member of the Commission on 1 July 2018. She is currently the Head of Research Division at the Attorney General's Chambers Malaysia (AGC). She has served in the Judicial and Legal Service for 34 years.

Prior to her appointment as Head of Research Division at AGC, Datuk Tay has served as a Legal Advisor in several ministries, such as the Ministry of Domestic Trade and Consumer Affairs, Ministry of Works, Ministry of Plantation Industries and Commodities and Economic Planning Unit in the Prime Minister's Department.

In addition to that, she also held the position as Chairman, Industrial Court of Malaysia in Kuala Lumpur, Senior Assistant Parliamentary Draftsman, Senior Federal Counsel and Deputy Public Prosecutor in the AGC and Magistrate in the Petaling Jaya Magistrate's Court.

MEMBERS OF THE **COMMISSION**



**DR. NASARUDIN
BIN ABDUL
RAHMAN**

Dr. Nasarudin was appointed as a Member of the Commission on 1 October 2017. He is an Assistant Professor at the Ahmad Ibrahim Kulliyah of Laws, International Islamic University Malaysia (IIUM). He obtained his LLB (Hons) degree in 2002 and his Master in Comparative Laws in 2008 from IIUM. He received his PhD from Macquarie University of Sydney, Australia in the area of competition policy and law in Malaysia.

He authored a book entitled “Competition Law in Malaysia” (published by Thomson Reuters) as well as many other published articles on Malaysian competition law and policy. Before joining IIUM, Dr. Nasarudin was an advocate and solicitor of the High Court of Malaya. Currently, Dr. Nasarudin teaches company law at the undergraduate level, and his areas of interest also include competition policy and law, industrial relations and Islamic banking.



**DATO' IR. HJ.
MOHD JAMAL
BIN SULAIMAN**

Dato' Ir. Hj. Mohd Jamal Sulaiman holds a qualification in civil engineering from the University of Salford, United Kingdom. He began his career as a Civil Engineer in July 1981 and was placed in the Malaysian Public Works Department (JKR) in Pahang State. During his 36 years of service, he has served in various designations at different organizations such as the Economic Planning Unit, Hulu Selangor District Water Supply Department, JKR Selangor State.

He has also held Director of Policy and Corporate Management from 2014 until January 2017, and prior to his retirement later that year, he was appointed as Senior Director of General of Works (Building Sector) at JKR. Dato' Ir. Hj. Mohd Jamal was twice awarded the Excellent Service Award as well as the JKR Special Achievement Award 2010 during the span of his public service career.

MEMBERS OF THE **COMMISSION**



Dr. Nor Mazny has been in the Administrative and Diplomatic Service since 1995 for almost 25 years, assigned and responsible in various posts. In 1994, Dr. Nor Mazny received her Bachelor of Laws (LLB) from International Islamic University Malaysia (IIUM) and subsequently earned her Master's in Information Technology Law from the University of Strathclyde, United Kingdom, in 2002. Following that, she obtained her PhD from Victoria University, Australia, in 2012.

Dr. Nor Mazny started her career as an Assistant Secretary at the Ministry of Entrepreneur Development, and later on, moved to the Ministry of Finance. She was then assigned to the Ministry of Energy, Green Technology and Water as the Senior Principal Assistant Secretary from 2010 to 2011. She is presently the Deputy Director General of Policy and Development, Legal Affairs Division in the Prime Minister's Department since 2015, after being the Director of the same division from 2011.

MEMBERS OF THE **COMMISSION**



**MRS. SITI
JURIANI BINTI
JALALUDDIN**

Mrs. Siti Juriani is the Head of Public Finance Section I of the Public Asset Management Division, Ministry of Finance (MOF). She holds a Bachelor of Business Administration with a major in Finance from University Utara Malaysia (UUM). She joined MOF since 2001 and was appointed in several divisions including Remuneration Policy and Management Division, Tax Division as well as in the National Budget Office.



**MR. ARUNAN
TAN SRI K.
KUMARAN**

Mr. Arunan Tan Sri K. Kumaran is a Member of the Commission and the Deputy Director of Strategic Planning, Policy and International Division, Ministry of Domestic Trade and Consumer Affairs, Malaysia. He was the Chair/Convener of APEC Competition Policy and Law for two years from year 2020. He has served the Malaysian Government for 19 years handling international trade matters relating to competition law, intellectual property, consumer protection and electronic commerce.

He was also instrumental for the formulation and drafting of Malaysia's Competition Policy, Competition Act 2010, Competition Commission Act 2010 and subsequently the establishment of Malaysia Competition Commission (MyCC). Mr. Arunan is Malaysia's Lead Negotiator for the Competition Policy of Free Trade Agreements including The Trans-Pacific Partnership (TPP), Regional Comprehensive Economic Partnership Agreement (RCEP) and Malaysia-European Free Trade Agreement. He continues to play a pivotal role in the development of competition policy and law in the Asia Pacific region.

MEMBERS OF THE **COMMISSION**



**DATO DR.
MADELINE
BERMA**

Dato Dr. Madeline obtained her Bachelors of Economics from Universiti Kebangsaan Malaysia (UKM) in 1982; and later completed her Master of Arts at the University of Wisconsin-Madison, USA, in 1986. Subsequently, she received her PhD from the University of Hull, England, in 1997. Dr. Madeline is credited strongly for her 35 years of academic experience, in which she held various positions during her years under UKM.

Currently, Dato Dr. Madeline is a Commissioner at the Human Rights Commission of Malaysia and is a consultant under NuMind Plus Training and Consultancy. Her past publications and research specialize in the field of development economics, which includes areas of poverty, inequality, rural development, women development and marginalized communities. She was awarded with three (3) distinctive recognitions, which are Pingat Ahli Bintang Kenyalang (ABK), Sarawak Women in Education special award, and Tokoh Wanita Sempena Hari Pekerja (CUEPACS).



**MR. ANIL
ABRAHAM**

Mr. Anil Abraham is currently the General Counsel for UEM Edgenta Berhad after becoming the Head of the Group Legal Department at Malaysian Resources Corporation Berhad (MRCB). Prior to MRCB, he worked for Usaha Tegas and MEASAT. He is a qualified solicitor in England, and practiced Corporate Law at two international law firms in London.

Mr. Anil holds a Bachelor and Masters of Laws from King's College London; and completed his Master's in Business Administration at École Supérieure des Sciences Economiques et Commerciales (ESSEC).

CHIEF EXECUTIVE OFFICER



Mr. Iskandar Ismail was appointed as the Chief Executive Officer for MyCC on 15th October 2018 after serving as the Director of Investigation and Enforcement Division for more than 5 years. He graduated from the International Islamic University with LLB (Hons) in 1997 and holds an LLM in International and Comparative Law from the George Washington University Law School, Washington DC. Admitted to the High Court of Malaysia as an advocate and solicitor, he has served at Bank Negara Malaysia as a Prosecuting Officer for 7 years. Prior to joining MyCC, he was an Assistant Trial Attorney with the United Nations for the International Criminal Tribunal for Rwanda in Tanzania for 8 years.

During his tenure as Chief Executive Officer and the Director of the Investigation and Enforcement Division, Iskandar has led and overseen the investigation of many of MyCC's landmark cases such as Malaysian Airline Systems Bhd and AirAsia

Berhad, Container Depot Operators in Penang, My E.G Services Bhd, the General Insurance Association of Malaysia (PIAM) and its 22 members, Dagang Net Technologies Sdn. Bhd. and several others.

As the Chief Executive Officer, he also oversees cases involving Grab and the first bid rigging case in Malaysia involving 8 IT companies. He also led the Market Review on Food Sector and the Market Review on Service Sector (Wholesale and Retail for Selected Products) which received widespread attention and positive impact from various parties. He has also been frequently invited as a speaker at several local and foreign conferences, forums and seminars given his experience and practical knowledge in the investigation and enforcement of Competition Law. Iskandar was also appointed as the Chairman of the ASEAN Expert Group on Competition (AEGC) Meeting representing Malaysia for 2019.

MALAYSIA COMPETITION COMMISSION MEETING 2021

Malaysia Competition Commission Meeting (MCCM) 2021 - Management

No	Member of Commission	MCCM No. 1/2021	MCCM No. 2/2021	MCCM No. 3/2021	MCCM No. 4/2021	MCCM No. 5/2021	MCCM No. 6/2021	MCCM No. 7/2021	MCCM No. 8/2021	Total
	Date	4 Jan	16 Feb	29 Mar	15 June	23 Jul	23 Aug	15 Nov	15 Dec	
1.	Dato' Seri Mohd Hishamudin bin Md Yunus	?	?	?	?	?	?	?	?	8/8
2.	Dato' Jagjit Singh a/l Bant Singh	?	?	?	?	?	?	?	?	8/8
3.	Datuk Tay Lee Ly	?	?	?	?	?	?	?	?	8/8
4.	Dr. Nasarudin bin Abdul Rahman	?	?	?	?	?	?	?	?	8/8
5.	Dato' Ir. Haji Mohd Jamal bin Sulaiman	?	?	?	?	?	?	?	?	8/8
6.	Dr. Nor Mazny binti Abdul Majid	?	?	?	?	?	?	?	?	8/8
7.	Dato' Dr. Madeline Berma	?		?	?	?	?		?	6/8
8.	Mr. Anil Abraham	?	?	?	?	?	?	?		7/8
9.	Mrs. Siti Juriani binti Jalaluddin	?		?	?	?	?	?	?	7/8
10.	Mr. Arunan Tan Sri K. Kumaran	Date of Appointment: 15 February 2021		?	?	?	?	?	?	6/6
Total		10/10	7/9	10/10	10/10	10/10	10/10	9/10	9/10	

MALAYSIA COMPETITION COMMISSION MEETING 2021

Malaysia Competition Commission Meeting (MCCM) 2021 – Cases

No	Member of Commission	MCCM No. 1/2021	MCCM No. 2/2021	MCCM No. 3/2021	MCCM No. 4/2021	MCCM No. 5/2021	MCCM No. 6/2021	MCCM No. 7/2021	MCCM No. 8/2021	Total
	Date	4 Jan	8 Feb	30 Mar	15 June	26 Jul	27 Aug	16 Nov	17 Dec	
1.	Dato' Seri Mohd Hishamudin bin Md Yunus	?	?	?	?	?	?	?	?	8/8
2.	Dato' Jagjit Singh a/l Bant Singh	?	?	?	?	?	?	?	?	8/8
3.	Datuk Tay Lee Ly	?	?	?	?	?	?	?	?	8/8
4.	Dr. Nasarudin bin Abdul Rahman	?	?	?		?	?	?	?	7/8
5.	Dato' Ir. Haji Mohd Jamal bin Sulaiman	?	?	?	?	?	?	?	?	8/8
6.	Dr. Nor Mazny binti Abdul Majid	?		?	?	?	?	?	?	7/8
7.	Dato' Dr. Madeline Berma	?			?	?	?			4/8
8.	Mr. Anil Abraham	?	?	?	?	?	?	?		7/8
9.	Mrs. Siti Juriani binti Jalaluddin	?	?	?	?	?	?	?	?	8/8
10.	Mr. Arunan Tan Sri K. Kumaran	Date of Appointment: 15 February 2021		?	?	?	?		?	5/6
Total		9/9	7/9	9/10	9/10	10/10	10/10	8/10	8/10	



MILESTONES

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MILESTONES

2010-2021



- April** Approval of the new policy and bill
- June** Act 712 and Act 713 were gazetted



- April** Formation of MyCC and commencement of operations



- January** Act 712 came into force
- May** Issued Guidelines on Complaint Procedures, Market Definition and Prohibitions (Anti-Competitive Agreements)
- July** Issued Handbook for General Public and Guidelines on Prohibitions (Abuse of Dominant Position)
- December** Issued Final Decision against Cameron Highlands Floriculturist Association for price fixing
- December** Launched MyCC Research Grant Program (RGP)



- January** Official opening of MyCC headquarter at Menara SSM@Sentral
- July** Issued Market Review on Fixing of Prices by Professional Bodies in Malaysia
- July** Conducted a baseline study on awareness of the Competition Act 2010
- September** Issued 'Competition Act 2010: A Guide for Business' and 'Compliance Guidelines'
- September** Organized the first Competition Law Conference in Malaysia

MILESTONES

2010-2021



March

Issued Market Review on Domestic Broiler

March

Issued Final Decision against Malaysia Airlines, AirAsia and AirAsia X for engaging in an anti-competitive agreement

June

Issued 'Guidelines for Fighting Bid Rigging in Public Procurement' and 'Help Us to Detect Bid Rigging'

October

Issued Guidelines on Financial Penalty and Leniency Regime

● ● ●



January

Issued Final Decision against 24 Ice Manufacturers for price fixing

February

Issued Final Decision against Sibu Confectionery and Bakery Association for price fixing

● ● ●



June

Issued Final Decision against five (5) Container Depot Operators for engaging in an anti-competitive agreement

June

Issued Final Decision against My E.G. Services Berhad for abuse of dominant position

● ● ●



March

Organized Malaysia Competition Conference 2017 "Competition Law: Breaking Norms, Managing Change"

December

Issued Market Review on Pharmaceutical Sector and Building Materials in Construction Industry

MILESTONES 2010-2021



October

Issued Final Decision against seven (7) Tuition and Day Care Centers for price fixing

• • •



March

Issued Proposed Decision against eight (8) enterprises involving Procurement of IT Services for bid rigging

August

Issued Market Review on Food Sector

October

Issued Proposed Decision against Grab Inc., GrabCar Sdn. Bhd. And MyTeksi Sdn. Bhd. for abuse of dominant position

• • •



August

Issued Market Review on Service Sector (Wholesale and Retail for Selected Product)

September

Issued Final Decision against the General Insurance Association of Malaysia (PIAM) and its 22 members for engaging in an anti-competitive agreement

• • •



February

Issued Final Decision against Dagang Net Technologies Sdn. Bhd. for abuse of dominant position

April

Launched of MyCC's rebranding and redesigned logo

August

Issued Final Decision against seven (7) warehouse operators in Port Klang for price fixing

October

Issued Market Review for Selected Transportation Sectors in Malaysia (Port Logistics Ecosystem and Motor Vehicles Warranty)

December

Published MyCC's Strategic Plan for 2021-2025

December

Issued Final Decision against Langkawi Ro-Ro Operators for price fixing



2021 IN **REVIEW**



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ENFORCEMENT ACTIVITIES

In the year 2021, MyCC has conducted several investigation and enforcement actions against several enterprises for the infringement of Act 712.



Finding of Infringement

(Section 40)

Dagang Net Technologies Sdn. Bhd.

On 25 February 2021, MyCC issued a Final Decision against Dagang Net Technologies Sdn. Bhd. (Dagang Net) pursuant to section 40 of Act 712.

MyCC found that Dagang Net had infringed section 10(1) of the Competition Act 2010 by engaging in exclusive dealing through the imposition of exclusivity clauses on software providers of the National Single Window (NSW) from October 2015 to November 2017. Dagang Net, a subsidiary of Dagang NeXchange Berhad, is the Government's sole service provider in the provision of online trade facilitation services for *Sistem Maklumat Kastam* under the NSW. NSW is an electronic-based ecosystem that enables customs related documents and transactions to be transferred electronically between the trading communities and regulatory authorities in Malaysia via a single point of entry.

A financial penalty amounted to RM10,302,475.98 was imposed against Dagang Net. In the decision, MyCC also directed Dagang Net to cease and refrain in the future, from engaging in exclusive dealing that may disrupt competition in the provision of trade facilitation services. Furthermore, the directors and senior management executives of the company were directed to enrol in competition law compliance training at their own expense.

Seven Warehouse Operators in Port Klang

On 9 August 2021, MyCC imposed financial penalties ranging from RM26,363.03 to RM336,369.13 against seven (7) warehouse operators for engaging in a price-fixing cartel in relation to the handling services for long length and heavy lift of import and export cargoes at Port Klang.

MyCC found that through its investigation between May 2017 and December 2019, the 7 operators had formed a cartel and thereafter colluded in fixing the surcharges for the handling service of long length and heavy lift cargoes between themselves. During the raids against the operators, it was found that the operators had created a WhatsApp Group and began their discussion on fixing the surcharges despite acknowledging that they are all competitors in the warehouse services market. The same raid also discovered the operators' cartel agreement in the form of a document called 'Surcharge Memorandum' dated 22 May 2017. In the memorandum, all operators have come to an understanding that all of them would charge the agreed rates effective from 1 June 2017.

Collectively, the total amount of penalty is RM1,043,012.52. In its decision, MyCC also directed the companies to cease and to refrain in the future from engaging in price-fixing agreements that may disrupt competition in the handling of long length and heavy lift of import and export cargoes. MyCC directed the parties to independently determine their future charges for long length and heavy lift of import and export cargoes.

ENFORCEMENT ACTIVITIES

Langkawi Ro-Ro Operators

On 29 December 2022, three (3) major Langkawi Ro-Ro operators have been served with penalty ranging from RM 250,172.25 to RM 1,130,876.87 by MyCC for forming a price fixing cartel in relation to the increase in fares for vehicle transportation via Ro-Ro vessels between Langkawi and Kuala Perlis and vice versa.

During the investigations, MyCC found 3 main Ro-Ro operators and 2 other enterprises involved in private discussions to increase and fix the fares, not only for commercial vehicles, but also for passenger cars using their Ro-Ro vessels. This led to the formation of the cartel via two Memorandums of Understanding (MoU) beginning from the year 2018 to 2019.

Collectively, the total amount of the penalty is RM 2,191,580.41 and MyCC also directed the enterprises to cease and refrain in the future from engaging in price fixing agreements that may disrupt competition in the market. The MyCC further directed the parties to independently determine their future charges for the carriage of vehicle transportation via Ro-Ro vessel. Given the economic difficulties arising as a result of the pandemic, MyCC has agreed to grant the parties a reduction from the initial amount of the financial penalty coupled with a moratorium for 6-months from the date of the decision. With this, the parties have the liberty to pay the amount in instalments for up to 6-months.



Undertaking (Section 43)

Federation of Automobile Workshop Owners' Association of Malaysia (FAWOAM)

MyCC had accepted an official undertaking from the Federation of Automobile Workshop Owners' Association of Malaysia (FAWOAM) concerning a proposal to fix a pricing structure.

The proposed new pricing structure regarding the storage, towing, processing and Puspakom fees are said to be a decision made pursuant to the FAWOAM Insurance Sub-Committee meeting. Although the proposed new pricing structure has not been implemented, it may amount to the decision made by FAWOAM, as an association, with the object to fix the pricing which amounts to a potential infringement of Section 4(1) read with Section 4(2)(a) of Competition Act 2010.

To address MyCC's concerns, FAWOAM had undertaken to conduct an Extraordinary General Meeting within 21 days from the date of signing of the Undertaking, with an agenda to withdraw the decision made in the FAWOAM Insurance Sub-committee meeting. FAWOAM also could not hold any form of discussion concerning the issue of fees applicable to FAWOAM's members and not take any step towards implementing the proposed pricing structure. FAWOAM also undertook to notify all of its members of the decision to cancel the proposed pricing structure by way of letters, emails, and other forms of communication, as well as issue and publish the Undertaking by way of a Notice on FAWOAM's official website and social media sites.

ENFORCEMENT ACTIVITIES

Metrology Corporation Malaysia Sdn. Bhd. (MCM)

This undertaking was made by Metrology Corporation Malaysia Sdn. Bhd. (MCM) in regards to the competition concern in relation to the service of verification and re-verification of weighing and measuring instruments used in the trade market in Malaysia by absorbing the SST on behalf of its customers.

To address the MyCC's concerns, MCM had issued a memorandum to its employees, stating that MCM has ceased and dismantled the alleged SST absorption. MCM also proceeded with an Extraordinary General Meeting within 21 days from the date of signing of this Undertaking, with an agenda to withdraw the decision made in Directors' Resolution on 15 September 2020 that MCM agreed to absorb SST on behalf of its customers. Simultaneously, MCM also undertook to refrain from taking any measure having the same object or effect as to the previous SST absorption policy. The MCM also undertook to notify all of its customers of the decision stipulated above by way of letters, emails, and/or other forms of communication.

Statistical Summary 2021



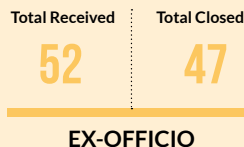
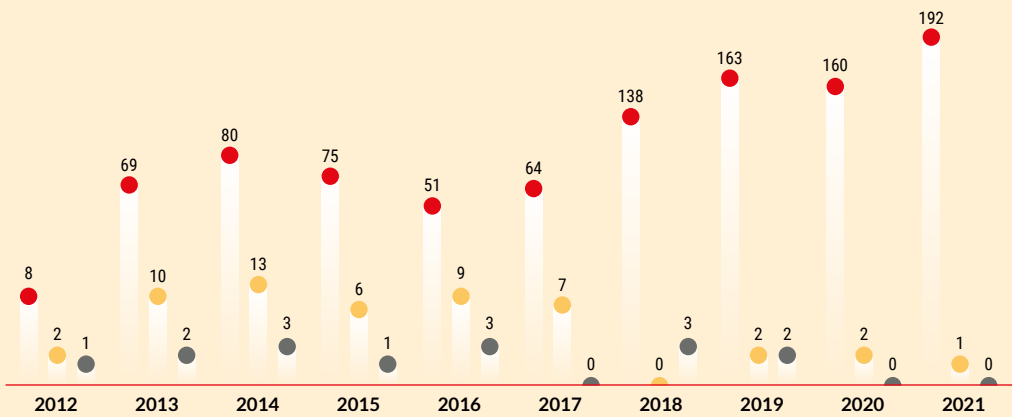
Investigation



Assessment



Total Statistics of 2012-2021

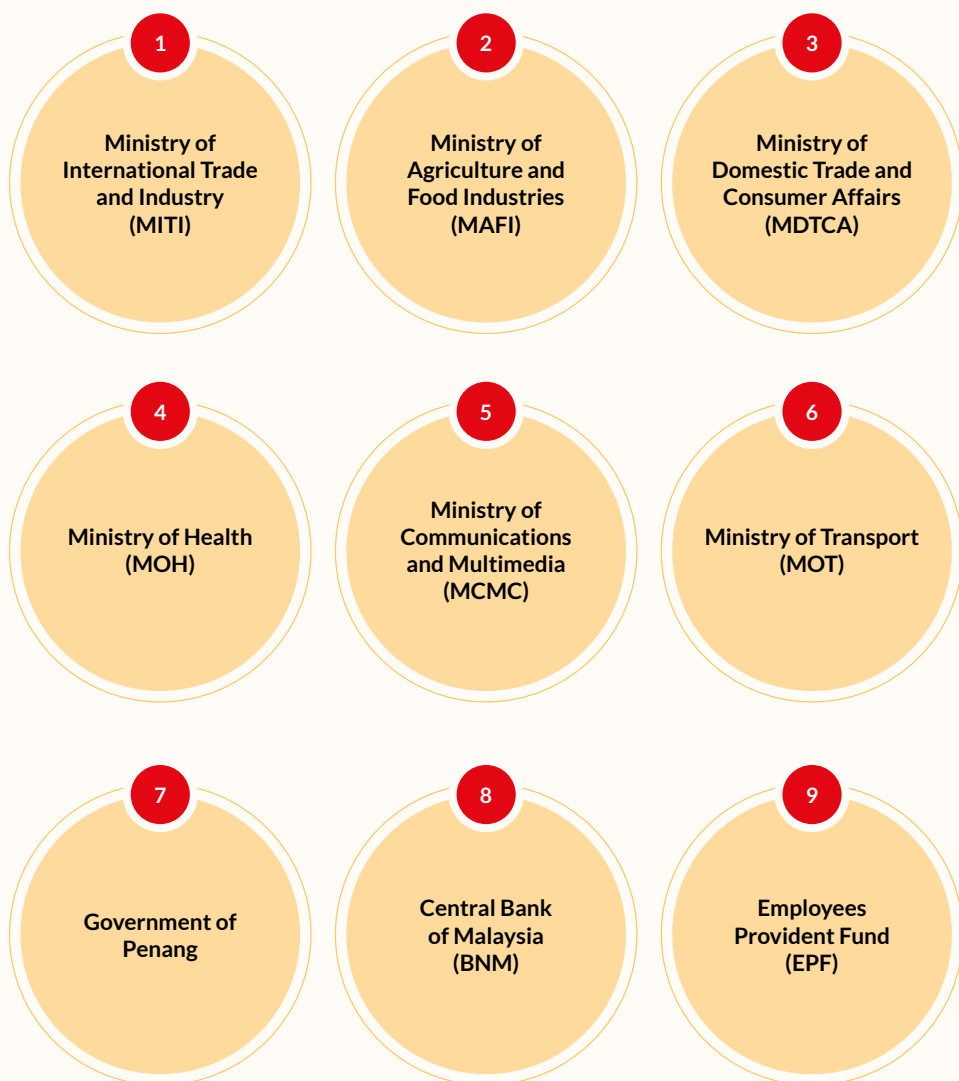


POLICY ADVICE

The advisory works undertaken by the MyCC are in the forms of policy advice, legal opinions and advice, as well as economic advice.

In 2021, the MyCC provided a total of 11 policy advices in relation to competition issues to ministries and Government agencies in Malaysia.

MyCC has provided policy recommendations and advices to the following Ministries/ government agencies:



MARKET REVIEW



MARKET REVIEW FOR SELECTED TRANSPORTATION SECTORS IN MALAYSIA (PORT LOGISTICS ECOSYSTEM AND MOTOR VEHICLE WARRANTY)

Overview

MyCC had successfully completed the Market Review on Selected Transportation Sectors in Malaysia (Port Logistics Ecosystem and Motor Vehicles Warranty). The launching ceremony of the Market Review was held virtually on 5 October 2021 and was officiated by the Minister of Domestic Trade and Consumer Affairs, YB Dato Sri Alexander Nanta Linggi at the MyCC office in Kuala Lumpur. The report on the market review is open for public reference and can be downloaded from MyCC's website.

MyCC's power to conduct market reviews is subjected to Section 11 of Competition Act 2010 (CA 2010), whereby MyCC at its own initiative, or upon the request of the Minister, is empowered to conduct a review on any market to determine whether any feature or combination of features of the market may prevent, restrict or distort competition in the market.

This study focuses on two (2) sub-sectors in the transportation sectors in Malaysia which are;

PORT LOGISTICS ECOSYSTEM



MOTOR VEHICLES WARRANTY



MARKET REVIEW

Approximately, after a period of 14 months, with the restrictions imposed due to the COVID-19 pandemic, the Market Review on Selected Transportation Sectors in Malaysia (Port Logistics Ecosystem and Motor Vehicles Warranty) was conducted from July 2020 to August 2021 with the involvement of key stakeholders such as government agencies, industry and consumer associations, academicians and others.

To ensure an inclusive and high-impact market review, two sessions of Focus Group Discussion (FGD) were held on 10 and 14 September 2019 at the Maya Hotel and Aloft Hotel, Kuala Lumpur, respectively. In addition, online public consultation sessions were held on 24 June 2021 for the private sector and the public; while the session for government officials was held on 25 June 2021. Relevant stakeholders in the transportation sectors were also given opportunities to provide additional insights and input to MyCC through its website to improve the research outcomes and to achieve the desired objectives.

The market review examined several possible competition issues, market and regulatory concerns in the two sub-sectors. The summary is as follows:

PORT LOGISTICS ECOSYSTEM



Port operators

- ▶ Concessionaires exercising rights under concession agreements in a manner that may potentially result in adverse effect on competition.
- ▶ Poor infrastructure connectivity and road condition safety.



Shipping lines

- ▶ Possible concerted practice in introducing selected landside charges and subsequent acts of price following the increase in charges.
- ▶ Compulsory collection of container deposit by shipping liners tantamount to disproportionate trading condition.
- ▶ Possible exclusive dealing between shipping lines and depot operators.



Container depot operators

- ▶ Possible cartel-like behaviour and price fixing during the introduction of DGC.
- ▶ Possible price following or concerted practices in the form of DGC.
- ▶ Unregulated and unlicensed off-dock depot operators.



Freight forwarders

- ▶ Qualifying requirements for International Integrated Logistics Services (IILS) status.



Warehouse operators

- ▶ Licensing requirements in issuing Public Licensed Warehouse Licence may limit the number of new entrants.

MARKET REVIEW



Hauliers

- ▶ Possible price fixing/concerted practices of hauliers through the imposition of Fuel Adjustment Factor (FAF) charges.
- ▶ Mergers and acquisitions (M&A) spark concern over collusion and exclusion.
- ▶ Lengthy and unnecessary process in obtaining heavy vehicle (E-class) competency license.



Customs and OGAs

- ▶ Approval requirement for Customs Brokerage Licence (CBL) may limit the number of new entrants and potentially restrict and distort competition.
- ▶ Fatigue regulatory requirements limit business expansion opportunities.
- ▶ Variances in custom clearance practice.



MOTOR VEHICLES WARRANTY

- ▶ Warranty restrictions imposed by car manufacturers may prevent or restrict competition in the car repair and service industry.
- ▶ Agreements between car manufacturers and insurance companies causing foreclosure of the car accident repair market.
- ▶ Unethical misconducts by 3S/4S workshops.
- ▶ A possible lack of transparency to fine prints in warranty terms and conditions.

There are 23 recommendations in the port logistics ecosystem and 8 recommendations for the warranty section in the said report. Amongst the recommendations are:

PORT LOGISTICS SYSTEM

- ▶ MyCC to invoke its enforcement power to determine whether there are cartels in landside charges, shipping liner charges, depot gate charges and FAF.
- ▶ To review the concessionaries agreement of port operators to achieve policy shift in ensuring competition in the relevant market.
- ▶ To rectify the regulatory and market-driven issues through the streamlining of custom procedures, regulatory framework and digitalization.
- ▶ To standardize and synchronize the licensing of off-dock and on-dock players; and the empowerment of M&A for MyCC.
- ▶ To identify infrastructure deficiencies, subsequently, to develop and modernize infrastructure to support the growth of port logistics sector.
- ▶ To conduct a study specifically on the review of the approval requirement in issuing the IILS, CBL and public warehouse licenses to facilitate the entry of new players.

Objectives

This market review was conducted to achieve the following objectives:

- ▶ Understand the market structure and evaluate market activity along the supply chain.
- ▶ Identify issues, challenges and anti-competitive practices in the port logistics ecosystem and motor vehicles warranty.

MARKET REVIEW

- ▶ Provide an opportunity to assess the prevailing industry practices and regulations that restrict competition and cause unnecessary regulatory burden.
- ▶ Determine the extent of disruption in the market and the need for government intervention to prevent anti-competitive behavior in the port logistics ecosystem market and motor vehicle warranty.
- ▶ Propose improvements to include government agencies and authorities in pre-determined sectors to minimize the actual or potential impact of curbing regulations on competition.

Achievements

- ▶ In line with the objective of this study, MyCC conducted engagement sessions with the Ministries, relevant agencies and industry players involved to disseminate the results of the study.
- ▶ The launching ceremony which was held to disseminate the results of this study was attended by more than 200 participants representing government agencies, representatives of foreign embassies in Malaysia, academics and lawyers, industry players, industry associations and consumers, media and the general public.



INTERNATIONAL PROGRAM

Internationally, MyCC is also actively involved in conferences, workshops, meetings and capacity building overseas. As the member of the ASEAN Experts Group on Competition (AEGC), International Competition Network (ICN), Organization for Economic Co-operation and Development (OECD), United Nations Conference on Trade and Development (UNCTAD) and others, MyCC often accepts invitations to participate in overseas programs as speakers, participants, meeting members and even moderators.

Throughout 2021, MyCC successfully held 98 international collaborations programs, attended a total of 77 programs and 21 meetings at the international level which include forums, workshops, secondment programs and other capacity building programs.

INTERNATIONAL PROGRAMS

Launching Ceremony of “OECD Reports: OECD Competition Assessment Reviews of the Logistics Sector in Malaysia and OECD Competitive Neutrality Reviews: Small-Package Delivery Services in Malaysia”

On 5 October 2021, MyCC held a launching ceremony of two (2) Organization for Economic Co-operation and Development (OECD) reports namely; OECD Reports: OECD Competition Assessment Reviews of the Logistics Sector in Malaysia and OECD Competitive Neutrality Reviews: Small-Package Delivery Services in Malaysia. The ceremony was launched virtually and was officiated by YBhg. Datuk Seri Hasnol Zam Zam Ahmad, Secretary General, Ministry of Domestic Trade and Consumer Affairs (MDTCA).

Through a joint venture between the Association of Southeast Asian Nations (ASEAN), the OECD and MyCC, the OECD has conducted two studies

under the Fostering Competition in ASEAN project starting from November 2018 aimed at evaluating and identifying legislation and policies that have the impact or potential to prevent, restrict and disrupt competition in the logistics market and small parcel delivery services in Malaysia. Both studies were finalised in July 2021 which led to the publication of the two OECD reports.

During the launch, a panel discussion session titled "Discussion on Takeaways from the OECD Reports and the Market Review on Selected Transportation Sectors in Malaysia" was held to discuss the results of both the OECD reports and the transportation sector in Malaysia through the perspective of MyCC, OECD and also some other parties. MyCC also invited competition law experts such as Mr. Ruben Maximiano, Senior Competition Expert, OECD; Ms. Graciella Miralles, Senior Economist, World Bank Group and logistics expert and industry player, Dato' Seri (Dr.) Michael Tio, Chief Executive Officer, PKT Logistics Group Sdn. Bhd. to be panelists for the program.

Objectives

This program was conducted to achieve the following objectives:

1

Present the results of the study of these reports to stakeholders in Malaysia

2

Discuss proposals for actions that can be taken to ensure healthy competition in the logistics market

INTERNATIONAL PROGRAM

Achievements

The program was attended by a total of 300 online participants comprising stakeholders in the transport and small package delivery services sector, Government and private agencies, competition agencies from ASEAN Member States, foreign embassy representatives, players industry, industry and consumer associations, the media and the general public.



Competition Law Seminar for Japanese Companies

MyCC, in collaboration with the Japan International Cooperation Agency (JICA) and the Japan Fair Trade Commission (JFTC), organized an online seminar titled “Competition Law Seminar for Japanese Companies” on 22 February 2021. The program was attended by industry players from Japan.

The speakers for this program are from MyCC, JFTC and a leading law firm in Japan, namely:

- ▶ Mr. Obata Shinichiro (Legal Expert Advisor, JFTC);
- ▶ Ms. Nurafinie Binti Mohd Fadzly (Senior Assistant Director, Legal Division, MyCC); and
- ▶ Mr. Ogihara Seiji (Advocate, TNY Group).

INTERNATIONAL PROGRAM

Objectives

This seminar was conducted to achieve the following objectives:

1

Provide exposure to industry players on competition law enforcement, the role of competition law and the introduction of competition law in Malaysia

2

Provide information related to the process of amending the Competition Act 2010 to introduce a merger control regime in the Act

3

Provide a legal practitioner's point of view on competition law in Malaysia

Achievements

The seminar was attended by more than nearly 20 participants comprising industry players. It also received good feedback from the participants in view that the topics discussed were appropriate to the business activities of the participants.

No.	Program/Project	Date	Collaborating Organization
1.	Competition Law Seminar for Japanese Companies	22 February 2021	<ul style="list-style-type: none"> Japan International Cooperation Agency (JICA) Japan Fair Trade Commission (JFTC)
2.	Launching Ceremony of "OECD Reports: OECD Competition Assessment Reviews of the Logistics Sector in Malaysia and OECD Competitive Neutrality Reviews: Small-Package Delivery Services in Malaysia"	5 October 2021	<ul style="list-style-type: none"> Organization for Economic Co-operation and Development (OECD) Association of Southeast Asian Nations (ASEAN)

INTERNATIONAL PROGRAM

Capacity Building

No.	Program	Date	Venue
1.	JFTC's Expert Placement Program	7 January 2021 – 6 January 2022	Malaysia
2.	2 nd Cartels Workshop (Workshop I Substantive Issues)	20 January 2021	Virtual
3.	2 nd Cartels Workshop (Workshop II Procedural Issues)	21 January 2021	Virtual
4.	USDOJ: ASEAN Merger Investigation Workshop	27 January, 10 February and 17 February 2021	Virtual
5.	ASEAN-OECD Discussion on the OECD Competition Assessment Reviews and Competitive Neutrality Reviews in ASEAN	2 – 3 February 2021	Virtual
6.	ICN - CWG Agency-only Webinar Practical Challenges in Cartel Investigations at times of COVID-19	10 February 2021	Virtual
7.	ACCEC EU-ASEAN Virtual Launching and Workshop for the E-Commerce Report	17 February 2021	Virtual
8.	Concurrences Webinar: How to Prevent Antitrust Breaches? Fostering A Culture of Compliance	18 February 2021	Virtual
9.	WBG-ICC Virtual Roundtable Discussion: "The Evolving Nature of Merger Control in Digital Markets"	19 February 2021	Virtual
10.	JICA/JFTC Online Group Training	15 – 19 February 2021, 1 – 5 March 2021	Virtual
11.	Online Competition Law Seminar for Japanese Companies Operating in Malaysia	22 February 2021	Virtual
12.	2021 Forum on Competition in Developing Countries	22 – 23 February 2021	Virtual
13.	OECD Workshop on "Methodologies to Measure Market Competition"	23 February 2021	Virtual
14.	ASSOCHAM Virtual Roundtable Discussion "Enabling a Trillion Dollar Digital Economy"	26 February 2021	Virtual
15.	ASEAN Regional Policy Dialogue (ARPD) on Competition Policy and MSMEs in the post COVID-19 Crisis	2 March 2021	Virtual
16.	CLIP Train-the-Trainer	March – May 2021	Virtual
17.	CCCS-SAL Competition Law Series 2021 Transcending Boundaries – Competition Law in a Digital Era	3, 10, 17, 24 & 31 March 2021	Virtual
18.	Bundeskartellamt 20 th International Conference on Competition	4 March 2021	Virtual

INTERNATIONAL PROGRAM

Capacity Building

No.	Program	Date	Venue
19.	2 nd Digital and Competition Conference: 4-Webinar Series	9 – 12 March 2021	Virtual
20.	ACCC 2021 National Consumer Congress Virtual Lecture Series	15, 22, 29 March 2021 & 12 April 2021	Virtual
21.	ABA Antitrust Law Section's 69 th Spring Meeting	23 – 26 March 2021	Virtual
22.	Concurrences Webinar: How to Detect and React to Antitrust Breaches? Practical Tools and Takeaways	24 March 2021	Virtual
23.	Turkish Competition Authority Workshop on "Competition vs. Regulation and the Appropriate Organizational Structure of a Competition Agency"	6 – 7 April 2021	Virtual
24.	The European Commission's Article 22 Policy: A New EU Approach to Non-Notifiable Deals	8 April 2021	Virtual
25.	Concurrences: 5 th Antitrust in the Financial Sector Conference – Webinar #2: Current International Issues	13 April 2021	Virtual
26.	Concurrences Webinar: How to Detect Deploy and Implement a Compliance Program?	15 April 2021	Virtual
27.	Concurrences: 5 th Antitrust in the Financial Sector Conference – Webinar #3: Financial Sector Consortia and Collaborations	20 April 2021	Virtual
28.	ASEAN Capacity Building Roadmap: Brainstorming Workshop	22 April 2021	Virtual
29.	Competition Enforcement Agencies Workshop on the ASEAN Competition Compliance Experience Survey-Study (ACCESS)	27 April 2021	Virtual
30.	Concurrences 5th Innovation Economics for Antitrust Lawyer Conference	28 – 30 April 2021	Virtual
31.	JICA/JFTC Workshop on "What Merger Parties Expect to Competition Authority"	30 April 2021	Virtual
32.	Concurrences: 2 nd International Mergers Conference	17 – 20 May 2021	Virtual
33.	Launch of OECD report "Fighting Bid Rigging in Brazil: A Review of Federal Public Procurement"	19 May 2021	Virtual
34.	Quantitative Methods for Competition Analysis, Graduate School of Economics Barcelona	24 – 28 May 2021	Virtual
35.	Concurrences 12th New Frontiers of Antitrust Conference	8 – 11 June 2021	Virtual
36.	OECD/KPC Workshop on Competition and Digital Markets for ASEAN Competition Authorities, in co-operation with PCC	14, 16 – 17 June 2021	Virtual

INTERNATIONAL PROGRAM

Capacity Building

No.	Program	Date	Venue
37.	CPRC JFTC 49 th Open Seminar on Competition Law Enforcement and Competition Regulation: The Digital Challenge	18 June 2021	Virtual
38.	UNCTAD CCPB Global Event: Competition Policy and MSMEs "Presentation of Phase III Activities of the Project "Resurgence of MSMEs in times of COVID-19"	18 June 2021	Virtual
39.	JICA/JFTC Workshop on Leniency Program	21 – 22 June 2021	Virtual
40.	ICN Town Hall: Younger Agencies in the Third Decade	22 June 2021	Virtual
41.	2 nd Antitrust in Life Sciences Conference Generics: Pay-for-Delay, Patent Settlements, Reverse Payment, Price-Fixing & Market Allocation	24 June 2021	Virtual
42.	2021 Competition Summer School	28 June – 9 July 2021	Virtual
43.	Engagement Session #2: Regulatory Quality Indicator (Competition Legislation is Efficient in Preventing Unfair Competition)	30 June 2021	Virtual
44.	Engagement Session #4: Regulatory Quality Indicator (Subsidies Do Not Distort Fair Competition and Economic Development)	1 July 2021	Virtual
45.	USDOJ: ASEAN Merger Cases Workshop	1 – 2 July 2021	Virtual
46.	OECD Competition Agency Leaders Executive Program (CALEP)	3 – 7 July 2021	Crete, Greece
47.	AECSP Case Study: CLIP Program Clip Case Study Interview	15 July 2021	Virtual
48.	CLIP Train-the-Trainer 2.0 "Developing the Skills and Know-How to Build, Train and Lead Effective Investigation Teams"	26 July – 23 September 2021	Virtual
49.	CLIP Live Panel Discussion: Regulating Competition in Digital Markets	27 July 2021	Virtual
50.	JAIF Training Course on Unilateral Conduct and Abuse of Dominant Position	2 – 4 August 2021	Virtual
51.	CLIP Train-the-Trainer Mentoring Session 2	18, 19, 23 August 2021	Virtual
52.	JFTC Merger Review in Digital Age	26 August 2021	Virtual
53.	GCR Singapore: Asia-Pacific Law Leaders' Forum	26 August 2021	Singapore
54.	CLIP Train-the-Trainer Program Session 6 & 7	2, 6, 9, 16 September 2021	Virtual

INTERNATIONAL PROGRAM

Capacity Building

No.	Program	Date	Venue
55.	ICN Virtual Skills Workshop 2021	2, 6, 9, 16, 20, 23, 27 September 2021	Virtual
56.	Webinar on the ICN Steering Group's Project on Competition Law Enforcement at The Intersection of Competition, Consumer Protection, and Privacy	7 September 2021	Virtual
57.	Antitrust in Asia, "Institutional Design: Should Competition Law be Enforced by Sectoral Regulators?"	14 September 2021	Virtual
58.	7 th Antitrust in Asia Conference - Virtual Closing Reception	17 September 2021	Virtual
59.	ASEAN Ministerial Dialogue on Accelerating Actions to Achieve the Sustainable Development Goals	20 September 2021	Virtual
60.	CLIP Advocacy & Media Workshop	23 September 2021	Virtual
61.	East Asia Conference on Competition Law and Policy (EAC)	29 September 2021	Virtual
62.	ICN Annual Conference 2021	13 – 15 October 2021	Virtual
63.	11 th Seoul International Competition Forum	4 November 2021	Virtual
64.	AANZFTA CLIP Competition Clinic 3, Online Mini Workshop	10 November 2021	Virtual
65.	7 th Winter School Economics of Competition Law	15 – 26 November 2021	Virtual
66.	7 th BRICS International Competition Conference	16 – 17 November 2021	Virtual/ Chengdu, Sichuan Province, China
67.	2021 ICN Cartel Workshop	17-19 November 2021	Virtual
68.	OECD/KPC Workshop on Competition and Public Procurement	17 – 19 November 2021	Virtual
69.	OECD Online Workshop on Regulatory Barriers to Professional Services	18 – 19 November 2021	Virtual
70.	GCR Merger Control Masterclass	23 November 2021	Virtual
71.	9 th ASEAN Competition Conference	1 – 2 December 2021	Virtual

INTERNATIONAL PROGRAM

Capacity Building

No.	Program	Date	Venue
72.	2021 OECD Global Forum on Competition	6 – 8 December 2021	Virtual
73.	US-ASEAN Virtual Workshop on Digital Trade Standards and Conformance	7 – 8 December 2021	Virtual
74.	ASEAN - OECD Workshop on the OECD Competition Assessment Reviews and Competitive Neutrality Reviews in ASEAN	9 December 2021	Virtual
75.	UNCTAD Research Partnership Platform Event to launch the "Report on Extraterritoriality in Competition Law Enforcement"	9 December 2021	Virtual
76.	JAIF Workshop on New Economic Issues in Merger Enforcement	13 – 14 December 2021	Virtual
77.	KFTC Virtual International Competition Workshop	15 December 2021	Virtual

International Meeting

No.	Program	Date	Venue
1.	OECD-ASEAN - Launching of Logistics and SOE Report for Philippines	29 January 2021	Virtual
2.	1 st Meeting of the UNCTAD Working Group on Cross-Border Cartels	4 February 2021	Virtual
3.	OECD-ASEAN - Launching of Logistics and SOE Report for Brunei	15 February 2021	Virtual
4.	APEC 2021 SOM 1 – Competition Policy and Law Group (CPLG) Meeting	25 – 26 February 2021	Virtual
5.	26 th AEGC and Other Related Meetings	22 – 25 March 2021	Virtual
6.	4 th ASEAN Competition Enforcers' Network Meeting	25 March 2021	Virtual
7.	2 nd Meeting of the UNCTAD Working Group on Cross-Border Cartels	13 April 2021	Virtual
8.	OECD-ASEAN - Launching of Logistics and SOE Report for Indonesia	27 May 2021	Virtual

INTERNATIONAL PROGRAM

International Meeting

No.	Program	Date	Venue
9.	3 rd Meeting of the UNCTAD Working Group on Cross-Border Cartels	1 June 2021	Virtual
10.	OECD-ASEAN - Launching of Logistics and SOE Report for Singapore	4 June 2021	Virtual
11.	UNCTAD Intergovernmental Group of Experts (IGE) on Competition Law and Policy Nineteenth Session	7 - 9 July 2021	Virtual / Geneva
12.	1 st Official Round of the Upgrade of the AANZFTA Negotiations	13 - 14 July 2021	Virtual
13.	OECD-ASEAN - Launching of Logistics and SOE Report for Cambodia	28 July 2021	Virtual
14.	2 nd Official Round of the Upgrade of the AANZFTA Negotiations	23 - 25 August 2021	Virtual
15.	OECD-ASEAN - Launching of Logistics and SOE Report for Vietnam	31 August 2021	Virtual
16.	East Asia Top Level Officials' Meeting on Competition Policy (EATOP)	28 - 29 September 2021	Virtual
17.	1 st ASEAN Heads of Competition Agencies Meeting	11 October 2021	Virtual
18.	27 th AEGC and Other Related Meetings	12 - 15 October 2021	Virtual
19.	3 rd Official Round of the Upgrade of the AANZFTA Negotiations	27 October 2021	Virtual
20.	UNCTAD Ad-Hoc Expert Group Meeting on Cross-border Cartels	23 November 2021	Virtual
21.	6 th Meeting of High-Level Representatives of Asia Pacific Competition Authorities	13 December 2021	Virtual

ADVOCACY PROGRAM

In general, apart from enforcement activities, advocacy programs are an effective method to raise awareness of all parties, especially among consumers and enterprises on the existence and role of the Commission and the Competition Act 2010. In 2021, a total of 16 advocacy programs were conducted involving various sectors in the public, private sector, stakeholders, professionals and the media.

Among advocacy programs organized by MyCC are:

Roundtable Session: MyCC & Competition Law, Past, Present & Future in Conjunction with #BEBASKARTEL 10 Years Anniversary Celebration 2021: New Insight of MyCC

On 1 April 2021, MyCC organized its 10th anniversary celebration as an ongoing effort to raise public awareness on the role of the Commission and the objectives of Competition Act 2010 in Malaysia. The program was held virtually through Facebook and YouTube platforms, and was officiated by YB Dato Sri Alexander Nanta Linggi, Minister of Domestic Trade and Consumer Affairs. There were over 1500 participants that took part in the program represented by various backgrounds such as Government agencies, representatives of foreign embassies in Malaysia, international competition authorities, industry and consumer associations, academicians, legal fraternities, industry players and the general public.

In conjunction with its 10th anniversary, MyCC also announced its new redesigned logo to strengthen its corporate identity. In addition, a roundtable session titled “Roundtable Session: MyCC & Competition Law, Past, Present and Future” was also held to discuss the latest issues on merger and acquisition activities, monopolies and digital economy as well as other competition related issues. The moderators and panelists for this roundtable session are:

- ▶ YBhg. Dato Dr. Madeline Berma, Member of the Malaysian Competition Commission (MyCC)
- ▶ YBhg. Dato’ Dr. Ir. Andy K.H. SEO, Chairman, Malaysian National Shippers’ Council (MNSC)
- ▶ YBrs. Assoc. Professor Dr. Haniff Ahamat, Lecturer, Faculty of Law, Universiti Kebangsaan Malaysia (UKM)
- ▶ YBrs. Dr. Wan Khatina Wan Mohd Nawawi, Director of Economics, Malaysian Aviation Commission (MAVCOM)
- ▶ Mr. Rasul Butt; Senior Executive Director, Hong Kong Competition Commission (HKCC)

ADVOCACY PROGRAM

Objectives

This roundtable discussion is conducted to achieve the following objectives:

1

Provide exposure to target groups such as Government officials, lawyers, businesses, academicians, university students and chambering students on competition policy and law

2

Provide information on current competition issues such as digital economy, bid rigging and mergers

Achievements

Among the achievements for this roundtable discussion are as follows:

- ▶ A total of nearly 1500 participants from various backgrounds attended the roundtable discussions such as Government officials, lawyers, businesses, academicians, university students and chambering students.
- ▶ The roundtable discussion received good feedback from the participants as the topics discussed by panelists were in line with current developments of competition law especially on digital economy and bid rigging.



ADVOCACY PROGRAM

Launching Ceremony of MyCC Strategic Plan 2021-2025

MyCC held the Launching Ceremony of the MyCC Strategic Plan 2021-2025 (Strategic Plan) on 13 December 2021. This ceremony was officiated by YB Dato' Rosol Wahid, Deputy Minister of Domestic Trade and Consumer Affairs at the DoubleTree by Hilton Hotel, Kuala Lumpur.

In conjunction with the launching ceremony, MyCC also held a Forum on Exploitative Pricing: Striking a Balance between Competition and Industrial Policy and MyCC Award Ceremony for Best Student in Competition Law Subject.

This Strategic Plan aims to outline fundamental action plans of MyCC to achieve a robust, efficient, and sustainable economy for Malaysia and its people through the implementation and enforcement of competition policy and law. This plan contains strategies and initiatives that can be implemented in line with national policies such as the Shared Prosperity Vision (WKB 2030), the 12th Malaysia Plan (RMK -12), the Malaysian Digital Economy Blueprint (MyDigital), and the National Fourth Industrial Revolution (4IR) Policy as well as the plan at the ministry level which is the KPDNHEP Strategic Plan (2021-2025).

After the launching of the Strategic Plan 2021 - 2025, MyCC held an award ceremony for the "Best Student in Competition Law Subject". The award was given in recognition of the students' effort and achievement in the subject of Competition Law. MyCC awarded four students from four higher learning institutions which have an established partnership with the MyCC through the Memorandum of Understandings (MoUs).



ADVOCACY PROGRAM

Objectives

The launch of this Strategic Plan was held in order to achieve the following objectives:

1

Present the direction and strategic plan of MyCC in implementing and enforcing competition laws in Malaysia for the next five years

2

Discuss the proposed actions that can be taken to implement the Strategic Plan

Achievements

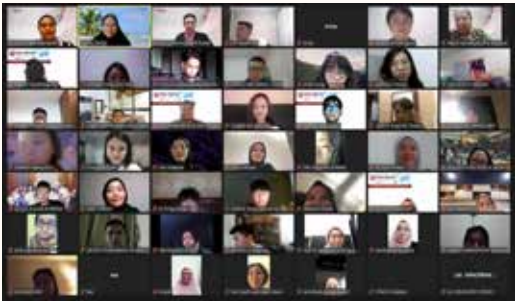
This program was attended by a total of 100 people consisting of MyCC officers, stakeholders from various Government and private agencies, representatives of foreign embassies, industry players, industry and consumer associations, academicians, university students, media as well as the general public.



ADVOCACY PROGRAM

Competition Law Classroom Program: Webinar on Competition Act Forum with School of Business and Economics, Universiti Putra Malaysia

In its effort to raise awareness of the Competition Act 2010, MyCC forged ahead by hosting various events and programs in order to foster a conducive economic environment for businesses and consumers. On 19 January 2021, MyCC organized a Webinar titled “Competition Act Forum” with the School of Business and Economics, Universiti Putra Malaysia. The session was attended by the business and economics students of UPM. The objective of this briefing session was to introduce the role and functions of the Commission in general and issues relating to the Competition Act 2010 to the participants.



Briefing on Guidelines Against Bid-Rigging in Public Procurement Activities

On 3 August 2021, MyCC organized a program titled “Briefing on Guidelines Against Bid-Rigging in Public Procurement Activities”. This program was held virtually for government officers who are directly involved in procurement processes. In addition, this briefing aimed to increase the understanding of the officers on procurement methods and procedures to avoid bid rigging. The program was attended by 30 participants where a range of topics such as the links between bid rigging and corruption, the effectiveness of procurement procedures, bid rigging risks, direct negotiations and bid rigging investigations carried out by MyCC were discussed.

This advocacy program is one of the ongoing initiatives undertaken by MyCC to create awareness among procurement and government officers officials in the public sector on the role of MyCC and the implementation of the Competition Act 2010, particularly in addressing bid rigging issues in public procurement.

ADVOCACY PROGRAM

Briefing Session to FOMEMA Sdn. Bhd. on Competition Act 2010

On 23 November 2021, MyCC organised a briefing session to FOMEMA Sdn. Bhd. on the Competition Act 2010 at the Majestic Hotel, Kuala Lumpur. This program was an effective platform to provide greater exposure on competition policies and law where knowledge and experience were delivered directly by speakers who are experts in competition matters.



List of Advocacy Program

No.	Program	Date	Venue
1.	Competition Law Classroom Program "Webinar on Competition Act Forum with School of Business and Economics, UPM"	19 January 2021	Online
2.	Meeting with Pertubuhan Akitek Malaysia (PAM)	26 January 2021	Online
3.	Executive Talk: Code of Conduct for Landscape Architects "To Restore and To Reconcile"	16 March 2021	Online
4.	MyCC 10th Anniversary Celebration 2021 - Roundtable Discussion: "MyCC & Competition Law: Past, Present & Future"	1 April 2021	Online

ADVOCACY PROGRAM

List of Advocacy Program

Bil	Program	Tarikh	Tempat
5.	Webinar "Career Talk: Unlock Your Future" by UKM	28 May 2021	Online
6.	SACEi Economics Awareness Day 2021 Taylor's College Lakeside	1 June 2021	Online
7.	Protecting Consumers & Assuring Fair Competition – Empowering Global Supply Chain Opportunities	17 June 2021	Online
8.	Briefing on Guidelines Against Bid-Rigging in Public Procurement Activities to DBKL	3 August 2021	Online
9.	Luncheon Guest Speaker - Rotary Club of Kuala Lumpur DiRaja	18 August 2021	Online
10.	Competition Law Classroom Program with Monash University on "The Enforcement Powers of MyCC: Recent Cases and Challenges"	9 September 2021	Online
11.	7 th Antitrust in Asia Webinar #2 "Institutional Design: Should Competition Law Be Enforced by Sectoral Regulators?"	14 September 2021	Online
12.	Briefing on Competition Act 2010 to Indah Water Konsortium Sdn. Bhd.	28 October 2021	Online
13.	Tech for Good Institute Launch Ceremony	10 November 2021	Online
14.	Cultivate 2.0 Legal Webinars	13 November 2021	Online
15.	Briefing Session to FOMEMA Sdn. Bhd. on Competition Act 2010	23 November 2021	Majestic Hotel, Kuala Lumpur
16.	Training Session to Malakoff Corporation Berhad on Competition Act 2010	2 December 2021	Malakoff Corporation Berhad

COMMUNICATION AND PUBLIC RELATIONS

In 2021, the initiatives undertaken include exhibitions and mass media interviews (radio, television and newspaper).

MyCC has also issued many press releases via print and electronic media on cases and issues related to competition. Apart from that, MyCC carried out online publicity via its social media and portals.

Participation in Programs by the Ministry and its Agencies

MyCC was also involved in programs organized by the Ministry and its agencies throughout 2021, which include, among others:

- ▶ *Karnival Advokasi Kepenggunaan Belia Bersama KPDNHEP*
- ▶ *Kapit Town Square, Sarawak*
- ▶ *26 - 27 November 2021*

- ▶ *100 Hari Aspirasi Keluarga Malaysia*
- ▶ *Kuala Lumpur Convention Centre*
- ▶ *9-12 December 2021*



COMMUNICATION AND PUBLIC RELATIONS

Other Programs by MyCC

MyCC has also conducted several Community Service Programs to further strengthen MyCC initiatives for the community through charitable events. These programs are held to contribute to the well-being of society, identify solutions for the improvement of the livelihood of the less fortunate and promote social change. Amongst the programs that were held in 2021 are:

- ▶ *Sumbangan Wang Zakat kepada Sekolah Kebangsaan Seri Cheras Kuala Lumpur*
- ▶ 15 April 2021



▶ Hand-To-Hand Food Bank Bersama Komuniti:

1. Kapit, Sarawak
2. Pekan Kinarut, Sabah
3. Papar Sabah
4. Lembah Klang

▶ 19 July - 26 August 2021



COMMUNICATION AND PUBLIC RELATIONS

Talks and Interviews

MyCC held a series of talks and interviews that were featured on RTM, TV3, Astro Awani, Berita Harian, Bernama, The Edge, Nanyang Siang Pau and BFM regarding MyCC's functions and roles, as well as latest issues and developments on MyCC and competition law in Malaysia.



COMMUNICATION AND PUBLIC RELATIONS

Interview with Print Media			
No.	Article	Media	Date
1.	MyCC will act without fear	The Star	24 March 2021
2.	Eye on bid-rigging in government tenders	The Star	24 March 2021
3.	Affirming Trust in the Marketplace	International Business Review Magazine	1 April 2021
4.	Poor man's fish overfished	The Star	7 April 2021
5.	Combating acts of bid rigging	The Star	20 April 2021
6.	MyCC and JFTC/JICA Collaboration	Asahi Shimbun	27 April 2021
7.	Over 3,000 firms under probe	The Star	30 April 2021
8.	MyCC confirms appealing CoA decision to set aside RM10 million fines on MAS and AirAsia	The Edge	10 May 2021

Interview With Electronic Media				
No.	Titles	Program	Media	Date
1.	Fighting Cartels with Datuk Wong Chun Wei	FB Talk	Facebook	31 March 2021
2.	Maklum balas berkaitan siaran akhbar KPDNHEP	Buletin Awani	Astro AWANI	31 March 2021
3.	Interview with BFM Radio on Mergers & Acquisitions Control	BFM	BFM	2 April 2021
4.	Caj tambahan oleh restoran & juga khidmat penghantar makanan ketika PKP, adakah ia wajar dikenakan?	Breakfast Show	KOOLFM	25 June 2021
5.	Nak Tahu Cerita Kartel?	Anda Wasap Kami Jawab Show	FB Live KPDNHEP	30 September 2021
6.	Challenges during Covid-19 and Digital Economy	Media Interview	Media Interview	14 December 2021
7.	MyCC Procurement Investigations	BFM	BFM	15 December 2021

COMMUNICATION AND PUBLIC RELATIONS

Media Statements

In 2021, a total of 12 press releases were issued by MyCC related to;

No.	Press Releases	Date
1.	Malaysia Competition Commission works with Japan Fair Trade Commission	9 February 2021
2.	MyCC imposes RM10.3 million fine against Dagang Net	26 February 2021
3.	MyCC's Logo: Reimagined, Redesigned, Refined	1 April 2021
4.	MyCC Welcomes Public Feedback on its Market Review for Selected Transportation Sectors in Malaysia	21 June 2021
5.	ASEAN Competition Conference to be held in 2021	24 June 2021
6.	P-Hailing Service Issues Attract Inquiry by MyCC	26 July 2021
7.	Warehouse Cartel in Port Klang Busted and Fined	9 August 2021
8.	MyCC Publishes Findings of Market Review on Transportation Sector	5 October 2021
9.	ASEAN Heads of Competition Authorities Commit to Strengthen Regional Cooperation on Competition Policy and Law	11 October 2021
10.	MyCC Chairman Re-Appointed for Another Term	14 October 2021
11.	Iskandar Ismail Continues to Lead as MyCC CEO	18 October 2021
12.	MyCC Mapped Out Its Future Priorities	13 December 2021

Website and Social Media Platforms

MyCC publicizes its activities and updates on its website and social media platforms to disseminate information to the public.

MyCC Official Website

www.mycc.gov.my

Social Media MyCC:



@themycc

COMMUNICATION AND PUBLIC RELATIONS

The MyCC in the News

MyCC fines port warehouse operators for price-fixing, calls on cartels to reach out

BY ABAM AZIZ
thead@pns.berita.com

KUALA LUMPUR (Aug 9): The Malaysia Competition Commission (MyCC) has imposed penalties totalling RM1.04 million against seven warehouse operators for price-fixing offences for handling of cargoes in Port Klang between May 2017 and December 2019.

The seven warehouse operators are S&L Agencies Sdn Bhd, WCS Warehouse Sdn Bhd, Regional Spengs (M) Sdn Bhd, Interim Sdn Bhd, Penterops Sdn Bhd, Pina Warehouse Sdn Bhd and Interim Warehouse Services Sdn Bhd.

The operators engaged in a price-fixing cartel in relation to the handling services for long length and heavy lift of import and export cargoes which constituted an infringement under Section 4 of the Competition Act 2010, MyCC said.

The penalties ranged between RM25,563.93 to RM1316,369.13 for each company, it said.

"The amount respectively imposed on the warehouse operators is not more than 10% of their worldwide turnover. "In the process of determining the penalty, MyCC has considered the impact of the current economic situation

together with the presence of mitigation and aggravating factors in the case," MyCC said.

The companies are also directed to refrain from engaging in price-fixing agreements in the future. MyCC further directed the parties to independently determine their future charges for long length and heavy lift of import and export cargoes, it said.

The commission said it was concerned that the operators had created a WhatsApp Group and began their discussion on fixing the surcharges despite acknowledging that they are all competitors in the warehouse services market.

The same raid also unearthed the operators' cartel agreement in the form of a document called 'Surcharge Memorandum' dated May 22, 2017 where all operators agreed that all of them would charge the agreed rates effective from June 1, 2017.

"In any case, cartel is the supreme evil of competition law," MyCC chief executive officer Iskandar Ismail said. "MyCC has always given high priority to the investigation and punishment of anti-competitive agreements, especially price and quota cartels, customer or territorial allocation agreements and bid-rigging too."

"The perpetrators of these cartels, quite literally, are stealing money from the pocket of businesses and consumers," said Iskandar.

Iskandar added that those who are already involved in a cartel should approach MyCC "via leniency regime application" or any other appropriate scheme as provided under Competition Act 2010.

"MyCC's door is always open for parties who may want to seek redemption," Iskandar said.

CARD: HANDELING COSTS

7 Port Klang warehouse firms fined over RM1m for fixing fees

SEVEN warehouse operators in Port Klang have been fined a total of RM1.04 million for price-fixing charges between May 2017 and December 2019. The operators are S&L Agencies Sdn Bhd, WCS Warehouse Sdn Bhd, Regional Spengs (M) Sdn Bhd, Interim Sdn Bhd, Penterops Sdn Bhd, Pina Warehouse Sdn Bhd and Interim Warehouse Services Sdn Bhd.

競爭委會：涉壟斷港口裝卸費 7倉庫業者被罰104萬

【本報訊】港口貨倉業者涉嫌壟斷港口裝卸費，被罰款總額達104萬。競爭委員會（MyCC）昨日宣佈，對七間倉庫業者處以罰款，因為他們在2017年5月至2019年12月期間，共同訂定港口裝卸費率。這七間業者分別是S&L Agencies Sdn Bhd、WCS Warehouse Sdn Bhd、Regional Spengs (M) Sdn Bhd、Interim Sdn Bhd、Penterops Sdn Bhd、Pina Warehouse Sdn Bhd和Interim Warehouse Services Sdn Bhd。

Seven warehouse operators fined for price-fixing

KLANG: The Malaysia Competition Commission (MyCC) has imposed penalties totalling RM1.04 million against seven warehouse operators for price-fixing offences for handling of cargoes in Port Klang between May 2017 and December 2019.

OECD make recommendations to improve Malaysia's SPDS sector

THE Organisation for Economic Co-operation and Development (OECD) has made several recommendations, including establishing a Universal Service Obligation (USO) fund, to improve the level playing field in Malaysia's Small-Package Delivery Services (SPDS) sector.

In its Competitive Neutrality Review, Small Package Delivery Services in Malaysia report, which was released last day, OECD said notwithstanding partial dismantlement and privatisation initiatives, state-owned enterprises (SOEs) continue to constitute a significant part of Malaysia's economic structure, retaining as the main providers in key strategic utilities and services.

This includes the SPDS sector where Pos Malaysia, a state-owned enterprise, is in charge of USO, said OECD.

"Preventing the existence of a level playing field in the Malaysian SPDS sector are several obstacles that may harm competition, hinder the Malaysian economy, and stop consumers from benefiting fully from a rapidly developing e-commerce market," it said. In addition, OECD said some of these obstacles are linked to or affected by Pos Malaysia's dual role of fulfilling its public service obligation (PSO) to UNO and competing in the highly competitive SPDS market.

"As observed in many countries around the world, electronic communications are leading to drastic falls in the volume of traditional letters and postcards in Malaysia, increasing the commercial importance of the SPDS market to the incumbent postal operator, Pos Malaysia," it said.

While there are different options to improve the level playing field in the SPDS sector, OECD said it is important to note that the rights, privileges and duties (or advantages and disadvantages), of Pos Malaysia are often intertwined and should, therefore, be looked at as a whole. "Consequently, addressing the obstacles to competition in the SPDS sector in Malaysia requires a holistic approach."

"For instance, reversing or decreasing the rights and privileges of Pos Malaysia should be accompanied by a clear re-assessment of the impact of possible disadvantages that result from Pos Malaysia's PSO, including the compensation mechanism," it said.

OECD said assessing the impact of SOEs on competition is important because competitive neutrality – state-owned and private businesses competing on a level playing

field – ensures that all enterprises, public or private, domestic or foreign, face the same set of rules.

"In order to ensure optimal economic outcomes, SOEs should compete against private entities on fair terms, while recognising and taking into account their contribution to socio-economic and policy objectives."

"A level playing field between public and private market participants leads to more choices, higher quality and lower prices for consumers, ultimately benefiting economic growth and development," it said.

The report identifies 15 recommendations that are aimed to improve the level playing field in the Malaysian SPDS sector. Among the main recommendations are:

● The establishment of a USO fund, in which other licensees can partially contribute, is a valid alternative, although measures should first be introduced to ensure proportionate contributions, or avoid such a compensation fund leading licensees to exit the market.

● Ensure that regulated rates for universal service reflect Pos Malaysia's actual costs and take into account any other cross-subsidisation or other public funds, grants, or subsidies accessible to Pos Malaysia.

● Require revenue and costs related to the universal service obligations to be clearly separated in Pos Malaysia's accounts. Accounting separation is required to ensure that compensation is adequate irrespective of the mechanism adopted.

● Clarify who has jurisdiction over competition law issues in the small-package delivery services sector. Consider conferring to the Malaysia Competition Commission (MCC) sole jurisdiction. Alternatively, should continue to go to MyCC and Malaysian Communications and Multimedia Commission (MCMC) having concurrent competition powers, make explicit reference in the Postal Services Act 2012 to the Competition Act 2010 as the relevant competition law applicable in the sector.

Moreover, implementing regulation should be passed to address competition and any competition issues between MyCC and MCMC.

● Except for land and facilities strictly related to Pos Malaysia's USO, use competitive processes to assign the leasehold of government land and buildings with the aim of maximising their value. Areas should not be used solely for postal purposes.

MyCC to determine whether cartels exist in transport sector — Nantia

By Nantia

KUALA LUMPUR (Aug 9): The Malaysia Competition Commission (MyCC) will determine whether cartels exist in the transport sector, according to Nantia, a former MyCC member and current advisor to the commission.

Nantia said that MyCC is looking at the anti-competitive behaviour in the transport sector, especially in relation to the handling of cargoes in Port Klang.

"The commission is looking at the anti-competitive behaviour in the transport sector, especially in relation to the handling of cargoes in Port Klang," Nantia said.

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MyCC teliti sama ada wujud kartel atau tidak

By Nantia

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MyCC siasat lebih 500 syarikat disyaki tipu bidaan

Satu kartel juga banyak syarikat untuk dapat tender akaunkan kerajaan hingga RM1 bilion

MyCC siasat lebih 500 syarikat disyaki tipu bidaan

MyCC siasat lebih 500 syarikat disyaki tipu bidaan

MyCC siasat lebih 500 syarikat disyaki tipu bidaan

COMMUNICATION AND PUBLIC RELATIONS

MyCC teliti wujud kartel dalam sektor pengangkutan

KUALA LUMPUR - Suruhanjaya Persaingan Malaysia (MyCC) akan menggunakan kuasa sebagai agensi pengawal untuk memastikan sama ada wujud kartel dalam ekosistem logistik, perubahan dan waran landasan berlepas.

Menyebut Menteri Perdagangan Dalam Negeri dan Hal Ewai Pengangkutan, Datuk Seri Alexander Nanta Linggi berkata, MyCC akan meneliti tingkah laku anti-persaingan berkaitan caj tanah, caj perkhidmatan, caj deposit (DGC), dan faktor penyediaan hutang hutang seperti yang dinyatakan dalam Kajian Semula Pasaran Sektor Pengangkutan Sektor Malaysia (Dokumen Logik, Perubahan dan Waran Landasan Berlepas dan Waran Akta Persaingan 2010) dikeluarkan pada Selasa.

"Perjanjian komisi untuk operasi perubahan juga di-

putuskan bagi memastikan perkhidmatan dasar dalam memastikan persaingan di pasaran yang relevan," katanya pada sidang media di sini hari ini.

Nanta berkata, wujud juga keperluan untuk memperketatkan sistem pengangkutan dan pelancongan pengangkutan off-dock dan on-dock serta memperketatkan kawalan pengangkutan dan pengangkutan.

Katanya, MyCC akan mengemukakan dalam memastikan sama ada ada satu atau lebih pengawal atau dalam industri perkhidmatan membolehkan isu persaingan.

"MyCC dalam kajian persaingan juga telah mencadangkan 'Lemon Law' dan penambahbaikan lain pada proses waran untuk me-

lingkupi kepentingan pemilik kenderaan," katanya.

Kemudian Pegawai Eksekutif MyCC, Iskandar Ismail berkata, undang-undang logistik juga akan ditetapkan harga seumpama kartel semasa DGC diperkenalkan dan satu juga dikawal untuk syarat perkhidmatan dan pengangkutan.

"Tingkah laku itu nampaknya wujud ketika pengangkutan depot berisiko melalui anjakan seseorang untuk berisiko dan menetapkan caj DGC (RMS) semasa pengangkutan."

"Walaupun setiap depot beroperasi di lokasi geografi yang berbeza dan jumlah serta jumlah berbeza dan jumlah polih lori (TEU) dan kapasiti yang berbeza, mempunyai trend menaik caj DGC adalah sama di beberapa pengangkutan depot," katanya.

Boosting the logistics sector

Malaysia needs one-stop centre to help businesses

PETALING JAYA - The government has extended the term of Iskandar Ismail as CEO of the Malaysia Competition Commission (MyCC) for another three years, effective Oct 16, 2021.

Commenting on his appointment, Iskandar said in a statement he and his team look forward to continue in carrying out their strategic plans for MyCC in the next five years.

"As we expect the e-commerce sector and the digital market to be the mainstay of the Malaysian economy, MyCC will ensure rigorous and robust enforcement of competition law and policy to be applied across these two sectors especially when taking into account the challenges in the present time," he said.

"We will also work closely with the government to increase transparency in the public tender process to eradicate bid rigging and continue pursuing the agenda to empower MyCC in regulating mergers and acquisitions activities," he added.

Iskandar, who previously worked at Bank Negara Malaysia and United Nations, joined MyCC in 2011 as the director of the Investigation and Enforcement division. He was later appointed as the CEO on Oct 15, 2018.

MyCC noted Iskandar has led and overseen the investigation of many landmark cases such as Malaysian Airlines System Bhd and AirAsia Bhd; container depot operators in Penang; MyEG Services Bhd; the General Insurance Association of Malaysia and its 22 members; Dayang Net Technologies Sdn Bhd; and seven warehouse operators in Port Klang.

MyCC will continue to monitor and investigate any anti-competitive behaviour in the logistics sector, including the introduction of a one-stop centre to help businesses.

MyCC will also work closely with the government to increase transparency in the public tender process to eradicate bid rigging and continue pursuing the agenda to empower MyCC in regulating mergers and acquisitions activities.

MYCC to probe existence of cartels in transport sector

KUALA LUMPUR - The Malaysia Competition Commission (MyCC) will invoke its enforcement power to determine whether there are cartels formed in the port logistic ecosystem and motor vehicle warranty, said Domestic Trade and Consumer Affairs Minister Datuk Seri Alexander Nanta Linggi.

He said MyCC will be looking at possible anti-competition behaviour concerning landside charges, shipping liner charges, depot gate charges (DGC) and fuel adjustment factor as recommended in MyCC's latest Market Review Under Competition Act 2010 for Selected Transportation Sectors released yesterday.

"The concession agreement for port operators may also be subjected to review to achieve policy shift in ensuring competition in the relevant market," he told the media after launching the market review yesterday.

Nanta said there is also a need to rectify the regulatory and market-driven issues in relation to custom procedure, regulatory framework, standardisation and licensing of off-dock and on-dock players, as well as empowering merger and acquisition control.

Meanwhile, he said MyCC will also enforce its power to determine whether the dealings by car manufacturers in the repair industry raise competition concerns.

"MyCC in its market review has also recommended the introduction of the Lemon Law and other improvements on the warranty process in order to protect the interest of vehicle owners," he added.

Meanwhile, MyCC chief executive officer Iskandar Ismail said there is possible cartel-like behaviour and price-fixing during the introduction of DGC and exclusive dealing between shipping liners and depot operators.

"The behaviour appears to exist when depot operators act together, through the instructions of their association, to agree and fix the price of DGC (RMS) during its introduction."

"Despite each depot operating in different geographical locations and different twenty-foot equivalent unit (TEU) volumes and capacities, it appears that the trend of DGC increments has been similar across multiple depot operators," he said. - Bernama

Iskandar Ismail to be MyCC CEO for another term

PETALING JAYA - The government has extended the term of Iskandar Ismail as CEO of the Malaysia Competition Commission (MyCC) for another three years, effective Oct 16, 2021.

Commenting on his appointment, Iskandar said in a statement he and his team look forward to continue in carrying out their strategic plans for MyCC in the next five years.

"As we expect the e-commerce sector and the digital market to be the mainstay of the Malaysian economy, MyCC will ensure rigorous and robust enforcement of competition law and policy to be applied across these two sectors especially when taking into account the challenges in the present time," he said.

"We will also work closely with the government to increase transparency in the public tender process to eradicate bid rigging and continue pursuing the agenda to empower MyCC in regulating mergers and acquisitions activities," he added.

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MyCC fokus siasatan penipuan tender

SHAH ALAM - Suruhanjaya Persaingan Malaysia (MyCC) kini memfokuskan penyiasatannya pada penipuan dalam tender kerajaan yang bernilai berbilion ringgit.

Menyebut laporan *The Star*, Ketua Pegawai Eksekutifnya, Iskandar Ismail berkata, MyCC telah memulakan tindakan terhadap lapan syarikat teknologi maklumat yang didakwa terlibat dalam tender agensi kerajaan.

"Kami bekerjasama dengan beberapa badan kerajaan seperti Kementerian Kewangan dan yang terbaharu adalah Suruhanjaya Pencegahan Rasuah Malaysia."

Penipuan kami adalah membantu agensi supaya berkesampaian dan tidak menjadi sebahagian daripada kartel berisiko," katanya.

Iskandar berkata, MyCC menyasarkan pembelian tender daripada agensi kerajaan bagi mencegah penipuan bilian dalam proses tender dan membantu mengesan aktiviti kartel berkenaan.

Katanya, sebagai contoh terutamanya seorang individu boleh mengerjakan tender yang sama di bawah 10 syarikat yang berbeza.

Katanya, beberapa pembida juga bekerja secara senyap bagi membolehkan mereka memenangi tender secara bergilir-gilir untuk menghalang pembida lain daripada bersaing.

"Setakat ini, kami telah menyiasat rasuah perusahan dan perusahan. Dari sana, kami menghasilkan banyak keputusan, janji, peringatan, arahan dan resolusi lain," katanya.

Over 500 companies under probe for bid rigging government tenders worth RM2B, says MyCC

KUALA LUMPUR (The Star) - The Malaysia Competition Commission (MyCC) is investigating over 500 companies suspected of bid rigging in government procurement involving tenders worth more than RM2 billion.

The chief executive officer Iskandar Ismail said investigations were ongoing with the companies involved in a cartel in the market, while the Malaysian Competition Commission (MyCC) continued to probe the companies.

"We do not disregard the individual, and companies involved in a cartel. These are serious cases and need to be handled by the competition."

"We are sure it is investigated, and if there is a cartel in the market, we will (MyCC) use our enforcement powers to ensure the competition is not affected by the cartel," Iskandar said.

Over 500 companies under probe for bid rigging government tenders worth RM2B, says MyCC

Iskandar said Iskandar Ismail said MyCC is investigating over 500 companies suspected of bid rigging in government procurement involving tenders worth more than RM2 billion.

MyCC is investigating over 500 companies suspected of bid rigging in government procurement involving tenders worth more than RM2 billion.

Competition Acts amendment on the cards to curb cartel activities

PETALING JAYA - The government is considering amending the Competition Act 2010 to curb cartel activities.

MyCC is investigating over 500 companies suspected of bid rigging in government procurement involving tenders worth more than RM2 billion.

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[illegible]

WATER LITIGATION In a landmark decision, the Supreme Court has ruled that a state's public water supply is a public trust, and that the state has a duty to protect it. The decision, in *California v. National Water Research Institute*, 480 U.S. 107 (1987), was a 5-4 decision, with the majority opinion written by Justice Stevens. The case arose from a lawsuit filed by the National Water Research Institute (NWRI) against the State of California, alleging that the state had violated its duty to protect the public water supply by allowing the construction of a dam on the San Joaquin River. The dam would have increased the flow of water into the river, which would have increased the risk of flooding downstream. The state argued that the dam was necessary to protect the public water supply from drought. The Supreme Court ruled in favor of the state, holding that the state has a duty to protect the public water supply, but that it is not required to prevent all flooding. The decision is a landmark ruling in the area of water law, and it has the potential to affect many other cases involving public water supplies.

PUTRAJAYA: The Malaysian Competition Commission (MyCC) has initiated the process to amend the Competition Act 2001 to give it the power to control mergers and acquisitions of companies.

Minister of Domestic Trade and Consumer Affairs Dato Seri Alexander Nanta Lal, said the competition law in Malaysia's Competition Act 2001 does not empower the MYCC to control mergers and acquisitions of companies which could lead to the creation of a monopoly entity in the country.

With the amendments, Nanta said any merger or acquisition of companies will require prior approval from the MyCC, a move to prevent market concentration that could jeopardise the market.

Companies that merged without approval can be ordered to demerge and can also be fined," he said in a statement today in response to the suggestions by PRC Members of Parliament Nurul Azhar Anwar and Wong Chen for the competition law in the country to be reviewed based on the monopoly practice by certain companies.

KUALA LUMPUR: The Malaysia Competition Commission (MyCC) revealed that more than 3,000 companies are being investigated for allegedly rigging trades worth approximately RM5.1 billion.

In chief executive officer Iskander Ilyas said that the commission is cracking down on the unlawful practice by targeting 400 companies that are involved in both public and private projects in various states, The Star reported.

The companies are related to many types of construction services, including architectural services, construction,

technology and infrastructure," he said.

Ikhander said that MYCC has received complaints from various parties including government agencies, members of public and anonymous individuals.

"This is part of an ongoing fight against bid-rigging cartels and we are working closely with other agencies such as the Malaysian Anti-Corruption Commission (MACC), Finance Ministry, Internal Revenue Board, Trade Development Board, Ministry and State Commercial Banks," he said.

MACC's investigations revealed that almost all the companies had used false academic qualifications, professional certificates and financial statements to convince tender boards of the companies' ability to implement the project.

Ikhander said that MYCC decided to focus on public procurement from its establishment as leakages are well known.

One of its research shows that governments all over the world (including Malaysia) lose at least 10 per cent on

The report stated that MYCE has the power to investigate and punish high-ranking officials who are involved in the corruption of the tendering process. It also said that MYCE has the power to investigate and punish high-ranking officials who are involved in the corruption of the tendering process.

Pindaan beri
kuasa kawal
penggabungan,
pengambilalihan
suarikat

(Katie Turner left-handed)

Phenolase: *Staphylococcus aureus* (strain 8050) and *Staphylococcus aureus* (strain 8050) are Gram-positive bacteria. They are found in the skin and other parts of the body. They are also found in the environment. They are known for their ability to produce phenolase, an enzyme that breaks down proteins. This enzyme is responsible for the characteristic odor of pus. Phenolase is also responsible for the characteristic color change in the skin when it is infected with *S. aureus*.

MyCC

Kasutnya, menteri pendidikan akan ada, sebagai pengganti dari Jengsubroto yang akan pergi menjadi sekretaris MEX yang terdapat di samping Jengsubroto yang telah menjadi wakil menteri di negara itu. Jengsubroto yang telah menjadi wakil menteri di negara itu, akan menggantikan posisi Jengsubroto yang telah menjadi wakil menteri di negara itu.

Tupoksi pimpinan di juga akan lebih lanjut meningkatkan secara signifikan dalam penerapan di perusahaan-perusahaan lain yang menggunakan teknologi" kata Rendi dalam acara tersebut.

Sebelum berakhir dia juga mengatakan bahwa PT. World Indes akan jadi MNC yang akan mengembangkan perusahaan di negara lain dalam rangka memperkuat posisi perusahaan sebagai MNC global. Alexander Nottens, CEO, mengatakan bahwa akan meningkatkan produk di berbagai negara dalam waktu dekat.

"MNC akan membantu di

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"MNC akan membantu di

Imposes RM10

KUALA LUMPUR: The Malaysia Competition Commission (MCC) imposed a financial penalty totalling RM600,000 fine against Dagang Net Technologies Sdn Bhd (Dagang Net) for the

by engaging in exclusive dealing.

The NSR is an electronic-based system that enables customers to access and download customer-related documents and transactions to be transferred electronically between the trading communities and regulatory authorities in Malaysia via a single point of entry. MYCC cautioned that the imposition of the exclusivity

providers from providing carrier services to end users (in this case the manufacturers, importers, exporters, freight forwarders and shippers) and the introduction of a "captive" system," it is said.

Chung Ling, a subsidiary of Singapore Airlines, is the incumbent air services provider in the provision of online travel facilitation services to the Chinese Mainland Customer segment under the NME.

Deping He's current position in the relevant market, which leaves its competitors at a net-positive disadvantage when entering the relevant market, "is in the decision, MYCC, also does Deping He not to leave and to refrain in the future, from providing the Mainland Customer with services that may disrupt competition in the provision of travel facilitation services to the Chinese Mainland Customer segment."

The company's further

"[The] company may consider the creation of a new entity either directly or indirectly, whereby its wholly owned subsidiaries, or subsidiaries of its wholly owned subsidiaries, may be tolerated," he said. It was the fact that their main asset would be held by MYCC, against competition, that was the reason for the tolerance.

The decision would harm the economy. The decision would make available more for the public to view. www.mca.gov.sg

—Rajma

PALESTINA (Dinar) - Pergerakan Palestina (Hizbullah) telah mengumumkan bahwa mereka telah menandatangani perjanjian damai dengan Israel. Pergerakan ini telah mengumumkan bahwa mereka telah menandatangani perjanjian damai dengan Israel. Pergerakan ini telah mengumumkan bahwa mereka telah menandatangani perjanjian damai dengan Israel.

张其成：中国书画的审美价值与时代精神

[illegible]

COMMUNICATION AND PUBLIC RELATIONS

MyCC fokus siasatan penipuan tender

SHAH ALAM - Suruhanjaya Persaingan Malaysia (MyCC) kini memfokuskan penyiasatannya pada penipuan dalam tender kerajaan yang bernilai berbilion ringgit.

Menyerusi laporan *The Star*, Ketua Pegawai Eksekutifnya, Iskandar Ismail berkata, MyCC telah memulakan tindakan terhadap lapan syarikat teknologi maklumat yang didakwa terlibat dalam tender agensi kerajaan.

"Kami bekerjasama dengan beberapa badan kerajaan seperti Kementerian Kewangan dan yang terbaharu adalah Suruhanjaya Pencegahan Rasuah Malaysia. "Peranan kami adalah membantu agensi supaya berwaspada dan tidak menjadi sebahagian daripada kartel terbitan," katanya.

Iskandar berkata, MyCC menyasarkan pembelian tender daripada agensi kerajaan bagi mencegah penipuan dalam proses tender dan membantu mengesan aktiviti kartel berkenaan.

Katanya, sebagai contoh terdapat seorang individu boleh mengemukakan tender yang sama di bawah 10 syarikat yang berbeza. Katanya, beberapa pembida juga bekerja secara senyap bagi memastikan mereka memenangi tender secara bergilir-gilir untuk menghalang pembida lain daripada bersaing.

"Setakat ini, kami telah menyiasat ratusan perusahaan dan persatuan. Dari sana, kami menghasilkan banyak keputusan, jani, peringatan, arahan dan resolusi lain," katanya.

MyCC to present proposed amendment on Competition Act 2010 by year-end

FED COMMISSION OF COMPETITION (FCC) has proposed amendments to the Competition Act 2010 by the end of the year. The amendments are aimed at strengthening the Commission's powers to investigate and prosecute anti-competitive behaviour.

The amendments include provisions for the Commission to conduct investigations into suspected anti-competitive behaviour, to issue orders for the production of documents and information, and to impose penalties for contraventions of the Act.

The Commission also proposes to introduce a new provision for the appointment of a special investigator to assist the Commission in its investigations.

The amendments are expected to be presented to the Cabinet for approval by the end of the year.

Combating acts of bid rigging

LEO HAN **Comment**

Bid rigging is a serious problem in the procurement process, where competitors collude to manipulate the outcome of a tender. This is often done through the exchange of information, the setting of minimum bids, or the allocation of roles to different bidders.

The Commission has been proactive in addressing this issue, conducting investigations and imposing penalties on those found guilty. However, more needs to be done to prevent such acts from occurring in the first place.

One way to combat bid rigging is through the implementation of robust tendering procedures, including the use of sealed bids and the elimination of pre-bid meetings. Another approach is to increase the transparency of the procurement process, allowing for greater oversight and accountability.

Eye on bid-rigging in govt tenders

Anti-monopoly authority going all out to curb such malpractice

EXCLUSIVE

The Competition Commission of Malaysia (MyCC) is intensifying its efforts to detect and deter bid-rigging in government tenders. The Commission has recently announced a series of initiatives aimed at improving the integrity of the procurement process.

These initiatives include the introduction of a new tendering system that requires bidders to submit their bids through a secure online platform. This system is designed to prevent the exchange of information between bidders and to ensure that all bids are received and processed in a fair and transparent manner.

The Commission also plans to launch a public awareness campaign to educate bidders on the risks of bid-rigging and the consequences of getting caught. Additionally, it will continue to work closely with the relevant agencies to identify and investigate suspicious tendering activities.

Poor man's fish overfished

ikan kembung being imported to make up low local supplies

EXCLUSIVE

The Malaysian Fishing Industry has been hit hard by the overfishing of the popular 'poor man's fish', the kembung. Local supplies have dwindled significantly, forcing consumers to turn to imports to meet their demand.

The industry has expressed its concern over the sustainability of the fishery and has called for stricter regulations to protect the resource. It has also urged the government to take action to address the issue, including the implementation of a catch quota and the establishment of marine reserves.

In the meantime, consumers are advised to look for the 'Sustainable Seafood' logo when purchasing kembung to ensure that they are buying responsibly sourced fish.

Smooth criminals

They often commit crimes but don't get caught

On the beat

Some criminals are very clever and manage to avoid detection for a long time. They often operate in the shadows, using sophisticated techniques to carry out their crimes. These 'smooth criminals' can be a real headache for law enforcement.

However, with the help of modern technology and improved investigative techniques, police are becoming better equipped to identify and catch these criminals. By staying alert and working closely with the community, they can bring these smooth operators to justice.

MyCC will act without fear or favour

The Competition Commission of Malaysia (MyCC) has reaffirmed its commitment to act without fear or favour in enforcing the Competition Act 2010. The Commission has recently announced a series of enforcement actions against companies found to be in breach of the Act.

These actions include the imposition of fines and the issuance of orders for the cessation of anti-competitive behaviour. The Commission has emphasized that it will not be deterred by the size or influence of the companies involved, as its primary concern is to maintain a fair and competitive market for all consumers.

MyCC kenakan denda RM10.3 juta terhadap Dagang Net

Dagang Net didapati melanggar Seksyen 10(1) Akta Persaingan 2010 setelah mengelaskan iklan eksklusif dalam surat khabar

EXCLUSIVE

The Competition Commission of Malaysia (MyCC) has imposed a fine of RM10.3 million on Dagang Net Sdn Bhd for breaching the Competition Act 2010. The Commission found that Dagang Net had engaged in exclusive dealing arrangements with certain suppliers, which prevented other businesses from competing for their business.

The Commission's decision is based on evidence that Dagang Net had entered into exclusive agreements with its suppliers, requiring them to supply goods and services exclusively to Dagang Net. This practice was found to be anti-competitive as it restricted the ability of other businesses to compete for the same goods and services.

7 syarikat bentuk kartel kena penalti RM1.04 juta

MyCC dapati pengendali gudang berkolompot menetapkan surcaj khidmat kargo

EXCLUSIVE

The Competition Commission of Malaysia (MyCC) has imposed a fine of RM1.04 million on seven companies for forming a cartel. The Commission found that the companies had colluded to fix prices and allocate markets for cargo handling services, which was found to be anti-competitive.

The companies involved in the cartel were found to have entered into an agreement to coordinate their pricing and market allocation, which prevented them from competing fairly for business. The Commission's decision is a strong message to other companies that such behaviour is not tolerated.

Iskandar Ismail

Iskandar Ismail, Ketua Pegawai Eksekutif MyCC, berkata, MyCC akan terus memantau industri ini untuk memastikan persaingan yang adil.

Iskandar Ismail berkata, MyCC akan terus memantau industri ini untuk memastikan persaingan yang adil.

Over 3,000 firms under probe

MyCC investigating the rigging of tenders worth RM5.8bil

EXCLUSIVE

The Competition Commission of Malaysia (MyCC) is investigating the rigging of tenders worth RM5.8 billion. The Commission has identified over 3,000 firms that are suspected of being involved in the rigging of tenders, which is a serious breach of the Competition Act 2010.

The Commission's investigation is ongoing, and it is expected that more firms will be identified as the investigation progresses. The Commission has urged the public to report any suspected cases of tender rigging to the Commission's hotline.

MyCC pelawa maklum balas awam

MyCC mengundang maklum balas awam mengenai cadangan amendmen Akta Persaingan 2010

EXCLUSIVE

The Competition Commission of Malaysia (MyCC) is inviting the public to provide feedback on its proposed amendments to the Competition Act 2010. The Commission has published a consultation paper outlining the proposed changes and is seeking input from stakeholders and the general public.

The proposed amendments are aimed at strengthening the Commission's powers to investigate and prosecute anti-competitive behaviour. The Commission has emphasized that it values the input of the public and is committed to ensuring that the amendments are fair and effective.



FINANCIAL **STATEMENTS**

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**SIJIL KETUA AUDIT NEGARA
MENGENAI PENYATA KEWANGAN
SURUHANJAYA PERSAINGAN MALAYSIA
BAGI TAHUN BERAKHIR 31 DISEMBER 2021**

Sijil Mengenai Pengauditan Penyata Kewangan

Pendapat

Saya telah mengaudit Penyata Kewangan Suruhanjaya Persaingan Malaysia. Penyata kewangan tersebut merangkumi Penyata Kedudukan Kewangan pada 31 Disember 2021 Suruhanjaya Persaingan Malaysia dan Penyata Prestasi Kewangan, Penyata Perubahan Aset Bersih, Penyata Aliran Tunai serta Penyata Perbandingan Belanjawan dan Sebenar bagi tahun berakhir pada tarikh tersebut dan nota kepada penyata kewangan termasuklah ringkasan polisi perakaunan yang signifikan seperti yang dinyatakan pada muka surat 1 hingga 24.

Pada pendapat saya, penyata kewangan ini memberikan gambaran yang benar dan saksama mengenai kedudukan kewangan Suruhanjaya Persaingan Malaysia pada 31 Disember 2021 dan prestasi kewangan serta aliran tunai bagi tahun berakhir pada tarikh tersebut selaras dengan Piawaian Perakaunan Sektor Awam Malaysia (MPSAS) dan keperluan Akta Suruhanjaya Persaingan 2010 [Akta 713].

Asas Kepada Pendapat

Pengauditan telah dilaksanakan berdasarkan Akta Audit 1957 dan International Standards of Supreme Audit Institutions. Tanggungjawab saya diuraikan selanjutnya di perenggan Tanggungjawab Juruaudit Terhadap Pengauditan Penyata Kewangan dalam sijil ini. Saya percaya bahawa bukti audit yang diperoleh adalah mencukupi dan bersesuaian untuk dijadikan asas kepada pendapat saya.

Kebebasan dan Tanggungjawab Etika Lain

Saya adalah bebas daripada Suruhanjaya Persaingan Malaysia dan telah memenuhi tanggungjawab etika lain berdasarkan International Standards of Supreme Audit Institutions.

Maklumat Lain Selain Daripada Penyata Kewangan dan Sijil Juruaudit Mengenainya

Anggota Suruhanjaya, Suruhanjaya Persaingan Malaysia bertanggungjawab terhadap maklumat lain dalam Laporan Tahunan. Pendapat saya terhadap Penyata Kewangan Suruhanjaya Persaingan Malaysia tidak meliputi maklumat lain selain daripada penyata kewangan dan Sijil Juruaudit mengenainya dan saya tidak menyatakan sebarang bentuk kesimpulan jaminan mengenainya.

Tanggungjawab Anggota Suruhanjaya Terhadap Penyata Kewangan

Anggota Suruhanjaya bertanggungjawab terhadap penyediaan Penyata Kewangan Suruhanjaya Persaingan Malaysia yang memberi gambaran benar dan saksama selaras dengan Piawaian Perakaunan Sektor Awam Malaysia (MPSAS) dan keperluan Akta Suruhanjaya Persaingan 2010 [Akta 713]. Anggota Suruhanjaya juga bertanggungjawab terhadap penetapan kawalan dalaman yang perlu bagi membolehkan penyediaan Penyata Kewangan Suruhanjaya Persaingan Malaysia yang bebas daripada salah nyata yang ketara, sama ada disebabkan fraud atau kesilapan.

Semasa penyediaan Penyata Kewangan Suruhanjaya Persaingan Malaysia, Anggota Suruhanjaya bertanggungjawab untuk menilai keupayaan Suruhanjaya Persaingan Malaysia untuk beroperasi sebagai satu usaha berterusan, mendedahkannya jika berkaitan serta menggunakannya sebagai asas perakaunan.

Tanggungjawab Juruaudit Terhadap Pengauditan Penyata Kewangan

Objektif saya adalah untuk memperoleh keyakinan yang munasabah sama ada Penyata Kewangan Suruhanjaya Persaingan Malaysia secara keseluruhannya adalah bebas daripada salah nyata yang ketara, sama ada disebabkan fraud atau kesilapan, dan mengeluarkan Sijil Juruaudit yang merangkumi pendapat saya. Jaminan yang munasabah adalah satu tahap jaminan yang tinggi, tetapi bukan satu jaminan bahawa audit yang dijalankan mengikut International Standards of Supreme Audit Institutions akan sentiasa mengesan salah nyata yang ketara apabila ia wujud. Salah nyata boleh wujud daripada fraud atau kesilapan dan dianggap ketara sama ada secara individu atau agregat sekiranya boleh dijangkakan dengan munasabah untuk mempengaruhi keputusan ekonomi yang dibuat oleh pengguna berdasarkan penyata kewangan ini.


Sebagai sebahagian daripada pengauditan mengikut International Standards of Supreme Audit Institutions, saya menggunakan pertimbangan profesional dan mengekalkan keraguan profesional sepanjang pengauditan. Saya juga:

- a. mengenal pasti dan menilai risiko salah nyata ketara dalam Penyata Kewangan Suruhanjaya Persaingan Malaysia, sama ada disebabkan fraud atau kesilapan, merangka dan melaksanakan prosedur audit yang responsif terhadap risiko berkenaan serta mendapatkan bukti audit yang mencukupi dan bersesuaian untuk memberikan asas kepada pendapat saya. Risiko untuk tidak mengesan salah nyata ketara akibat daripada fraud adalah lebih tinggi daripada kesilapan kerana fraud mungkin melibatkan pakatan, pemalsuan, ketinggalan yang disengajakan, representasi yang salah, atau mengatasi kawalan dalaman;
- b. memahami kawalan dalaman yang relevan untuk merangka prosedur audit yang bersesuaian tetapi bukan untuk menyatakan pendapat mengenai keberkesanan kawalan dalaman Suruhanjaya Persaingan Malaysia;
- c. menilai kesesuaian dasar perakaunan yang diguna pakai, kemunasabahan anggaran perakaunan dan pendedahan yang berkaitan oleh Anggota Suruhanjaya;
- d. membuat kesimpulan terhadap kesesuaian penggunaan asas perakaunan untuk usaha berterusan oleh Anggota Suruhanjaya dan berdasarkan bukti audit yang diperolehi, sama ada wujudnya ketidakpastian ketara yang berkaitan dengan peristiwa atau keadaan yang mungkin menimbulkan keraguan yang signifikan terhadap keupayaan Suruhanjaya Persaingan Malaysia sebagai satu usaha berterusan. Jika saya membuat kesimpulan bahawa ketidakpastian ketara wujud, saya perlu melaporkan dalam Sijil Juruaudit terhadap pendedahan yang berkaitan dalam Penyata Kewangan Suruhanjaya Persaingan Malaysia atau, jika pendedahan tersebut tidak mencukupi, pendapat saya akan diubah. Kesimpulan saya dibuat berdasarkan bukti audit yang diperolehi sehingga tarikh Sijil Juruaudit. Bagaimanapun, peristiwa atau keadaan pada masa hadapan berkemungkinan menyebabkan Suruhanjaya Persaingan Malaysia tidak lagi berupaya meneruskan operasi usaha berterusan; dan
- e. menilai persembahan secara keseluruhan, struktur dan kandungan Penyata Kewangan Suruhanjaya Persaingan Malaysia, termasuk pendedahannya, dan sama ada penyata kewangan tersebut telah melaporkan asas-asas urus niaga dan peristiwa-peristiwa yang memberikan gambaran saksama.

Anggota Suruhanjaya telah dimaklumkan, antaranya mengenai skop dan tempoh pengauditan yang dirancang serta penemuan audit yang signifikan termasuk kelemahan kawalan dalaman yang dikenal pasti semasa pengauditan.

Hal-hal Lain

Sijil ini dibuat untuk Anggota Suruhanjaya, Suruhanjaya Persaingan Malaysia berdasarkan keperluan Akta Suruhanjaya Persaingan 2010 [Akta 713] dan bukan untuk tujuan lain. Saya tidak bertanggungjawab terhadap pihak lain bagi kandungan sijil ini.



ABDUL MALEK BIN MOKHTAR
b.p. KETUA AUDIT NEGARA

PUTRAJAYA
02 NOVEMBER 2022





**PENYATA PENERUSI DAN SEORANG ANGGOTA SURUHANJAYA
SURUHANJAYA PERSAINGAN MALAYSIA**

Kami **DATO' SERI MOHD HISHAMUDIN BIN MD YUNUS** dan **DATO' JAGJIT SINGH A/L BANT SINGH** yang merupakan Pengerusi dan salah seorang Anggota Suruhanjaya **SURUHANJAYA PERSAINGAN MALAYSIA** dengan ini menyatakan bahawa, pada pendapat Anggota Suruhanjaya, Penyata Kewangan yang mengandungi Penyata Kedudukan Kewangan, Penyata Prestasi Kewangan, Penyata Perubahan Aset Bersih, Penyata Aliran Tunai dan Penyata Perbandingan Belanjawan dan Sebenar yang berikut ini berserta dengan nota-nota kepada Penyata Kewangan di dalamnya, adalah disediakan untuk menunjukkan pandangan yang benar dan saksama berkenaan kedudukan **SURUHANJAYA PERSAINGAN MALAYSIA** pada **31 DISEMBER 2021** dan hasil kendaliannya serta perubahan kedudukan kewangannya bagi tahun berakhir pada tarikh tersebut.

Bagi pihak Anggota Suruhanjaya,

**DATO' SERI MOHD HISHAMUDIN BIN
MD YUNUS
PENERUSI
SURUHANJAYA PERSAINGAN MALAYSIA**

TARIKH: **31 OCT 2022**
TEMPAT: KUALA LUMPUR

Bagi pihak Anggota Suruhanjaya,

**DATO' JAGJIT SINGH A/L
BANT SINGH
ANGGOTA
SURUHANJAYA PERSAINGAN
MALAYSIA**

TARIKH: **31 OCT 2022**
TEMPAT: KUALA LUMPUR





**PENGAKUAN OLEH KETUA PEGAWAI EKSEKUTIF
YANG BERTANGGUNGJAWAB KE ATAS PENGURUSAN KEWANGAN
SURUHANJAYA PERSAINGAN MALAYSIA**

Saya, **ISKANDAR BIN ISMAIL**, pegawai utama yang bertanggungjawab ke atas pengurusan kewangan dan rekod-rekod perakaunan **SURUHANJAYA PERSAINGAN MALAYSIA** dengan ikhlasnya mengakui bahawa Penyata Kedudukan Kewangan, Penyata Prestasi Kewangan, Penyata Perubahan Aset Bersih, Penyata Aliran Tunai dan Penyata Perbandingan Belanjawan dan Sebenar yang berikut ini berserta dengan nota-nota kepada Penyata Kewangan di dalamnya mengikut sebaik-baik pengetahuan dan kepercayaan saya, adalah betul dan saya membuat ikrar ini dengan sebenarnya mempercayai bahawa ia adalah benar dan atas kehendak-kehendak Akta Akuan Berkanun, 1960.

Sebenarnya dan sesungguhnya)
diakui oleh penama di atas)
di Kuala Lumpur)
di Wilayah Persekutuan)
pada 31 OCT 2022)



ISKANDAR BIN ISMAIL
KETUA PEGAWAI EKSEKUTIF,
SURUHANJAYA PERSAINGAN MALAYSIA

PESURUHJAYA SUMPAN

No 35-5 The Boulevard, Mid Valley City
Lingkar Syed Putra, 59200

Suruhanjaya Persaingan Malaysia (MyCC) ^{Kuala Lumpur}
Tingkat 15, Menara SSM @Sentral, 7 Jalan Stesen Sentral 5,
Kuala Lumpur Sentral, 50623 Kuala Lumpur, Malaysia.

+603 2273 2277
+603 2272 2293
www.mycc.gov.my



STATEMENT OF FINANCIAL POSITION

AS AT 31 DECEMBER 2021

	Note	2021 RM	2020 RM
NON-CURRENT ASSETS			
Property, Plant and Equipment	3	497,336	618,942
Total Non-Current Assets		497,336	618,942
CURRENT ASSETS			
Deposits and Prepayment	4	241,041	272,550
Accrued Interest		169	-
Other Debtors		9,700	7,400
Cash and Cash Equivalents	5	30,054,571	40,249,879
Total Current Assets		30,305,481	40,529,829
TOTAL ASSETS		30,802,817	41,148,771
NON-CURRENT LIABILITIES			
Deferred Government Grants	6	104,414	856,555
Long-Term Employee Benefits	7	197,108	106,934
Total Non-Current Liabilities		301,522	963,489
CURRENT LIABILITIES			
Accruals and Provision		94,771	375,963
Creditors	8	175,549	319,508
Deferred revenue	16	9,644,700	19,664,700
Total Current Liabilities		9,915,020	20,360,171
TOTAL LIABILITIES		10,216,542	21,323,660
TOTAL NET ASSETS		20,586,275	19,825,111
TOTAL NET ASSETS AND LIABILITIES		30,802,817	41,148,771

The accompanying notes form an integral part of the financial statement.

STATEMENT OF FINANCIAL PERFORMANCE

FOR THE YEAR ENDED 31 DECEMBER 2021

	Note	2021 RM	2020 RM
INCOME			
Receipt from Government Grants	9	11,808,388	6,317,518
Bank Interest and Fixed Deposit Interest	10	570,620	918,794
Fines and Penalties		111,211	-
Seminar Fees		15,000	34,730
Other Receipts		10,173	4,114
Creditor Write-off Adjustment		35,000	-
Total Income		12,550,392	7,275,156
Expenditure			
Emoluments		5,177,576	4,706,037
Travel and Accommodation		73,503	64,946
Utilities and Communications		235,844	249,727
Rental		1,440,136	1,302,499
Depreciation	3	249,502	282,526
Administrative Expenses	11	123,723	77,532
Services Expenses		175,429	191,461
Salaries and Allowances Members of the Commission		605,864	644,478
Losses In Calculating/Loss of Fixed Asset Write-off		9,400	-
Entertainment, Honorarium and Contributions		148,883	108,183
Unit/Division Expenditure	12	2,797,227	2,282,319
Development Expenditure - Market Study	13	752,141	867,318
Total Expenditure		11,789,228	10,777,026
Profit/(Loss) of Income Before Taxes		761,164	(3,501,870)
Income Tax	14	-	-
Profit/Loss of Income After Tax		761,164	(3,501,870)

The accompanying notes form an integral part of the financial statement.

STATEMENT OF CHANGES IN NET ASSET

FOR THE YEAR ENDED 31 DECEMBER 2021

	Accumulated Surplus RM
On January 1, 2020	23,326,981
(Deficit) Income	(3,501,870)
Balance as of 31 December 2020	19,825,111
Profit	761,164
Balance as of 31 December 2021	20,586,275

The accompanying notes form an integral part of the financial statement.

STATEMENT OF CASH FLOW

FOR THE YEAR ENDED 31 DECEMBER 2021

	2021 RM	2020 RM
CASH FLOW FROM OPERATING ACTIVITIES		
Surplus/(Deficit) Income	761,164	(3,501,870)
Adjustment:		
Depreciation	249,502	282,526
Bank Interest and Fixed Deposit Interest	(570,620)	(918,794)
Losses In Calculating/Loss of Fixed Asset Write-off	9,400	-
SURPLUS/(DEFICIT) INCOME BEFORE CHANGES IN WORKING CAPITAL	449,446	(4,138,138)
Decrease/(Increase) in Deposits and Prepayments	31,509	(51,109)
(Increase)/Decrease in Various Debtors	(2,300)	8,731
(Decrease)/Increase in Various Creditors	(10,445,151)	288,164
Increase in Long-Term Employee Benefits	90,174	-
(Decrease)/Increase in Deferred Government Grants	(752,141)	32,682
CASH USED FOR OPERATIONAL ACTIVITIES	(10,628,463)	(3,859,670)
Tax Paid	-	(221,042)
NET CASH FLOW FROM OPERATING ACTIVITIES	(10,628,463)	(4,080,712)
CASH FLOW FROM INVESTMENT ACTIVITIES		
Purchase of property, plant and equipment	(137,295)	(186,461)
Bank Interest and Fixed Deposit Interest	570,450	1,241,906
NET CASH FLOW FROM INVESTMENT ACTIVITIES	433,155	1,055,445
(DECREASE) IN NET CASH AND CASH EQUIVALENTS	(10,195,308)	(3,025,267)
CASH AND CASH EQUIVALENTS AT THE END OF THE FINANCIAL YEAR	40,249,879	43,275,146
CASH AND CASH EQUIVALENTS AT THE END OF THE FINANCIAL YEAR	30,054,571	40,249,879
CASH AND CASH EQUIVALENTS REPRESENTED BY:		
Cash and Bank Balances	8,199,712	8,884,887
Fixed Deposits	21,854,859	31,364,992
	30,054,571	40,249,879

The accompanying notes form an integral part of the financial statement.

STATEMENT OF BUDGET AND ACTUAL COMPARISON

FOR THE YEAR ENDED 31 DECEMBER 2021

	TOTAL BUDGET		ACTUAL RM	VARIANCE RM
	EARLY RM	FINAL RM		
Expenditure				
Emoluments	5,043,028	5,356,811	5,177,576	(179,235)
Travel and Accommodation	238,400	223,400	73,503	(149,897)
Utilities and Communications	326,800	311,800	235,844	(75,956)
Rental	1,578,052	1,566,052	1,440,136	(125,916)
Depreciation	-	-	249,502	249,502
Administrative Expenses	2,707,000	2,752,000	123,723	(2,628,277)
Services Expenses	264,000	210,700	175,429	(35,271)
Salaries and Allowances Members of the Commission	778,000	681,517	605,864	(75,653)
Losses In Calculating/Loss of Fixed Asset Write Off	-	-	9,400	9,400
Entertainment, Honorarium and Contributions	181,000	289,000	148,883	(140,117)
Unit/Division Expenditure	6,540,000	6,265,000	2,797,227	(3,467,773)
Development Expenditure - Market Study	856,555	856,555	752,141	(104,414)
Total Expenditure	18,512,835	18,512,835	11,789,228	6,723,607

Note : The Development Expenditure Allocation for the Market Study is the balance carried forward from 2020 amounting to RM856,555.

The accompanying notes form an integral part of the financial statement.

NOTES TO THE FINANCIAL STATEMENTS

1 GENERAL INFORMATION

- 1.1 The Malaysia Competition Commission (MyCC) was established on 1 April 2011 under the Competition Commission Act 2010 (Act 713). The Commission is an agency under the supervision of the Ministry of Domestic Trade and Consumer Affairs and is an independent body established to enforce the Competition Act 2010. The Commission's primary role is to protect the competitive processes for the benefit of the business, consumer and Malaysian Economy. As at 31 December 2021, the Commission has a total of 76 officers.
- 1.2 Malaysia Competition Commission operates at level 15, Menara SSM @ Sentral No.7, Jalan Stesen Sentral 5, 50623 Kuala Lumpur Federal Territory.
- 1.3 The Commission's Financial Statements are for the period from 1 January 2021 until 31 December 2021.
- 1.4 The Commission's functional currency is Ringgit Malaysia (RM), where every operation and transaction is in RM. For the purposes of the financial statements it is recorded in RM, which is the functional currency of MyCC.
- 1.5 The Commission's Financial Statements for the year ended 31 December 2021 were approved by the Members of the Commission on 31 October 2022.
- 1.6 Malaysia Competition Commission is responsible for carrying out functions such as implementing and enforcing the provisions under the Competition Commission Act 2010, issuing guidelines on the implementation and enforcement of competition laws, acting as advocates for competition-related matters, conducting general studies on issues relating to competition in the Malaysian economy or certain sectors of the Malaysian economy, informing and educating the public on ways in which competition can benefit consumers as well as the Malaysian economy.

2 ACCOUNTING POLICIES

2.1 Basis for Preparation of Financial Statements

- 2.1.1. The Commission's financial statements have been prepared based on historical cost conventions other than those separately stated and in compliance with the Malaysian Public Sector Accounting Standards (MPSAS).
- 2.1.2 These financial statements are the third financial statements prepared using MPSAS.
- 2.1.3 Preparation of financial statements requires consideration, estimates and assumptions affecting the use of policies and amounts of reported assets, liabilities, revenues and expenses. If these considerations significantly affect the amount recognised in the financial statements, they should be disclosed in note 2.13 to the financial statements.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.2 Revenue and Expenditure Recognition (continued)

2.2.1 Revenue Recognition

(i) Government Grants

Government grants that are not subject to certain conditions of future performance are taken into account as income in the statement of the financial. Government Grants imposed by certain future performance conditions such as development grants are recognised as deferred grants and amortised as a result equivalent to the carrying amount of the eligible liabilities.

(ii) Fines and Penalties

Penalties and fines include financial penalties imposed against enterprises or companies for violations of the requirements set forth in the Competition Act 2010 (Act 712). The amount of financial penalties imposed shall not exceed 10% of the total income of the enterprise or company during the period of violation.

(iii) Bank Interest and Fixed Deposit Interest

Gains on investments are recognised on a time proportion basis that takes into account the effective yield on the asset. Interest income is recognised based on time and effective rates over the maturity period. Whereas, bank interest income is recognised on an accrual basis.

(iv) Seminar Fees

The seminar fees received are the result of the implementation of seminar programmes related to the Competition Act 2010 conducted during the MyCC Financial Year 2021.

(v) Others Revenue

Other Revenue are revenue other than note 2.2.1 (i) to (iv) above. It is recognised as income after services are rendered.

2.3 Property, Plant and Equipment

2.3.1 Property, plant and equipment are stated at cost less accumulated depreciation. Cost includes all direct costs involved in bringing the asset to its location and circumstances which enable it to operate in the manner required by management. Daily service costs are recognised as an expense in the statement of financial performance. Property, plant and equipment are recognised at costs exceeding RM2,000 per unit.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.3 Property, Plant and Equipment (continued)

2.3.2 The value of items of property, plant and equipment must be de-recognised at the time of disposal or when no future economic benefits or potential services are expected from their use or disposal. Gains or losses on deregulation of property, plant and equipment are determined by comparing the net disposal value of the assets whose differences are accounted for as gains or loss in the statement of financial performance.

2.4 Depreciation of Property, Plant and Equipment

2.4.1 Depreciation is calculated using the straight-line method to write off the cost of the asset over the estimated useful life of the assets concerned.

2.4.2 The depreciation rates of property, plant and equipment are as follows:

Motor vehicles	20%
Office equipment and furniture	10%
Books	10%
Computers	20%

2.4.3 If there is a significant change in the changes in the residual value, estimated useful lives or useful patterns of assets since the date of the last annual report, the residual values, depreciation methods and useful lives of depreciable assets will be reviewed and adjusted prospectively in the current year.

2.5 Financial Assets

2.5.1 Financial assets are recognised in the statement of financial position when the Commission is a party to the provision of instrument contracts.

2.5.2 At the beginning of recognition, financial assets that are measured at fair value, including transaction costs for financial assets that are not measured at fair value by surplus or deficit, are directly involved in generating financial assets.

2.5.3 Upon initial recognition, financial assets are classified into one of the four categories of financial assets, namely financial assets measured at fair value by surplus or deficit, receivable, investment held to maturity and ready-to-sell financial assets.

2.5.4 The purchase or sale of a financial asset that requires the delivery of an asset within the timeframe stipulated by the regulations or conventions in the market will be recognised on the transaction made, the date on which the Commission makes a commitment to purchase or sell the asset.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.5 Financial Assets (continued)

2.5.5 The Commission has the following categories of financial assets:

(i) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or depreable payments that are not quoted in the active market. After the initial measurement, the financial asset is then measured at amortised cost using the effective method or less impairment. Amortised costs are calculated by taking into account any discount or premium on the purchase of the asset as well as costs that are part of the effective interest rate. An impairment loss is recognised in surplus or deficit amount.

(ii) Investments held to maturity

Non-derivative financial assets with a maturity of fixed or practicable are classified as assets held for maturity when the Commission has positive intentions and the ability to hold such investments until maturity. After initial measurement, held to maturity of investments is measured at amortised cost using the effective or impairment-deducted method of interest. Amortisation costs are calculated taking into account any discount or premium on acquisitions and costs that form part of the effective method of interest. Loss arising on impairment are recognised in the statement of financial performance.

(iii) De-recognition of financial assets

A financial asset is de-recognised when the contractual right to the cash flows from the financial asset has expired or has been completed and the Commission has transferred the risks and rewards of ownership of the financial assets to another party. At the time of derecognition of financial assets as a whole, the difference between the carrying amount and the amount of consideration received was recognised in excess or undercover during the period of derecognition.

(iv) Impairment of financial assets

At each balance sheet date, the Commission reviews the carrying amounts of financial assets to determine whether there is any indication of impairment. If any indication exists, impairment is obtained by comparing the carrying amount with the recoverable amount. Recoverable amount is the higher of net selling price and applicable value which is interpreted using discounted forward cash flow estimates. The recoverable amount will be determined by each asset, in case it cannot be determined by the cash-generating units owned by the asset.

An impairment loss is recognised in the statement of financial performance as an expense in the period in which it is incurred.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.5 Financial Assets (continued)

2.5.5 The Commission has the following categories of financial assets: (continued)

(iv) Impairment of financial assets (continued)

The reversal of impairment of assets recognised in the past year will be recorded if there is an indication that the impairment recognized in the previous year ceases to exist or has decreased. The reversal is to be reversible up to the actual amount of the asset which will be determined (net of depreciation and amortisation) if there is no loss of depreciation been recorded. Reversals are recorded directly in the statement of financial performance.

2.6 Provisions and Liabilities

2.6.1 Provisions are recognised when the Commission has a present obligation as a result of past events, it is possible that the outflow of resources containing economic benefits should be carried out in order to settle obligations and the amount of obligations can be reliably estimated. When the Commission expects some or all provisions to be reimbursed, expenses relating to provisions are presented in the statement of financial performance from any repayments.

2.7 Financial Liabilities

2.7.1 Financial liabilities are recognised in the statement of financial position when the Commission is a party to the provision of instrument contracts.

2.7.2 At initial recognition, financial liabilities are measured at fair value including transaction costs for financial liabilities that are not measured at fair value through surplus or deficit, directly involved in recognizing financial liabilities.

2.7.3 Upon initial recognition, financial liabilities are classified into one of two categories of financial liabilities, namely financial liabilities measured at fair value by surplus or decrease and outstanding loans.

2.7.4 The Commission has the following categories of financial liabilities:

(i) Loans and payables

Upon initial recognition, loans and outstanding payments are measured at amortised cost using the effective interest method. Profit or loss is reversed in excess or in a lesser amount when financial liabilities are deteriorated or impaired.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.7 Financial Liabilities (continued)

2.7.4 The Commission has the following categories of financial liabilities: (continued)

(i) Loans and payables (continued)

The effective method of interest is a method for calculating the amortised cost of a financial liability and to allocate interest expense over the relevant period. An effective interest rate is the discounted rate of an accurate estimated future cash payment through the shelf life of a financial liability or, as appropriate, a shorter period, with the carrying amount of the monetary liability.

(ii) De-recognition of Financial Liabilities

Financial liabilities are de-recognised when the obligations specified in the contract are discharged, cancelled or expired.

The difference between the carrying amount of a de-recognised financial liability and the consideration paid will be recognised in excess or in a lesser period during the period of de-recognition.

2.8 Contingency Possibilities

2.8.1 There is the possibility of transferring economic benefits to third parties in the event of an appeal made against the decision of the Commission. Therefore, the contingency potential information required under 'Section 21 Contingency Possibilities' was not disclosed on the grounds that it could affect the outcome of the legal proceedings.

2.9 Cash and Cash Equivalents

2.9.1 Cash and cash equivalents comprise cash on hand, bank balances and fixed deposits at financial institutions with maturities of twelve months or less which are readily converted to cash and subject to the risk of intangible value changes.

2.10 Employee Benefits

2.10.1 (i) Short Term Employee Benefits

Short term employee benefits include basic salary, fixed allowances, other allowances and various leave including annual leave.

(ii) Employee Benefits After Service

The Commission contributes to the Employees Provident Fund (EPF) at a rate that is mandatory to be contributed according to the laws in Malaysia. The contributions are charged to the statement of financial performance in the financial period in which they are incurred.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.10 Employee Benefits (continued)

2.10.1 (ii) Employee Benefits After Service (continued)

The Commission contributes to the Retirement Fund Incorporated for employees who are granted pensionable status at the rates that are granted. The contributions are charged to the statement of financial performance in the financial period in which they are incurred.

Permanent employees of the Commission will be rewarded with *gantian cuti rehat* (GCR) based on the Service Circular issued by the Public Service Department and adopted by the Commission.

2.11 Sales and Service Tax (SST)

2.11.1 Each revenue, expense and asset are recognised net of SST. The amount of SST is unclaimed and is recognised as an expense or part of the cost of acquisition of an asset.

2.12 Budget Information

2.12.1 The annual budget is prepared on a cash basis. Since financial statements are prepared on an accrual basis, a budget and actual comparative statement is disclosed separately. This statement is prepared on the basis of annual budget preparation.

2.13 Considerations and Key Sources of Estimated Uncertainty

2.13.1 The measurement of assets and liabilities requires management to make estimates based on monitoring and other assumptions it deemed appropriate. Among the items that are subject to budget uncertainty is the measure of the following:

(i) Life Expectancy Changes of Property, Plant and Equipment

Property, plant and equipment are described on a straight-line basis over the useful lives of the assets concerned. Changes in estimated patterns of asset utilisation and technological development can impact the shelf life and residual value of the asset. This causes future depreciation of assets to be revised.

(ii) Calculation of Income Tax

Consideration is important in determining the current and deferred taxation of the Commission as the final tax for the Commission as a whole is uncertain. When the final decision on the tax payable is determined by the authorities, the amount has a different probability from the initial estimate of tax payable. These differences can affect current and deferred tax at the period of calculation. The Commission will consider the difference whether it is over or understated to current or deferred tax in the period in which the difference is identified.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.13 Considerations and Key Sources of Estimated Uncertainty (continued)

- 2.13.1 The measurement of assets and liabilities requires management to make estimates based on monitoring and other assumptions it deemed appropriate. Among the items that are subject to budget uncertainty is the measure of the following: (continued)

(iii) Allocation Measurement

The Commission always uses the best estimates as the basis for measuring a provision. These estimates are based on past experiences, other indicators or assumptions and reasonable future events in determining a provision.

2.14 Financial Risk Management Policy

- 2.14.1 The Commission's financial risk management policy is to ensure that financial and non-financial resources are sufficient to carry out its operations smoothly. The Commission will consider and evaluate financial management risks raised from time to time.

(i) Interest Rate Risk

The Commission finances its operations with internal funds and, therefore, is not exposed to interest rate risk from bank loans.

(ii) Credit Risk

The Commission does not transact on material credit and is therefore not exposed to credit risk.

(iii) Foreign Exchange Risk

The Commission has no foreign exchange transactions and is therefore not exposed to foreign exchange risks.

(iv) Liquidity Risk

The Commission practices prudent liquidity risk management to minimise financial mismatch of assets and liabilities as well as to create sufficient levels of cash and cash equivalents to meet working capital requirements.

(v) Legal Risks

Subsection 3(3) of the Competition Commission Act 2010 (Act 713) states that the Commission may be sued in its name while Subsection 3(4) empowers the Commission to make contracts. The Commission may be subject to legal action by a third party if the Commission breaches the contract or any procedure under Act 712 and Act 713.

NOTES TO THE FINANCIAL STATEMENTS

2 ACCOUNTING POLICIES (CONTINUED)

2.15 Significant Events Occurring During and After The Reporting Period

2.15.1 On 1 January 2021, the Government announced a nationwide Recovery Movement Control Order (RMCO) in line with the Infectious Disease Prevention and Control Act 1988 and the Police Act 1987 to curb the spread of COVID-19 infection in Malaysia. However, starting January 13, 2021, the implementation of the Movement Control Order (MCO), Conditional Movement Control Order (CMCO), and Recovery Synchronization Control Order (PKPP) will depend on the COVID-19 situation in each state. On June 15, 2021, the Government announced the implementation of the National Recovery Plan (PPN) for the gradual transition from the MCO phase. The implementation of PPN has been carried out in four (4) main phases.

With the implementation of MCO, CMCO, and RMCO in 2021, there is a difference between the approved budget and the expenditure spent in the 2021 financial year. Limitations on movement and the need for social distancing cause some activities of the Commission to be not properly implemented. Among them are investigation and enforcement activities involving field activities including information gathering activities that could not be carried out as planned, most cases of legislation at the Court level have been postponed from the date it was initially set, and advocacy programmes as well as training/seminar involvement at home and abroad were practically not carried out.

It is assume that in 2022 the same situation will persist until the first quarter of 2022 and that as little as possible will have the same effect on the Commission at that point. However, the Commission will continue to pursue its responsibility and role in effectively enforcing the Competition Act 2010 in order to benefit the economy and displacement so that the country's economy grows rapidly.

NOTES TO THE FINANCIAL STATEMENTS

3 Property, Plant and Equipment

	Motor Vehicles RM	Office Furniture and Fittings RM	Books RM	Computers RM	Total RM
Cost					
Balance as at 1 January 2021	907,102	273,307	276,313	1,224,434	2,681,156
Addition in the Current Year	-	6,900	-	130,395	137,295
Disposal of Current Year	-	-	(61,579)	(21,265)	(82,844)
Balance as at 31 December 2021	907,102	280,207	214,734	1,333,564	2,735,607
Accumulated Depreciation					
Balance as at 1 January 2021	694,355	197,658	207,334	962,867	2,062,214
Depreciation in the Current Year	81,891	24,309	24,818	118,484	249,502
Disposal of Current Year	-	-	(52,182)	(21,263)	(73,445)
Balance as at 31 December 2021	776,246	221,967	179,970	1,060,088	2,238,271
Net Book Value	130,856	58,240	34,764	273,476	497,336

NOTES TO THE FINANCIAL STATEMENTS

3 Property, Plant and Equipment (continued)

	Motor Vehicles RM	Office Furniture and Fittings RM	Books RM	Computers RM	Total RM
Cost					
Balance as at 1 January 2020	818,080	269,319	276,313	1,275,071	2,638,783
Addition in the Current Year	89,022	3,988	-	93,451	186,461
Disposal of Current Year	-	-	-	(144,088)	(144,088)
Balance as at 31 December 2020	907,102	273,307	276,313	1,224,434	2,681,156
Accumulated Depreciation					
Balance as at 1 January 2020	595,819	170,627	179,703	977,627	1,923,776
Depreciation in the Current Year	98,536	27,031	27,631	129,328	282,526
Disposal of Current Year	-	-	-	(144,088)	(144,088)
Balance as at 31 December 2020	694,355	197,658	207,334	962,867	2,062,214
Net Book Value	212,747	75,649	68,979	261,567	618,942

NOTES TO THE FINANCIAL STATEMENTS

4 Deposits and Prepayment

	2021 RM	2020 RM
Electricity deposit	77,470	77,470
Other deposits and collateral	163,571	163,571
Prepaid Expenses	-	31,509
Total Deposit and Prepayment	241,041	272,550

5 Cash and Cash Equivalents

	2021 RM	2020 RM
Cash in hand	2,291	4,639
CIMB Current Account (Management)	7,718,725	7,660,322
Development Current Account (CIMB)	478,696	1,219,926
Cash and Bank Balance	8,199,712	8,884,887
Fixed Deposit		
Bank Kerjasama Rakyat Malaysia Berhad	15,194,247	14,898,780
Malaysia Building Society Berhad	6,660,612	16,466,212
Total Fixed Deposits	21,854,859	31,364,992
Cash and Cash Equivalents	30,054,571	40,249,879

6 Deferred Government Grants (Non-Current Liabilities)

MyCC has been granted development grant allocations for the development of the Eleventh Malaysia Plan (RMK11) from the Ministry of Domestic Trade and Consumer Affairs in the financial years 2016, 2017, 2019 and 2020. The remaining Development Grant to conduct the Transport Sector Market Study carried out from 2020 amounts to RM856,555. The total expenditure in 2021 was RM752,141, which shows that the balance of RM104,414 will be used in the following year to publish the summary book of the priority sectors market review project in Malaysia.

NOTES TO THE FINANCIAL STATEMENTS

7 Long-Term Employee Benefits

	2021 RM	2020 RM
Gantian Cuti Rehat (GCR)	90,174	75,443
	90,174	75,443

8 Creditors

	2021 RM	2020 RM
Other Deductions	-	730
Creditors - Suppliers	29,757	-
Creditors - Other	77,248	318,778
Creditors - Staff	68,544	-
Total Creditors	175,549	319,508

9 Receipts from Government Grants

	2021 RM	2020 RM
Operations Grants	11,056,247	5,450,200
Development Grants	752,141	867,318
	11,808,388	6,317,518

MyCC has received operation grant of management expenses amounting to RM6,500,000 and the distribution of an additional grant of RM4,556,247 (2020 : RM5,450,200) to cover the Commission's financial obligations in 2021.

10 Bank Interest and Fixed Deposit

	2021 RM	2020 RM
Bank Interest	80,585	110,655
Bank Kerjasama Rakyat Malaysia Berhad	295,466	401,976
Malaysia Building Society Berhad	194,569	406,163
	570,620	918,794

The interest rate on fixed deposit is between 1.25% - 2.20% and the maturity period is between 1 day and 12 months.

NOTES TO THE FINANCIAL STATEMENTS

11 Administrative Expenses

	2021 RM	2020 RM
Petrol Expenses	15,794	15,622
Office Expenses	107,929	61,910
	123,723	77,532

12 Unit/ Division Expenses

	2021 RM	2020 RM
Capacity Building Training	556,390	465,935
Advocacy Programs	-	6,371
Enforcement and Investigation	244,798	99,676
Media and Communication Planning	536,117	850,685
Legal	1,048,000	269,033
Research (Guidelines/Market Study)	1,000	3,108
ICT and Website Development	410,922	587,511
	2,797,227	2,282,319

13 Development Expenses - Market Study

	2021 RM	2020 RM
Market Study of Transportation Sector	752,141	108,120
Market Study of the Services Sector	-	759,198
	752,141	867,318

NOTES TO THE FINANCIAL STATEMENTS

14 Income Tax

The adjustment to the income tax expenses is made after taking into account the payment of tax at the statutory income tax rate on the surplus recorded for the financial year. The Commission's tax expenses for the financial year ended 31 December 2021 calculated at the effective income tax rate and the comparison with the prior year adjustment is as follows:

	2021 RM	2020 RM
Surplus/ (Deficit) before tax	761,164	(3,501,870)
Taxes at Statutory Income Tax Rate (24%)	182,679	(840,449)
Non-Deductible Expenses	84,816	73,302
Deferred Tax Assets not Recognized	(267,496)	767,147
	NIL	NIL

15 Main Management Authority

The main management is those who have the power and responsibility to plan, command and control the activities of the Commission directly and indirectly.

Total emoluments and allowances for the main management for the year ended 31 December 2021 and differences for the previous year are as follows:

	2021 RM	2020 RM
Total Emoluments and Allowances	759,501	774,300
	759,501	774,300

16 Legal Case

Deferred income amounting to RM9,644,700 (2020 : RM19,664,700) is a penalty payment that has been decided on MyEG. The difference amounting to RM10,020,000 from the previous year is due to the repayment to AirAsia Berhad of RM10,000,000 and the rejection of the lawsuit costs amounting to RM20,000 that have been paid by MyEG and Air Asia Berhad to the Commission when the penalty payment was executed.

As of 31 December 2021, Malaysia Airline System Berhad (MAS) and AirAsia Berhad (AirAsia) cases are at the stage of an application for permission to appeal in the Federal Court that has been filed by MyCC, after the appeal that has been filed by MAS and AirAsia has been allowed in the Court of Appeal.

Whereas for the MyEG case as of 31 December 2021, the MyEG Services Berhad and MyEG Commerce Sdn Bhd (MyEG) cases are at the stage of an application for permission to appeal in the Federal Court that has been filed by MyEG, after the appeal that has been filed has been rejected in the Court of Appeal.