



5 THINGS YOU NEED TO KNOW ABOUT THE COMPETITION ORDER

1 Objectives

The Order seeks to enhance market efficiency and consumer welfare by promoting and protecting competition process in Brunei Darussalam economic landscape against business practices which restrain or restrict fair competition.

2 Enforcer

The Competition Commission of Brunei Darussalam (CCBD) as an independent-quasi-judicial body is the primary enforcer of the Competition Order.

The Department of Competition and Consumer Affairs serves as the Executive Secretariat to the CCBD and is responsible for investigation, market study, advisory and advocacy.

3 Application

The Order applies to undertakings (including sole traders, partnerships, business chambers and trade associations) engaging in commercial activities regardless of its ownership status.

Excluded activities are specified under Third Schedule of the Order.

4 Key Prohibitions

The Competition Order prohibits three key anti-competitive conducts:

- i) Anti-Competitive Agreements;
- ii) Abuse of Dominant Position; and
- iii) Anti-Competitive Mergers.

Price fixing; bid rigging; market sharing; and supply limitation are conducts of Anti-Competitive Agreements and are per se illegal under the Order.

The enforcement of the key prohibitions will be done in phases starting with the prohibition of Anti-Competitive Agreements.

5 Enforcement Date (Anti-Competitive Agreements)

The Competition Order will come into force on 1 January 2020. Grace period was introduced on 1 June 2019 to allow businesses to adjust, renegotiate or terminate their Anti-Competitive Agreements to comply with the provisions of the Order.