

## Report of the Committee on Competition Law 2020

1. The primary functions of the Committee on Competition Law (“CCompetL”) to assist the Bar Council in dealing with matters relating to competition law in the course of its business, as well as to promote and enhance the knowledge and know-how of the Membership of the Bar Association on competition law through activities including talks and secondment arrangements.
2. In 2020, CCompetL organized two talks on topics of competition law for the Membership. On 5 August 2020, Tony Ko and Cordelia Yeung gave an interesting webinar on the newly revised “Leniency Policy for Undertakings Engaged in Cartel Conduct”, as well as the new “Leniency Policy for Individuals Involved in Cartel Conduct” published by the Competition Commission in April 2020. In a webinar held on 31 August 2020, Connie Lee, Richard Yip, Carter Chim, Anson Wong Yu Yat and Tommy Cheung shared their valuable insights on the landmark judgment in *Competition Commission v Wing Hing Construction Co Ltd & Ors* [2020] HKCT 1, where the Competition Tribunal laid down for the first time the proper approach to be adopted for the determination of pecuniary penalties for a breach of the First Conduct Rule and costs in enforcement actions in Hong Kong.
3. CCompetL plans to hold another webinar in the first quarter of 2021 to discuss the judgments in *Competition Commission v Kam Kwong Engineering Co Ltd & Ors* [2020] HKCT 3 and *Competition Commission v Quantr Ltd & Anor* [2020] HKCT 10 where the Tribunal deployed the *Carecraft* procedure typically used in the context of directors’ disqualification proceedings under the Companies Ordinance to dispose of enforcement proceedings under the Competition Ordinance where the respondents admit liability.
4. I take this opportunity to thank members of CCompetL and the staff of the Bar Secretariat who had helped with the work of CCompetL in the course of this year.

### Membership:

Catrina Lam (Chairman)  
Richard Khaw SC (Vice Chairman)  
PY Lo (Vice Chairman)  
Kenneth K.H. Lee  
Tony Ko  
John Hui  
Connie Lee  
Andrew Lynn  
Richard Yip  
Carter Chim  
Martin Kok  
Kevin Lee  
Kelvin H.F. Kwok  
Anson Wong Yu Yat  
Sharon Ng  
Stephanie Wong  
Cherry Xu  
Tommy Cheung

Cordelia Yeung  
Peter Dong  
Abel Lam.

Catrina Lam  
Chairman  
Committee on Competition Law

1 December 2020