

Supporting Competition in ASEAN Member States through the Competition Law Implementation Program (CLIP)

F A C T S H E E T
AUGUST 2015

The Competition Law Implementation Program (CLIP) delivers targeted capacity building assistance to ASEAN Member States to help combat anti-competitive activities in individual markets and the ASEAN region more broadly.

CLIP aims to further ASEAN's regional goal of building a globally integrated, highly competitive economic region through effective competition laws and their implementation, and enhanced regional cooperation mechanisms.

Under CLIP, ASEAN Member States are receiving tailored training and mentoring from the Australian Competition and Consumer Commission (ACCC) and other international experts to introduce and implement national competition laws and policies to meet commitments under the ASEAN Economic Community Blueprint, ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) and the ASEAN's post-2015 vision for competition.

With support from the AANZFTA Economic Cooperation Support Program, CLIP is focused on practical skills and knowledge transfer through tailored assistance on implementation of competition law. Initial funding of \$2.2 million has been allocated to CLIP for activities to be delivered between October 2014 and December 2015.

By supporting ASEAN Member States to put in place effective institutional frameworks and practices, CLIP contributes to reducing barriers to trade and investment, fostering fair competitive practices and ensuring efficient allocation of resources.

Regional support for CLIP

CLIP is a major initiative of the AANZFTA Competition Committee and forms part of the Australian and New Zealand governments' commitment to support its counterparts in the ASEAN region build the foundations of effective competition law and regulation.

In managing CLIP, the ACCC together with the New Zealand competition agencies are sharing with ASEAN Member States the knowledge, skills and experience developed over 40 years of competition law enforcement in Australia and New Zealand. The program seeks to complement and extend this knowledge by drawing on expertise from academia, private practice and other government agencies active in the Parties jurisdictions.

"Developing long-term, cooperative relationships with competition law enforcement agencies in the ASEAN region is a vital part of the ACCC's international engagement. As economic ties between Australia and the region deepen, these relationships will provide the platform from which future cross-border enforcement cooperation will grow." - Mr. Rod Sims, ACCC Chairman

CLIP: supporting practical skills exchange

The ACCC is working with the New Zealand competition agencies and ASEAN competition agencies to deliver CLIP activities that cater to the prevailing needs of ASEAN Member States and acknowledge the differences between jurisdictions in their stages of introducing and implementing competition policy and law.

Activities aim to develop individual and organisational capability through practical skills and knowledge transfer with a view to supporting effective implementation of competition law ASEAN-wide by 2025.

Since the program commenced in October 2014, CLIP has supported workshops, expert placements and delivered technical and mentoring assistance on a bilateral, sub-regional and ASEAN-wide basis, including:

- Regional workshop on In-house Training Tools for Competition Authorities held in Nha Trang, Vietnam, 29-31 October 2014
- Three advocacy workshops on The Role of Competition Law in Supporting Economic Success held in: Lao PDR on 4-5 November 2014, Cambodia on 29-30 January 2015 and Myanmar on 2-3 February 2015
- Secondment of two ACCC staff to the Malaysia Competition Commission from 19 January-18 June 2015
- Regional workshop on Developing Institutional Core Competencies for Competition Regulation: Regulator Perspectives held in Surabaya, Indonesia, on 2-4 March 2015
- Study visit for ASEAN Member States to Competition Related Agencies in Australia and New Zealand held in Sydney, Australia, on 4-6 May 2015.



Workshop on Developing Institutional Core Competencies for Competition Regulation
Surabaya, 2 - 4 March 2015

ASEAN Study Visit to Sydney: a CLIP highlight

ASEAN competition experts from nine ASEAN countries visited Sydney from 4 to 6 May 2015 to exchange views on the experiences of both Australia and New Zealand in the development, promotion and enforcement of competition policy and law. Delegates met senior staff of both the ACCC and the New Zealand Commerce Commission, as well as representatives from central government agencies, academia, law firms, business and consumer advocacy groups and judges of the Federal Court of Australia.

Key topics of interest included: strategic planning; case prioritisation; agency independence; how agencies can or should assess performance; how international cooperation can improve merger review and cartel enforcement; and how competition agencies can contribute as advocates for competition.



Chairman of the ACCC, Mr Rod Sims with delegates of the ASEAN CLIP Study Visit in Sydney, Australia on 4-6 May 2015.

Institution building and development

CLIP is supporting ASEAN competition agencies to establish, review and improve their regulatory and enforcement regimes. Through CLIP workshops, representatives of ASEAN competition agencies explore ways to entrench fundamental attributes of independence, fairness, accountability, transparency and confidentiality into operational frameworks. CLIP is also committed to assisting agencies better implement competition law by establishing effective and efficient organisational and oversight structures, priority setting and strategic planning.

Advocacy and awareness-raising

Advocacy and awareness raising within the ASEAN region is fundamental to the successful implementation and development of competition law. CLIP offers ASEAN Member States the opportunity to engage with international experts to identify suitable tools and strategies to raise consumer, business and stakeholder awareness, encourage self-compliance and develop an overall culture of competition locally and throughout the ASEAN region.

Strengthening regional cooperation mechanisms

In an increasingly globalised economy, cooperation and coordination among competition agencies are required to address anti-competitive conduct or competition issues that cross borders or are regional in nature. Activities under CLIP strengthen coordination and cooperation between regional agencies by extending networks and facilitating exchange of information and knowledge, including through secondment programs, capacity building workshops, comparative studies and other technical assistance.

CLIP initiatives provide valuable opportunities for ASEAN Member States to develop and maintain informal networks essential to the development of meaningful long-term cooperative regional relationships.

Read more:

<http://www.asean.org/communities/asean-economic-community/category/competition-policy>

<http://aanzfta.asean.org/index.php?page=competition-policy>

<http://acc.gov.au/about-us/international-relations>

<http://www.asean.org/news/asean-secretariat-news/item/asean-ensures-effective-implementation-of-competition-policies-and-laws>

http://aanzfta.asean.org/uploads/docs/Press%20Release/20150527_-_Intl_-_CLIP_-_ASEAN_Study_Visit_4-6_May_2015_-_Press_release_for_ASEAN.pdf