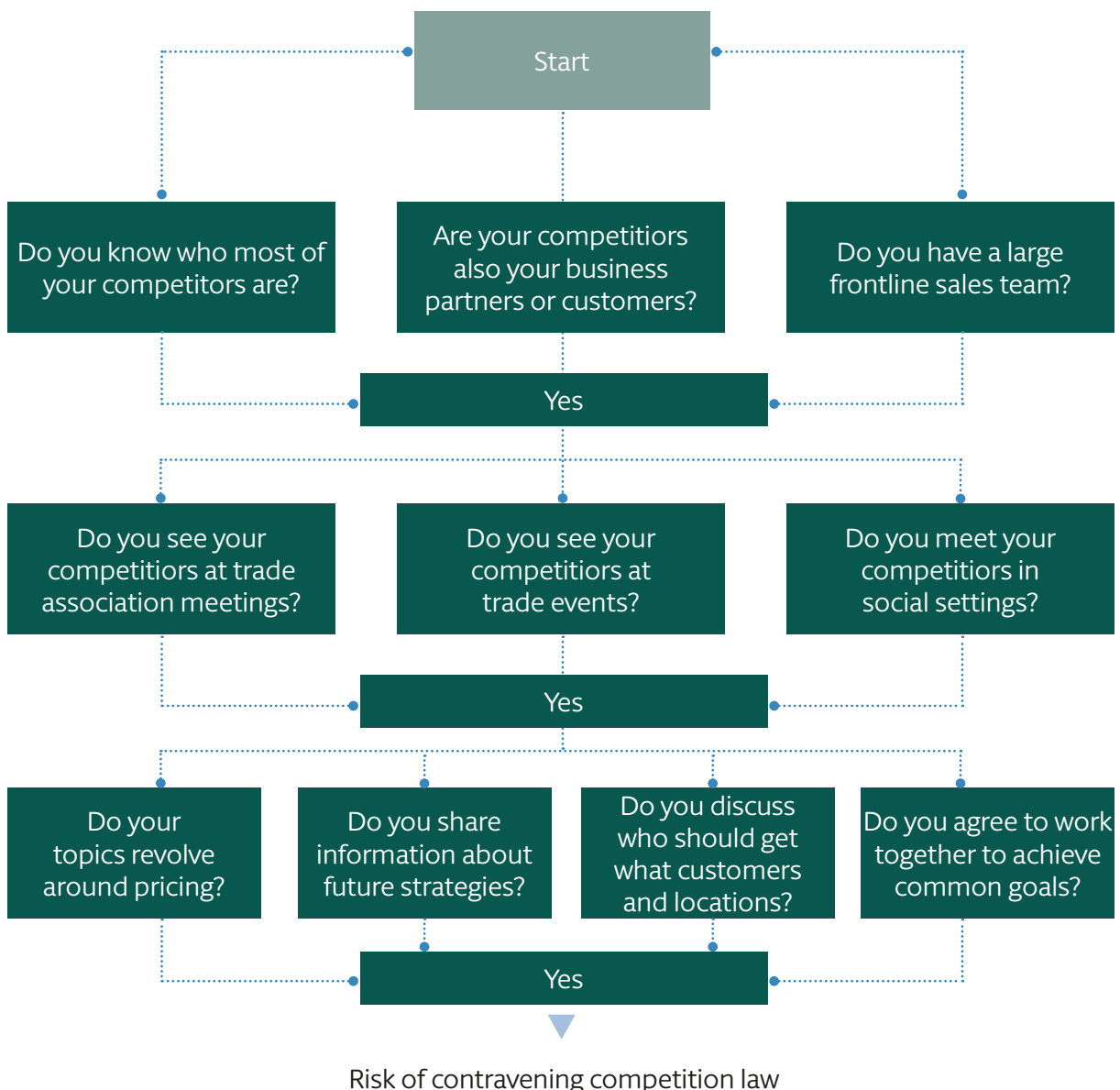




Competition review – what should I do?

With the Competition Ordinance in force as of 14 December 2015, businesses have inevitably been changing the way they have traditionally been run, or at least have begun to turn their minds to whether their practices are at risk of contravening the competition conduct rules.

Risk evaluation – Your dealings with competitors



“

A very open firm that shares resources and knowledge across practice areas and offices

Chambers Asia Pacific, 2015

”

What should I be doing?

- Train staff on the competition conduct rules most relevant to your business
- Adopt a competition compliance policy aimed at identifying and mitigating risk and remedying any breach
- Review any distribution, supply, agency, franchising and licensing agreements
- Review joint buying practices
- Review bidding and procurement practices
- Review membership of trade associations
- Review membership of informal networking groups
- Review joint ventures and other cooperation or partnership agreements
- Review pricing policies and strategies, in particular any controls on resale prices
- Review whether you may have substantial market power
- Review any tying and bundling practices
- Review any loyalty-related discount and rebate practices
- Review any exclusivity arrangements, including exclusive supply and purchase
- Review business model of selling only through a network of authorised retailers



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Global Competition Review, 2016

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