

## The Malaysian Competition Act 2010 Workshop

We Help Leaders Grow Businesses

2<sup>nd</sup> – 3<sup>rd</sup> April 2012 | PARKROYAL, Kuala Lumpur

### Workshop Description

The Competition Act 2010, comes into force on 1<sup>st</sup> January, 2012, will promote a competitive environment and give foreign investors higher confidence in the country's business practices. The law serves to promote the efficient functioning of the markets which will benefit consumers in terms of lower prices and better choices.

The Competition Act 2010, covers two major prohibitions – anti-competitive agreements and abuse of dominant positions. Anti-competitive agreements include price fixing, import cartel, bid rigging, territorial allocation, limiting production, market sharing.

The abuse of dominant position includes predatory pricing, price discrimination, excessive pricing and denying market access.

It will safeguard against practices that could drive companies out of business, allow lower entry barriers to promote entrepreneurship and growth of SMEs, efficient allocation and utilisation of resources and control international unfair competition and restrictive business practices such as international cartels.

### KEY BENEFITS

- Understand the impact of the Competition Act 2010 on your Business Acquisitions and Mergers.
- Appreciate and understand the implications of the competition guidelines set by the Malaysian Competition Commission (MyCC).
- Know what constitute to Anti-Competition Agreements.
- Appreciate the definition of the Dominant position and what is an abuse of that position.
- Know the compliance and enforcement process under the law, the implications, penalties and the Competition Appeal Tribunal

### WHO SHOULD ATTEND

- Board of Directors
- C-Level Executives
- Corporate Lawyers
- Company Secretaries
- Investment Bankers
- Finance Managers
- Accountants

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### The Workshop Leader- Jeremiah Ravindran



Jeremiah is a founding partner of ADJ - Arianti Dipendra Jeremiah, a corporate boutique firm. He holds a LL.B (Hons) Degree from the University of London, a Certificate in Legal Practice (C.L.P.) from the Legal Profession Qualifying Board of Malaysia and a Masters of Law (LL.M) from the University of Malaya. He was called to the Malaysian Bar in 1999.

As an active member of the Bar Council, Jeremiah currently sits on the Arbitration & Alternative Dispute Resolution Committee and the Professional Standards and Development Committee.

He is also a certified panel Mediator of the Malaysian Mediation Centre of the Bar Council and serves on the Kuala Lumpur Bar Committee and currently heads the Kuala Lumpur Bar Professional Development Committee.

Jeremiah comes with a wealth of experience having worked in the corporate sector since 1997 prior to entering active legal practice. Prior to being admitted as an Advocate and Solicitor, he was attached to the legal documentation unit of the corporate banking arm of one of the leading banking groups in Malaysia.

Jeremiah started his legal career in 1999 with a large Kuala Lumpur base law firm. Over the years, Jeremiah has acted for a wide range of clients from various industries and has extensive experience in corporate banking, project financing, corporate and commercial matters, joint ventures, mergers & acquisitions, capital markets, trust and estate planning, private mutual funds and employment law.

Jeremiah regularly delivers talks to the Malaysian Bar, KL Bar and to the Corporate Sector on a variety of topics. He is also a guest lecturer to several private colleges and public universities.

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### 1. Key Aspects and Overview of the Competition Act 2010

- Overall understanding of what the Competition Act will mean to your business dealings
- Key provisions of the Competition Act
- Scope of Application
- Implications, challenges and analysis of the Competition Act 2010

### 2. Anti-Competitive Agreements

- Examples of Anti-Competitive Agreements
- Horizontal Agreements
- Vertical Agreements
- The essential difference between horizontal and vertical agreements
- Prohibitions under the Act
- Types of Exemptions under the Act

### 3. Abuse of Dominant Position

- What is a 'dominant position'
- Relevant tests in determining dominant position
- The meaning of 'abuse'
- Practices that constitute as abusive practices of a dominant position

### 4. Competition Guidelines

- Detailed review of the Malaysian Competition Commission (MyCC) Guidelines
- Understanding the implication of the Guidelines
- Making changes for the Business Organization

### 5. Enforcement and Compliance

- *Powers and functions of the Malaysian Competition Commission (MCC)*
- Leniency regime established under the Act
- Investigation
- Consequences of Infringement
- Financial penalties
- Decisions and right to Appeal
- The Competition Appeal Tribunal

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#### TRAINING SCHEDULE

- 0830 Registration  
0900 Morning Session Begins  
1030 Morning Networking Break  
1300 Networking Luncheon  
1400 Afternoon Session Begins  
1530 Teatime Networking  
1730 End of Sessions

**\*Schedule applies for both days**

#### TRAINING METHODOLOGY

The Workshop will include:

- High Impact Short Lectures
- Lively Activities and Exercises
- Numerous Presentations and Discussions
- Continuous Real Time Feedback from Facilitator

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**PARKROYAL, Kuala Lumpur**

**TO REGISTER OR FOR MORE INFORMATION:**

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