

Competition Regulations 2007

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THE SCHEDULE Warrant to Enter Premises and Exercise the Statutory Powers under Section 65 of the Competition Act in the State Courts of the Republic of Singapore

No. S 348

**COMPETITION ACT
(CHAPTER 50B)**

COMPETITION REGULATIONS 2007

In exercise of the powers conferred by section 93 of the Competition Act, the Competition Commission of Singapore, with the approval of the Minister for Trade and Industry, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Competition Regulations 2007 and shall come into operation on 1st July 2007.

Definitions

2. In these Regulations, unless the context otherwise requires —

“confidential information” means —

- (a) commercial information the disclosure of which would, or might, in the opinion of the Commission, significantly harm the legitimate business interests of the undertaking to which it relates;
- (b) information relating to the private affairs of an individual the disclosure of which would, or might, in the opinion of the Commission, significantly harm the individual’s interests; or
- (c) information the disclosure of which would, in the opinion of the Commission, be contrary to the public interest;

“internal document” means —

- (a) a document —
 - (i) produced by the Commission or any other public authority; or
 - (ii) exchanged —
 - (A) between the Commission and any other public authority; or
 - (B) between such other public authorities; or
- (b) a document produced by any person from time to time retained under a contract for services by the Commission or any other public authority in connection with such a contract;

“public authority” includes —

- (a) a court or tribunal and any person or body exercising functions of a public nature; and
- (b) in any country or territory outside Singapore, a court or tribunal and any person or body which appears to the Commission to be exercising functions of a public nature;

“working day” means any day which is not a Saturday, Sunday or a public holiday;

“writing” includes text that is —

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

PART II

COMMITMENTS

Applications to vary, substitute or release commitments

3.—(1) A party who provided a commitment may apply to the Commission to vary, substitute or release the commitment.

(2) The applicant shall —

(a) within 2 working days of the application under paragraph (1), give notice that the application has been made —

(i) to all other parties to the anticipated merger in respect of which the commitment was given and of whom he knows; or

(ii) to all other parties involved in the merger in respect of which the commitment was given and of whom he knows,

as the case may be; and

(b) provide a copy of such notice to the Commission within 2 working days from the date of the notification.

(3) An application under paragraph (1) shall be made to the Commission in such manner as the Commission may specify on the Commission's Internet website in an online location accessible to the public from time to time.

(4) The Commission may, at any time after the application under paragraph (1) is made, require the applicant to submit such other information (including any document) as the Commission thinks fit.

(5) Where, before the Commission makes a decision on an application under paragraph (1), there is any material change to any information submitted to the Commission (whether as contained in the application, under paragraph (4) or otherwise), the applicant shall give notice of that change to the Commission without delay.

(6) Without prejudice to the generality of the Commission's power to refuse an application under paragraph (1), the Commission may refuse the application if —

(a) the applicant does not comply with paragraph (2);

(b) the application is not made in accordance with paragraph (3);

(c) the Commission has reasonable grounds for suspecting that any information submitted to the Commission (whether as contained in the application, under paragraph (4) or otherwise) is incomplete, false or