

Autumn Academy on Competition Law and Policy

A Practical Course for Lawyers, Compliance Professionals & Businesses

13, 17 and 18 November 2021 *via Zoom*

Accredited with CPD points by

**Hong Kong Institution of Certified Auditors, The Hong Kong Institute of Directors and
The Law Society of Hong Kong***

Co-organised by the Hong Kong Competition Commission (HKCC) and the Faculty of Law of The Chinese University of Hong Kong (CUHK LAW), this Academy on competition law and policy is specially designed for *lawyers, compliance practitioners and businesses* with the aims of deepening their understanding of competition law and strengthening their capability to advise companies or clients on matters related to the law.

The series will cover the key provisions of the Competition Ordinance, its practical applications, case studies, as well as how to help their companies or clients ensure compliance and respond appropriately to an investigation.

Delivered by distinguished legal scholars, senior staff from HKCC and veteran competition lawyers in private practice, this Academy offers a unique opportunity for you to hear from and pose questions to those who are experienced in leading and advising on the Commission's investigations. A renowned antitrust professor from the Mainland will also give an overview of the antitrust regime and the recent topical competition issues in the Mainland.

**Go beyond an introduction to the Competition Ordinance and
understand how it applies in practice; &**

Learn more about the antitrust regime in the Mainland

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** Accreditation of CPD points by The Law Society of Hong Kong is being sought.*

Autumn Academy on Competition Law and Policy

Programme Rundown

Day 1: 13 Nov 2021 (Saturday) | Language: English

09:10 – 09:30	Opening Remarks <ul style="list-style-type: none">❖ <i>Mr. Rasul Butt, Chief Executive Officer, Hong Kong Competition Commission</i>❖ <i>Prof. Lutz-Christian Wolff, Dean, Faculty of Law, The Chinese University of Hong Kong</i>
	Speakers for the day: <ul style="list-style-type: none">❖ <i>Prof. Jae Woon Lee, Assistant Professor, Faculty of Law, The Chinese University of Hong Kong</i>❖ <i>Prof. Sandra Colino, Associate Professor, Faculty of Law, The Chinese University of Hong Kong</i>
09:30 – 10:30	Introduction to Competition Law <ol style="list-style-type: none">1. Key concepts2. Why is competition law necessary?3. Understanding competition regulation4. The importance of market power5. The need to define the relevant market
10:30 – 11:30	The Hong Kong Competition Ordinance: Part I <ol style="list-style-type: none">1. Subjects: Undertakings and parental liability2. Enforcers: Competition Commission and Competition Tribunal3. First Conduct Rule<ul style="list-style-type: none">• Elements• Cartels and serious anticompetitive conduct• Information exchanges
11:30 – 11:45	Break
11:45 – 12:45	The Hong Kong Competition Ordinance: Part II <ol style="list-style-type: none">1. First Conduct Rule (Cont'd)<ul style="list-style-type: none">• Horizontal cooperation agreements• Vertical agreements2. Second Conduct Rule<ul style="list-style-type: none">• Substantial degree of market power• Abusive conduct
12:45 – 13:45	Case Studies and Practice <ol style="list-style-type: none">1. Busting a cartel: Fungs and others case2. Leniency application: Quantr case3. Abuse of substantial degree of market power4. Have a go at applying competition law! Practical scenarios for discussion

Day 2: 17 Nov 2021 (Wednesday) | Language: English

09:00 – 10:00	Economics for Competition Law ❖ <i>Dr. Eshien Chong, Head (Economics), Hong Kong Competition Commission</i> <ol style="list-style-type: none"> 1. Defining relevant markets 2. Assessment of market power 3. Selected issues in the assessment of effects 4. Economics of collusion 5. Economics of exclusionary conduct 6. Q&A
10:00 – 11:30	Practical Application of Competition Ordinance (I) ❖ <i>Mr. Lester Lee, Head (Litigation), Hong Kong Competition Commission</i> ❖ <i>Ms. Charlotte Ho, Head (Investigations I), Hong Kong Competition Commission</i> <ol style="list-style-type: none"> 1. Commission's investigation and litigation 2. Leniency, Cooperation and Settlement Policies & Application 3. Recommended Pecuniary Penalty Policy 4. Q&A
11:30 – 11:45	Break
11:45 – 13:15	Practical Application of Competition Ordinance (II) ❖ <i>Ms. Melanie Tan, Head (Investigations II), Hong Kong Competition Commission</i> ❖ <i>Mr. Stephen Ryan, Head (Legal Advisory), Hong Kong Competition Commission</i> <ol style="list-style-type: none"> 1. Filing a complaint to the Commission 2. Commitments 3. Applications for decision and block exemptions 4. Q&A

Day 3: 18 Nov 2021 (Thursday)

Language: English (14:00 – 15:40) | Mandarin (15:50 – 17:00)

14:00 – 15:40	<p>Practical Application of Competition Ordinance (III): Compliance and Dealing with the Commission</p> <p>❖ <i>Ms. Adelaide Luke, Partner, Head of Competition, Asia, Herbert Smith Freehills</i></p> <p>❖ <i>Mr. Kyle Wombolt, Partner, Global Head of Corporate Crime and Investigations, Herbert Smith Freehills</i></p> <ol style="list-style-type: none">1. Competition Compliance<ul style="list-style-type: none">• Compliance programme• Risk identification and assessment• Conduct internal investigation2. Responses to the Commission's investigations<ul style="list-style-type: none">• How to deal with S. 41/ 42 / 48 Notice and dawn raid• Proceedings before the Competition Tribunal3. Q&A
15:40 – 15:50	Break
15:50 – 17:00	<p>Guest Speaker Session: Antitrust in Mainland China</p> <p>❖ <i>Prof. Huang Yong, Professor, School of Law, University of International Business and Economics</i></p> <ol style="list-style-type: none">1. Overview of the Mainland's antitrust regime2. Topical competition issues in the Mainland, such as enforcement on digital/ platform economy3. Q&A
