



Competition
Commission

SINGAPORE

Achieving an efficient and effective leniency programme

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An Introduction

Facts and figures

- Since the commencement of its leniency policy, CCS received a total of 45+ applications for leniency
- Number of leniency applications is on the rise. From less than 10 applicants in our first 5 years, to over 45+ today
- 3 completed leniency cases to date

CCS's Leniency program

Key features

- Marker system
- 100% immunity for the first in
- Up to 50% immunity for subsequent undertakings
- Leniency plus
- Requirements of leniency applicants
- Reduction in penalty discretionary
- Confidentiality / oral proffer system

Proposed new features

Consultation recently concluded

- To maintain and effective leniency program, CCS has concluded a review of its leniency policy and consulted on proposed changes
- CCS's review aims to bring Singapore's leniency regime in line with international best practices
- Key principles driving amendments
 - a) Clarity
 - b) Consistency
 - c) Confidentiality

Proposed new features

Substantive issues

- Defensive leniency applications -
 - All leniency applicants must unconditionally admit the conduct
 - All leniency applicants must detail how the cartel conduct had an impact in Singapore
- Initiators and coercers –
 - not currently eligible for immunity. Proposal for leniency a reduction of financial penalty of up to 50%.

Proposed new features

Substantive issues

- Waivers –
 - Formalise process whereby CCS may require waivers to be given
 - CCS will only seeks appropriate waivers as necessary in each case

Proposed new features

Procedural issues

- A request for a marker must be accompanied by information from the applicant defining the market(s) in Singapore affected
- Information provided must meet threshold sufficient to allow CCS to exercise its formal powers of investigation
- CCS will inform an applicant in writing whether immunity or leniency from financial penalties of up to 100% will be granted in any Proposed Infringement Decision. If the matter proceeds to an Infringement Decision, the Infringement Decision will set out the grant of immunity or leniency and its scope



Any questions?
Thank you for your attention