



MEDIA RELEASE

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CCS-SAL COMPETITION LAW CONFERENCE: DEALING WITH DISRUPTIVE INNOVATION AND BIG DATA IN THE NEW ECONOMY

1. Themed “New Approaches For A New Economy”, the conference was jointly organised by the Competition Commission of Singapore (CCS) and the Singapore Academy of Law (SAL) today at the Supreme Court. In its fifth run, the conference¹ brings together international and local experts to discuss the latest development in competition policy and law and learn how to identify and manage competition issues in the new economy.

2. Guest-of-honour, Mr. Lim Hng Kiang, Minister for Trade and Industry (Trade), delivered the keynote address. In his speech, Mr Lim highlighted that the rapid advancement of technology today blurs the lines between the physical spaces and digital experiences, with unprecedented speed, scale and scope. While this has caused disruptions to many markets, it has also brought about new opportunities to businesses and benefits to consumers. Mr. Lim also cautioned that despite the many benefits brought about by the growth of the digital economy, it has also brought about new regulatory challenges for competition authorities and regulators.

3. Speaking on the role of regulators in this age of disruption, Mr. Aubeck Kam, CCS Chairman, highlighted in his welcome address that one big question governments and competition authorities face is whether existing regulatory frameworks and models continue to hold in the face of technological disruption. As competition authorities, in particular, rely on general competition law and policy principles rather than sector-specific policies, the competition law and policy principles must be sufficiently flexible to remain relevant amidst new challenges.

4. The significance of the digital economy has a pervasive impact on all sectors of the economy - from taxi services to food services and financial industry. In the recent years, CCS handled several significant cases arising from the digital economy, which

¹ Full conference programme can be found at www.ccs.gov.sg/tools-and-resources/events/competition-law-conference-2017

has seen disruptive technologies alter the competitive landscape, and bring on new opportunities and risks².

5. In the opening session, Mr. Damian Kassabgi, Director of Public Policy, Asia Pacific, Uber, shared about Uber's entry into the transport industry. Speaking on the role of regulations in creating a level playing field, Mr. Kassabgi opined that regulations should ensure competition and maximise consumer welfare instead of protecting incumbents. He added that lawmakers and regulators should ensure that the new regulations they make today will not stifle the innovation of tomorrow.

6. Launched by Minister (Trade) at the conference today was the *Handbook on E-Commerce & Competition in ASEAN*, which was completed by CCS with inputs from ASEAN Member States. The exponential growth of E-commerce has shifted the global competitive landscape and redefined industry structures. While there is significant potential for growth of the E-Commerce sector in ASEAN, an open and level playing field is vital to realise this potential³. In this regard, CCS actively works with its ASEAN counterparts to advocate pro-competition and pro-growth e-commerce policies. The handbook highlights how E-Commerce impacts traditional competition dynamics, as well as outlines policy considerations and advocacy strategies to address the challenges of enforcing competition law with the rise of E-Commerce activities. The handbook also includes a compliance checklist to help businesses engaged in E-commerce activities identify and comply with competition laws in ASEAN.

7. Key findings from a research paper on the data landscape in Singapore which was undertaken by CCS in collaboration with the Personal Data Protection Commission (PDPC) and the Intellectual Property Office of Singapore (IPOS) were also shared at the conference. The research paper also explored the implications of the proliferation of data analytics and data sharing on competition policy and law, personal data protection regulation and intellectual property law in Singapore. The research paper concluded that while the advent of large data sets and data analytics may be fresh developments, the existing analytical frameworks are sufficiently flexible and robust to deal with the competition issues that may arise in data driven industries. CCS will stay vigilant to new developments and ensure it has the necessary tools to detect and deter any possible harm to competition in markets in Singapore that emerges from the use of technologies. Moving ahead, PDPC and CCS will be embarking on a joint study to explore consumer protection and competition related issues of data portability⁴ alongside PDPC's study of the benefits and risks in the increased use of algorithms in profiling and automated decision making in Singapore.

² Three examples illustrate this point: CCS penalised 10 financial advisers for collectively pressuring a competitor to withdraw an online offer that provided an attractive commission rebate; CCS investigated an online food delivery provider for alleged abuse of dominance; and CCS collaborated with the Land Transport Authority (LTA) on the proposed regulation of third-party taxi booking apps to facilitate their entry into Singapore.

³ The number of tech savvy middle class consumers in the region is projected to grow to 400 million by 2020.

⁴ Data portability seeks to enhance competition between businesses by reducing switching costs and facilitating the switching from one service provider to the other. At the same time, it will also create a more user-friendly environment and could build trust, potentially leading to a virtuous cycle of users more willing to provide personal data to companies.

8. Over 200 lawyers, in-house counsel, compliance professionals, economists, business leaders, academics, public officers from government agencies and students attended the conference, which saw in-depth discussion on competition issues in the new digital economy, including challenges to traditional business models with the advent of disrupters, regulatory sandboxes and design of competitive markets, big data and designing remedies in markets where competition concerns are identified.

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About The Competition Commission of Singapore (CCS)

CCS is a statutory board established under the Competition Act (Chapter 50B) on 1 January 2005 to administer and enforce the Act. It comes under the purview of the Ministry of Trade and Industry. The Act empowers CCS to investigate alleged anti-competitive activities, determine if such activities infringe the Act and impose suitable remedies, directions and financial penalties.

For more information, please visit www.ccs.gov.sg.

About The Singapore Academy of Law (SAL)

The SAL is a promotion and development agency for Singapore's legal industry. Its mandates are to build up the intellectual capital of the legal profession by enhancing legal knowledge, raise the international profile of Singapore law, promote Singapore as a centre for dispute resolution, and improve the standards and efficiency of legal practice through continuing professional development and the use of technology. As a body established by statute, SAL also undertakes statutory functions such as stakeholding services and appointment of Senior Counsel, Commissioners for Oaths and Notaries Public.

For more information, please visit www.sal.org.sg.