

## A Q&A with Alvin Koh

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Singapore's Competition and Consumer Commission is looking to progress several new cases on the back of leniency applications, according to its <u>recently appointed</u> chief executive. In an interview with GCR, Alvin Koh discusses how he wants his agency to become bolder, nimbler and pursue new approaches and enforcement methods.

Local competition lawyers have criticised the CCCS for conducting too few investigations and market studies over the past five or so years. Do you anticipate an uptick in enforcement during your tenure?

The management of a competition authority should be guided by national and enforcement priorities, depending on the circumstances of the markets in that jurisdiction. The past few years during the pandemic have been extraordinary for Singapore. The CCCS had to focus on dealing with merger notifications and other urgent matters brought about by the pandemic.

That said, maintaining a strong enforcement presence remains crucial. A top priority for me is to ensure rigorous, timely and effective enforcement. Our enforcement work has quietly increased in the last year. In the 2023 fiscal year, we completed eight preliminary enquiries into cases – double the amount of the previous two years. We completed six market studies, triple that of the 2022 fiscal year. Since the start of the 2024 fiscal year, the CCCS has issued two proposed infringement decisions. The first involves two companies accused of rigging bids for tenders for interior fit-out construction services, and the second involves bid-rigging conduct in the procurement of vulnerability management software by a publicly funded polytechnic. If you speak to a member of my enforcement team, I am pretty confident they would tell you that they have been quite busy, particularly in the last couple of months.

As chief executive, I will focus on interventions that ensure markets in Singapore function well, so that companies are spurred to be more efficient, innovative and responsive to consumer and business needs. This will yield substantial and sustainable long-term productivity gains for the Singaporean economy. I also believe in working more closely with other regulators, both domestically and internationally. The CCCS's work covers a lot of ground in various markets including emerging areas, but we will focus on pressing issues affecting our economy and Singaporeans, ensuring that our actions have an amplified and lasting impact.

We will continue to trial various approaches and enforcement methods, including using commitments to approve agreements that generate economic benefits for the economy, conducting market studies to enquire into markets exhibiting signs of distortion and significant price surges, and deepening industry collaboration to better understand competition and consumer protection issues.

Are you able to disclose further information about what is in the pipeline and any other priorities?



Our enforcement presence is intensifying. We disclosed in November 2023 that we conducted unannounced inspections on businesses in another market in the building construction sector. We have a healthy pipeline of enforcement cases including leniency applications, and we will disclose more details in due course.

In terms of our priority areas, we have had conversations with many ministries and statutory boards in Singapore and will prioritise work that is important to the country and its citizens. Aviation remains key, with several airline joint ventures under review. We are also prioritising digital markets, price transparency and supporting Singapore's green transition. However, some of these initiatives are still in their early stages and will require more time to materialise.

As our priorities, expectations and ambitions expand, we have also been growing as an organisation. We aim to work faster and more effectively in more impactful and relevant areas.

## There has been a huge slowdown in merger review activity recently. Has the agency used this drop in filings to focus its resources and attention on other issues?

Singapore operates a voluntary regime, and while we experienced a slowdown in filings this year, we used the opportunity to consolidate and build on our strengths.

The CCCS has so far cleared two mergers at Phase I – one involving the proposed acquisition by ANA of Nippon Cargo Airlines and another relating to the proposed acquisition by Green Esteel of HG Metal Manufacturing. We also issued a detailed **provisional decision** on **Grab's proposed acquisition of Trans-Cab**, which detailed our concerns during the latter stages of a Phase II probe. We ended our assessment after the parties decided to abandon their plans to merge.

In terms of ongoing work, I can say emphatically that there is always a great deal happening at the CCCS. We have been busy working on the assessments of a couple of airline joint ventures. The CCCS granted conditional approval in July 2024 for the proposed commercial cooperation between Singapore Airlines and Garuda Indonesia, which was cleared promptly. We also completed the review of the long-running notification by Singapore Airlines, Air India and Vistara Airline after accepting commitments from the parties. Having covered land and air transport, we are also looking at the sea transport sector. Indeed, we are finalising our decision on whether there should be a renewal of the Block Exemption Order for Liner Shipping Agreements.

In early 2024, the CCCS directed major authorised car dealers in the motor vehicle repair and servicing industry to remove restrictions that may require their customers to service or repair their cars exclusively at the dealers' authorised workshops.

The CCCS continues to monitor market developments and will take enforcement action as needed to ensure that markets remain competitive.

## What is your vision for the CCCS during your time as chief executive?

I want the CCCS to be an agile and responsive organisation, committed to impactful work that strongly supports Singapore's growth and productivity agenda. Since my return, I have been actively involved in all cases, focusing on concluding them promptly so that markets and consumers can benefit from our intervention in a timely manner.

Several key priorities guide our work. Firstly, I want the CCCS to be nimbler. The commission must quickly re-prioritise resources to swiftly address pressing competition and consumer protection issues. We are streamlining our work processes and leveraging new digital technologies to become more agile in our operations.

We also have to prioritise relevant and impactful cases. We aim to increase our enforcement presence by focusing our efforts on cases that significantly impact the market and consumers. By working with greater speed and targeting our interventions, we can deliver timely and meaningful outcomes.

Additionally, we are committed to expanding our engagement with the public, businesses and other stakeholders to raise awareness of our work. In the coming months, we will renew our communications efforts to gain greater mindshare, both domestically and internationally. We will do that by strengthening our partnerships and collaborations to stay abreast of global developments and contribute to shaping best practices in competition and consumer protection.

I'm also really keen to empower our staffers. Our people are our greatest asset. I am committed to cultivating an environment where our team can confidently make informed decisions, learn from global best practices, and further hone their skills and canabilities

As we approach the 20-year anniversary of our establishment in 2025, the CCCS will find its footing within the broader economic strategy in Singapore. I am confident that, in the months to come, you will start seeing a more productive and impactful CCCS.

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