

Unclassified**English - Or. English****2 December 2019****DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE****Global Forum on Competition****COMPETITION PROVISIONS IN TRADE AGREEMENTS – Contribution
from Malaysia****- Session II -****5 December 2019**

This contribution is submitted by Malaysia under Session II of the Global Forum on Competition to be held on 5-6 December 2019.

More documentation related to this discussion can be found at: oe.cd/cpta.

Please contact Ms. Lynn Robertson [E-mail: Lynn.Robertson@oecd.org], if you have any questions regarding this document.

JT03455646

Competition Provisions in Trade Agreements

- Contribution from Malaysia –

1. Malaysia Competition Commission (MyCC) appreciates the opportunity to submit these contributions to the OECD Global Forum on Competition specifically on competition provisions in free trade agreements.
2. As a young competition agency which was established in April 2011 to enforce the Competition Act 2010, it is a great platform MyCC to learn more about this aspect of competition policy and law as the Free Trade Agreements (FTAs) have been one of the main catalysts to a more freer, fairer and competitive international markets in the present day.
3. For Malaysia, so far it has implemented seven (7) bilateral FTAs and six (6) regional FTAs. There are a few more bilateral and regional FTAs in the pipeline in which Malaysia hopes to finalise and eventually signs and ratifies in the near future including, of course, the RCEP and CPTPP.
4. In terms of MyCC's experiences and involvements in the trade negotiations such as FTAs, it had actively participated in most of the trade negotiations since its establishment, especially during the period of 2011-2015. It had also consistently contributed our inputs towards the developments of FTAs that involved Malaysia.
5. Since MyCC is one of the agencies under Ministry of Domestic Trade and Consumerism, naturally, the foreign policies as regards to competition are under the jurisdiction of the Ministry. MyCC's main role in the trade negotiations, particularly in relation to the competition chapter, if there is any, is to provide technical advice to the Ministry, especially when it concerns the implementation aspect of the competition law.
6. Having said that, the technical advice with regards to competition policy and law does not only limited to our own Ministry as MyCC can also provide policy advice to other Government's Ministries and Agencies if it concerns national interest.
7. Moving forward, MyCC hopes to continue to contribute significantly to the development of FTAs in Malaysia and around the region.