**Action Plan and Implementation Timeline for KOICA**

**2019**

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| **Project Title: Strengthening The Competition Regime in Pakistan** |
| **Project Period Goal:** ***The possible effect or result if the project period goal is achieved.***The project is expected to have both short term and long term effects on improving enforcement and advocacy functions of the CCP. Mainly, the following objectives are expected to be achieved:1. **Enforcement:** The project outcomes shall help in strengthening the CCP’s enforcement capacity, particularly in the areas of cartel investigations, Leniency and Deceptive Marketing Practices.
2. **Advocacy:** Undertaking advocacy efforts aimed at increasing effectiveness of the relevant initiatives through extensive awareness programs amongst all stakeholders.
3. **Information Systems and Technology:** Implementation of a Bid Rigging Indicator Analysis System (BRIAS) will ensure the early detection of Bid Rigging Cartels and enable CCP to effectively enforce Section 4 of the Competition Act, 2010.
4. **OFT:** Consumer protection related guidelines will help achieve CCP’s goal of spreading awareness regarding Section 10 of the Competition Act, 2010.
5. **OIEA:** Memorandum of Understanding with the KFTC on information sharing and collaboration will enable CCP to achieve case outcomes that are consistent with those of KFCT in international cartel cases and global Merger and Acquisition transactions.
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| **Annual Objectives** | **Measure(s) of Success** | **Activities** | **Q1** | **Q2** | **Q3** | **Q4** | **Team Member Responsible** | **Completion Date** |
| Payment of 3% of fee and charges levied by 5 regulators to support CCP[[1]](#footnote-1) | 1. Issuance of SRO[[2]](#footnote-2) will help CCP to be financially independent to carry out at least 3 Researches annually.
 | 1. Correspondence with the 5 Regulators.
2. Meeting/Consultation with the MoF[[3]](#footnote-3)
3. Submission of summary to the Cabinet
 | - | - | - | - | OIEA[[4]](#footnote-4) | May-2020 |
| MoU[[5]](#footnote-5) with Privatization Commission | 1. Signing of MoU will help CCP to be part of technical committee of Cabinet Committee on Privatization. This would enable CCP to be part of the committee on any Privatization done by the Government.
 | 1. Working paper to be prepared by CCP for the MoF
2. MoF to write to the Privatization Commission
3. Hold meetings with Privatization Commission along with MoF
4. Share the draft of MoU with Privatization Commission
 | - | - | - | - | OIEA and MoF | February-2020 |
| Ensure CCP NOC[[6]](#footnote-6) mandatory in SECP[[7]](#footnote-7) regulation prior to any change in shareholding/transfer of shares | 1. Revision of Regulations of SECP w.r.t CCP’s NOC for any change in shareholding/transfer of share
 | 1. CCP to initiate a summary for MoF
2. MoF to direct SECP for the revision in Regulations ensuring CCP’s NOC for any change in shareholding/transfer of shares
3. Hold meetings/ Consultation with SECP along with CCP for the issuance of revised Regulations
 | - | - | - | - | OIEA and MoF | September-2019 |

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| **DECEPTIVE MARKETING PRACTICES** |
| Guidelines on Deceptive Marketing Practices  | 1. The guidelines will help in clarifying the issues related to Section 10 of the Competition Act. It would ensure three effects, i.e.;
* Help Investigation officers
* Guide the undertakings
* Consumer awareness
 | 1. Submission of the Working paper for the approval of the Commission.
2. Draft guidelines in light of the Consumer Laws of KCA[[8]](#footnote-8).
3. To launch the awareness program for the undertaking as well as for consumers.
 | - | - | - | - | Office of Fair Trade, Advocacy and OIEA | January-2020 |

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| **IS&T[[9]](#footnote-9)** |
| Bid Rigging Indicator Analysis System (BRIAS) | 1. Anti-Bid-rigging tools.
2. Advocacy initiatives will help in taking public procurement departments onboard to use this tool.
 | 1. Working paper for the approval of the Commission
2. Development/ upgradation of tool
3. Advocacy sessions for public procurement departments
 | - | - | - | - | IS&T and OIEA | March-2020 |

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| **ADVOCACY** |
| Expanding Social Networking through digital advocacy  | 1. Advocacy of Competition law in Pakistan
2. Consumer Awareness regarding the activities of the Commission
3. 10% increase in enforcement activities
 | 1. Rigorous usage of twitter
2. Launch of YouTube channel
3. Blogs
4. Animated content development
 | - | - | - | - | Advocacy and IS&T | April-2020 |
| Unfair trade practices by SME’s[[10]](#footnote-10) | 1. Competition issues to be highlighted in the SME’s sector
2. Protection of SME’s from big players in the same industry.
 | 1. Interactive sessions with SME clusters of Pakistan
2. Publication of a consolidated report afterwards
 | - | - | - | - | Advocacy and Enforcement Departments | November- 2020 |
| CCP’s competition compliance program to be updated on KFTC[[11]](#footnote-11) CP[[12]](#footnote-12) model | 1. Enhanced implementation of voluntary compliance program
 | 1. Various interactive sessions with undertakings on compliance program
2. Developing in house compliance program on KFTC model
3. Incentivizing compliance program on KFTC model
 | - | - | - | - | Advocacy, CP&R[[13]](#footnote-13) and OIEA | May-2020 |

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| **OIA** |
| MOU with KFTC on collaboration and information sharing | 1. Information sharing and collaboration between CCP and KFTC
 | 1. Submission of working paper to CCP
2. Draft for approval from Commission of CCP.
3. Drafting and submission to KFTC
4. Feedback and correspondence with KFTC
5. Signing of MoU
 | - | - | - | - | OIEA | January 2020 |
| Implementation of KFTC Think Fair system at CCP |  |  | - | - | - | - | OIEA & IS&T | 2022 (After Think Fair has been implemented in the Philippines) |

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| **CARTEL & TRADE ABUSE** |
| Formulation of internal guidelines based on international best practices for cases on margin squeeze | 1. Internal guidelines for enquiry officers regarding analysis of margin squeeze cases.
2. Application of methodologies to cases of margin squeeze.
 | 1. Assessment of legal and economic framework and major case law of EU, US, Korea.
2. Comparison, evaluation and applicability of practices that can be adopted under competition regime in Pakistan
3. Formulation of guidelines for stepwise calculation which will include conditions for margin squeeze such as W>P1-C1 and classification of costs to include.
4. Placement of draft document for approval by the Commission.
 | - | - | - | - | C&TA[[14]](#footnote-14) | May-2020 |
| Guaranteed access to essential facilities to all market competitors | 1. Guidelines on guaranteed access to essential facilities in telecom industry (Right of Way).
2. Guidelines on guaranteed access to essential facilities in aviation fuel supply market.
 | 1. Identification of anti-competitive issues based on current cases.
2. Identification and general assessment of agreements that grant exclusive rights in terms of essential facilities.
3. Study of international framework on grant of essential facilities.
4. Liaison with the relevant regulators.
 | - | - | - | - | C&TA and Exemptions | May-2020 |
| Introduction of Amnesty Plus Scheme | 1. Improved detection of cartel activity.
 | 1. Review of existing leniency & Amnesty Plus regulations in line with international best practices esp. KFTC.
2. Draft Amnesty Plus regulations to be presented to the Commission for approval.
 | - | - | - | - | C&TA and Legal | December- 2019 |

1. Competition Commission of Pakistan [↑](#footnote-ref-1)
2. Statutory Regulatory Order [↑](#footnote-ref-2)
3. Ministry of Finance [↑](#footnote-ref-3)
4. Office of International and External Affairs [↑](#footnote-ref-4)
5. Memorandum of Understanding [↑](#footnote-ref-5)
6. No Objection Certificate [↑](#footnote-ref-6)
7. Securities and Exchange Commission of Pakistan [↑](#footnote-ref-7)
8. Korea Consumer Agency [↑](#footnote-ref-8)
9. Information Systems and Technology [↑](#footnote-ref-9)
10. Small and Medium Enterprises [↑](#footnote-ref-10)
11. Korea Fair Trade Commission [↑](#footnote-ref-11)
12. Compliance Program [↑](#footnote-ref-12)
13. Competition Policy & Research [↑](#footnote-ref-13)
14. Cartels and Trade Abuse [↑](#footnote-ref-14)