



PROPOSED CHANGES TO THE CCCS PENALTY GUIDELINES

A CCCS Consultation

16 July 2021

FOREWORD

Introduction

The *CCCS Guidelines on the Appropriate Amount of Penalty in Competition Cases* (“**Penalty Guidelines**”) provide general guidance and information about the basis on which the Competition and Consumer Commission of Singapore (“**CCCS**”) will calculate financial penalties for infringements of the Competition Act (Cap. 50B). CCCS intends to make some clarificatory amendments to the list of mitigating factors contained in the Penalty Guidelines. CCCS now seeks comments and views on the proposed changes.

This document includes an overview of the proposed changes and questions for interested parties to consider and respond to. The draft revised Penalty Guidelines containing the proposed changes can be accessed through the link in the Annex below.

Responding to this consultation

CCCS welcomes responses to this consultation from all sources, including law firms, consultancy firms, the business community, government departments as well as members of the public. The Annex sets out the feedback that is sought by CCCS. Persons responding to the consultation should give an indication of any organisation(s) or interest(s) they represent.

The consultation period begins on 16 July 2021 and ends on 5 August 2021.

Please submit your response by way of the Public Consultation Feedback Form linked in the Annex. Alternatively, you may submit your response via email to CCCS_consultation@cccs.gov.sg. Where relevant, respondents should identify, within each submission, the specific paragraph of the draft revised Penalty Guidelines to which they are providing comments and views.

It would be preferred if any responses via email set out a respondent’s submission in the form of an attachment, organised in the following manner:

- (i) Cover page
- (ii) Table of contents
- (iii) Statement of interest
- (iv) Summary of major points
- (v) Comments and responses to questions
- (vi) Conclusion

All submissions should be clearly and concisely written and should provide a reasoned explanation for any view on CCCS's proposed amendments to the Penalty Guidelines. Any supporting material for the submission may be annexed.

In the interest of transparency, CCCS proposes to publish a summary of the key comments to this consultation. A respondent may request that any part of a submission believed to be confidential or commercially sensitive be kept confidential. Any such information should be clearly marked when communicated to CCCS.

Next steps

Following this consultation, CCCS will review the responses provided and consider if the proposed changes and any further amendments should be made to the Penalty Guidelines. It is expected that the revised Penalty Guidelines, as well as a document summarising the key comments to this consultation, will be published in due course.