

[ADMINISTRATIVE ORDER NO. 44, October 20, 2021]

DIRECTING THE ADOPTION AND IMPLEMENTATION OF THE NATIONAL COMPETITION POLICY

WHEREAS, Section 19, Article XII of the Constitution provides that the State shall regulate or prohibit monopolies when the public interest so requires, and that no combinations in restraint of trade or unfair competition shall be allowed;

WHEREAS, Republic Act (RA) No. 10667 or the "Philippine Competition Act," declares it a policy of the State to: (i) promote free and fair competition in trade, industry and all commercial economic activities; (ii) prevent economic concentration that unduly stifles competition, as well as those that lessen, manipulate or constrict the discipline of free markets; and (iii) penalize all forms of anti-competitive behavior for the purpose of protecting consumer welfare and advancing trade and economic activity;

WHEREAS, Section 2(a) of RA No. 10667 provides that the State shall establish a National Competition Policy, to be implemented by the National Government and all of its political agencies;

WHEREAS, Section 12(o) of RA No. 10667 mandates the Philippine Competition Commission (PCC) to assist the National Economic and Development Authority (NEDA), in consultation with relevant government agencies and sectors, to prepare and formulate a National Competition Policy and Implement the same;

WHEREAS, on 30 July 2020, the NEDA and PCC issued the National Competition Policy through NEDA-PCC Joint Memorandum Circular No. 01-2020 (s.2020);

WHEREAS, the National Competition Policy is in accordance with the strategic outcomes envisioned under the Updated Philippine Development Plan 2017-2022, to create an enabling and supportive economic environment with a strong and credible competition policy that will level the playing field and encourage more investments;

WHEREAS, the adverse effects of the COVID-19 pandemic to the economy require swift and strong government actions to maintain market efficiency and stimulate economic recovery; and

WHEREAS, an effective National Competition Policy is key in ensuring that government responses and interventions follow competition principles in order to address the market failures and distortions that may arise from the COVID-19 crisis;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order;