

Competition (Appeals) Regulations 2006

Table of Contents

Enacting Formula

Part I PRELIMINARY

1 Citation and commencement

2 Definitions

3 Responsibilities of Secretary

4 Board's address for service

5 Board's website

6 Representation

Part II APPEALS

Division 1 — Commencing appeal proceedings

7 Commencement of appeals

8 Notice of appeal

9 Defective notices of appeal

10 Power to reject

11 Amendment of notice of appeal

12 Withdrawal of appeal

Division 2 — Response to appeal proceedings

13 Appeal number, etc.

14 Defence

15 Defective defence

16 Amendment of defence

Division 3 — Publication and consolidation

17 Publication of summary of appeal

18 Consolidation, etc.

Division 4 — Case management

19 Directions

20 Case management conference

21 Timetable for oral hearing

22 Evidence

23 Summoning of witnesses

24 Failure to comply with directions

Part III GENERAL PROVISIONS

Division 1 — Hearing of appeals

25 Hearing to be in public

26 Procedure at hearing of appeals

27 Adjournment

Division 2 — Confidentiality

28 Requests for confidential treatment

Division 3 — Decision of Board

29 Decision of Board

30 Costs

31 Interest

32 Consent orders

Division 4 — Interim orders and measures

33 Power to make interim orders and directions

34 Application for interim relief

Part IV MISCELLANEOUS

35 Constitution of committee

36 Meetings of Board

37 Service of documents

38 Fees

39 Time

40 Irregularities

41 General powers of Board

THE SCHEDULE Fees

COMPETITION ACT
(CHAPTER 50B)

COMPETITION (APPEALS) REGULATIONS 2006

In exercise of the powers conferred by section 72(15) of the Competition Act, the Minister for Trade and Industry hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Competition (Appeals) Regulations 2006 and shall come into operation on 1st March 2006.

Definitions

2. In these Regulations, unless the context otherwise requires —

“application for interim relief” means an application made under regulation 34;

“Board” means the Competition Appeal Board established under section 72(1) of the Act, and includes a committee of the Board constituted under section 72(10) of the Act for the purpose of hearing an appeal made under section 71(1) of the Act;

“Board’s address for service” means the address for service of documents on the Board referred to in regulation 4;

“Board’s website” means the Internet website of the Board referred to in regulation 5;

“Chairman” means the Chairman of the Board appointed under section 72(5) of the Act;

“Presiding Board Member” means the Chairman or a member of the Board presiding at a meeting of the Board or the hearing of an appeal;

“register” means the register of orders and decisions of the Board established and maintained by the Secretary pursuant to regulation 3(d);

“register of practitioners” means the annual register kept under section 27 of the

Legal Profession Act (Cap. 161);

“Secretary” means the secretary to the Board appointed by the Minister under section 72(7) of the Act;

“working day” means any day except a Saturday, Sunday or public holiday.

Responsibilities of Secretary

3. The Secretary shall act in accordance with such instructions as may be given by the Chairman or the Board from time to time and shall, in particular, be responsible for —

- (a) the acceptance, transmission, service and custody of documents in accordance with these Regulations;
- (b) the establishment and maintenance of a list of all notices of appeal lodged with the Board;
- (c) the keeping of a record of the proceedings of the Board in such form as the Chairman may direct;
- (d) the establishment and maintenance of a register in which all orders and decisions of the Board shall be registered; and
- (e) the certification that any order, direction or decision is an order, or a direction or decision, of the Board or a Presiding Board Member, as the case may be.

Board’s address for service

4. Any document to be lodged with, sent to or served on the Board shall be addressed to the “Secretary to the Competition Appeal Board” and sent to the following address in a manner prescribed in regulation 37(4):

- (a) 100 High Street, #04-04, The Treasury, Singapore 179434; or
- (b) such other address as may be notified, from time to time, in the *Gazette* and on the Board’s website.

Board’s website

5. The Board’s website shall be at <http://www.cab.gov.sg> or such other online location as may be notified, from time to time, in such manner as the Chairman may direct.

Representation