

SINGAPORE			
COMPETITION FRAMEWORK			
Competition Law	The Competition Act—Chapter 50B—Act no. 46 of 2004 (“Competition Act”) was enacted on October 19, 2004.		
Competition Authority	The Competition Commission of Singapore (“CCS”) started functioning on January 1, 2005. Website: http://www.ccs.gov.sg		
STATUS OF THE COMPETITION AUTHORITY			
Accountability			
Does the Competition Authority have obligations before the executive?	Yes	√	Obligations to report to the executive on on-going investigations upon request.
		X	The decisions of the Competition Authority may be vetoed by a ministry or by the executive branch.
		√	The Competition Authority has to report on an annual basis to the executive.
		Other obligations/comments: See Competition Act, section 8.	
Does the Competition Authority have obligations before the legislature?	Yes	√	Obligation to publish an annual report on its activities.
		X	Obligation to stand before parliament and to respond to congressmen on an annual basis.
		X	Its activities are monitored by an independent auditor or by oversight committees.
		Other obligations/comments: Following the end of each financial year, the CCS will give the minister a report on its activities and performance throughout the year. The annual report will contain information on the proceedings and policy of the CCS as the minister may direct.	
Does the Competition Authority have obligations before the judiciary?	Yes	√	Decisions of the Competition Authority are subject to judicial review.
Independence			
Are the criteria for appointment and removal of the head/board members clear and transparent?	Yes		
Does the executive have powers to decide on specific cases based on public interest?	Yes		The Minister may, by order, provide for an exemption under public policy grounds.
Does the executive retain decision-making powers over the Competition Authority?	No		The CCS is an independent statutory body.
Is the Competition Authority obliged to publish its reasoned decisions to ensure transparency?	Yes		All infringement decisions, merger decisions and notification for decision are published in the CCS website.
Is there a provision of the national budget allocated by law to the Competition Authority to ensure its proper functioning?	Yes		Current fiscal year budget for 2012: Approximately S\$17 million.
Can the Competition Authority be financed by its own means (notification fees, fines, etc.)?	No		
GOVERNANCE OF THE COMPETITION AUTHORITY			
Is the Competition Authority governed by a single chairman or by a collegiate body?	Collegiate body		The CCS consists of a chairman and no fewer than four other members, appointed by the minister.
Are the heads appointed by a minister?	Yes		
Are the heads appointed by representatives of more than one government branch?	No		
Is there a fixed period during which removal is prohibited?	No		
Is the tenure of the heads renewable?	Yes		A member of the CCS shall hold office on such conditions and for such term of not less than three years and not more than five years as the Minister may determine, and shall be eligible for re-appointment.
Are the heads required to have certain minimum qualifications (degree in law or economics, age, experience)?	Yes		
ARCHITECTURE			
Is the Competition Authority a stand-alone agency with an independent physical location or is it part of a bigger entity such as a minister?	Stand-alone agency		CCS is a statutory board under the Ministry of Trade and Industry.
POLICY-MAKING AGENTS -DIVERSIFICATION-			
How many agencies are responsible for competition enforcement?	Multiple agencies		Sectors such as energy, telecommunications and postal services, media and airport services are excluded from the Competition Act, as they are governed by sectoral regulators with their own set of competition frameworks and regulations.
Do sector regulators have competition policy	Telecommunications		This sector has its own competition regulation, and is excluded from

enforcement mandate?		the Competition Act.	
	Energy	This sector has its own competition regulation, and is excluded from the Competition Act.	
	Postal services, media and airport services	This sector has its own competition regulation, and is excluded from the Competition Act.	
Have the Competition Authority and other agencies signed protocols or memoranda of understanding?	No		
POLICY DUTIES			
Does the Competition Authority have exclusive mandate on competition or multiple mandates?	Exclusive competition mandate	X	Concurrent consumer protection mandate.
		X	Concurrent IP mandate.
		Other mandates: None.	
PORTFOLIO INSTRUMENTS			
Law Enforcement			
Does the Competition Authority have powers to investigate cartels?	Yes	Singapore's system of competition enforcement is an administrative one that empowers CCS to investigate and make findings of violations and impose financial penalties in appropriate cases.	
Does the Competition Authority have powers to conduct dawn raids at premises?	Yes		
Can the Competition Authority investigate <i>ex officio</i> cases?	Yes		
Does the Competition Authority have powers to accept leniency applications?	Yes		
Does the Competition Authority have powers to accept seek criminal punishment?	No		
Advocacy			
Can the Competition Authority issue opinions on draft legislation?	Yes	The opinions are binding.	
Is the executive and/or the legislature obliged to request the opinion of the Competition Authority when drafting legislation that may impact competition?	No		
Rulemaking			
Can the Competition Authority issue guidelines or other type of secondary legislation?	Yes	√	Guidelines on the calculation of fines.
		√	Guidelines on merger control.
		√	Guidelines on the economic analysis of abuse of dominance cases.
Research & Reporting			
Can the Competition Authority carry out market studies?	Yes		
Can the Competition Authority report to the legislature on the results of market studies?	No	However, the CCS may publish the results of its market studies on the website.	
DECISION-MAKING FUNCTIONS			
Aggregated Functions			
Does the Competition Authority make the decision to investigate and to prosecute cases?	Yes		
Does the Competition Authority make guilty findings?	Yes		
Does the Competition Authority impose punishments?	Yes		
Is there a single body that carries out the investigation and the guilty findings within the Competition Authority?	No		
Can the Competition Authority's decisions be appealed to a court?	Yes		
Disaggregated Functions—Prosecutorial Model			
Are there different authorities that make the decision to investigate and to prosecute cases?	No		
Are disputes presented for decision to a separate entity/tribunal?	No		