

REQUEST FOR EXPRESSIONS OF INTEREST (EOI) IN JOINING LITIGATION SERVICES PANEL

The Competition Commission is an independent statutory body established under the Competition Ordinance (Cap. 619) (“**Ordinance**”) to enforce the provisions of the Ordinance. The Commission may, from time to time, require the services of Hong Kong solicitors firms to assist its internal legal function in various litigation matters arising out of the enforcement functions of the Commission (“**Litigation Services**”).

Litigation Services include the provision of advice and representation where the Commission is:

- (a) the applicant in enforcement proceedings in the Competition Tribunal;
- (b) the respondent in proceedings for the review of a reviewable determination in the Competition Tribunal or judicial review proceedings; and
- (c) involved or interested in any other proceedings or potential proceedings under the Ordinance.

The Commission has maintained a panel of solicitors firms since 2016, with appointments to the panel for a period of two years (“**Litigation Services Panel**”). With this notice, the Commission requests EOIs from Hong Kong solicitors firms interested in joining the Litigation Services Panel.

Firms interested in providing Litigation Services to the Commission

For the purposes of its Litigation Services Panel, the Commission will consider EOIs from firms which:

- (a) are a Hong Kong Solicitors Firm;
- (b) include solicitors who have relevant experience and qualifications in the provision of the type of services described in this EOI;¹ and
- (c) respond to this EOI according to the criteria and requirements set out in this EOI.

Firms interested in providing Litigation Services to the Commission should submit a written application to the Commission (to the attention of Mr. Steven Parker, Executive Director (Legal Services)) providing:

- (a) details about the team of solicitors that is proposed to provide Litigation Services to the Commission (“**Designated Team**”). The EOI should identify who, within the Designated Team, will serve as the primary person responsible for handling the Litigation Services to be

¹ For the avoidance of doubt, the Commission is open to EOIs from firms whether or not they have experience in advising on competition law.

provided to the Commission (“**Team Leader**”). The Team Leader should be a Hong Kong solicitor with a current practising certificate to practise as solicitor in Hong Kong;

- (b) the curriculum vitae of the Designated Team members, which should identify the years of experience in handling litigation in Hong Kong and, separately and if applicable, overseas, and proficiency in reading, writing and speaking in the English and Chinese languages; and
- (c) where appropriate, details of any proposed internal arrangements of the firm (such as Chinese walls etc.) to address issues of potential conflicts of interest that may arise and/or may otherwise be necessary to protect the interests of the Commission.

Submission

All EOIs must be sent by post or delivered by hand and reach the Commission by no later than 12:00 noon (Hong Kong time) on the closing date 21 December 2018. Late submissions will not be accepted. The EOI should not include any fee proposals at this stage.

The sealed envelope enclosing the submission should be clearly labelled “Submission in Response to Request for EOI from the Competition Commission” and include the reference EOI/LSP2019.

Submission Evaluation

The Commission will assess applicants’ submissions to identify suitable firms that are capable of providing the Litigation Services. The Commission will assess the submissions based on the following criteria:

- (a) experience and expertise in civil, administrative and criminal litigation;
- (b) experience and expertise in advising Government and supervisory/enforcement agencies; and
- (c) the curriculum vitae of the Designated Team.

Any enquiries about the submission of the response to the EOI must be made by email to stevenparker@compcomm.hk before 12:00 noon 14 December 2018. The Commission may inform the other firms that have submitted a response to the EOI of the broad nature of the enquiry and its response.

Further details about the Commission and its work can be found on the Commission’s website at <http://www.compcomm.hk>.