

## 競委會接納 Foodpanda 及 Deliveroo 戶戶送作出的承諾 Commission accepts commitments offered by Foodpanda and Deliveroo

競委會接納了兩個在香港具領先地位的網上外賣平台Delivery Hero Food Hong Kong Limited (Foodpanda) 及Deliveroo Hong Kong Limited (Deliveroo 戶戶送)<sup>1</sup>作出的承諾。

競委會的調查發現，Foodpanda及Deliveroo戶戶送對合作餐廳施加的某些要求，或會損害競爭，可能違反《競爭條例》（《條例》）下的第一行為守則。為釋除有關疑慮，兩平台各自提出修訂或刪除有關條文。

接受承諾有三大好處。對餐廳而言，與多於一個網上外賣平台合作及訂定堂食和其他外賣渠道的餐點價格時，可享有更大自由；與此同時，新晉及小型平台亦可與更多餐廳合作，並擴大其網絡。而外送平台之間的競爭加強，最終亦會為消費者帶來好處，包括更多選擇，及可能帶來較高的服務水平和較低的餐點價格。

該等承諾已於2023年12月29日生效，為期3年<sup>2</sup>，並設有匯報機制，以確保平台遵守承諾。

詳情見[新聞稿](#)。

The Commission has accepted commitments offered by two leading online food delivery platforms in Hong Kong, namely Delivery Hero Food Hong Kong Limited (“Foodpanda”) and Deliveroo Hong Kong Limited (“Deliveroo”)<sup>1</sup>.

The Commission’s investigation found that certain requirements imposed by Foodpanda and Deliveroo on their partnering restaurants may harm competition, potentially in contravention of the First Conduct Rule of the Competition Ordinance (“Ordinance”). To address the concerns, the two platforms have each offered to amend or remove the relevant provisions.

The advantages of accepting the commitments are threefold. While restaurants can enjoy greater freedom in partnering with more than one online food delivery platform and in pricing menu items across their dine-in and other delivery channels, new entrants and



1. Deliveroo戶戶送的母公司Deliveroo plc，亦為作出有關承諾的一方。  
Deliveroo’s parent company, Deliveroo plc, is also one of the parties to these commitments.
2. 各方的承諾包括解除承諾的機制，以靈活處理Foodpanda及／或Deliveroo 戶戶送在承諾有效期內其市場佔有率下降的情況。

small platforms can partner with more restaurants and grow their network. Ultimately, end customers will reap the benefits of increased competition between platforms, which include more choices and potentially better services and lower menu prices.

The commitments came into effect on December 29, 2023 and would remain in force for a period of three years<sup>2</sup>, with reporting mechanisms in place to ensure compliance.

View [Press Release](#).

## 競委會與廉署首次採取聯合行動 搗破樓宇維修工程違法集團 Syndicate smashed in Competition Commission and ICAC first joint operation on building maintenance

競委會與廉署於4月16及17日首次採取聯合行動，搗破了一個新冒起的樓宇維修工程貪污及圍標集團。

兩個機構於聯合行動中，根據法庭手令搜查了共約40個處所，包括多間工程承辦商、顧問公司及物業管理公司的辦公室，以及涉案人士的住所等，並檢走多項證物，包括多部電腦及手提電話，以及與樓宇維修工程相關的招標文件等。



競委會在行動中行使了其強制權力，除了持法庭手令搜查處所，亦要求有關各方交出文件和資料。行動期間，有個別人士拒絕提供有關資料，妨礙競委會的調查工作，此為《競爭條例》第52條及第54條所訂明的刑事罪行，競委會會作出跟進。

廉署在聯合行動中拘捕20名人士，分別為17男3女，年齡介乎36歲至70歲，包括該集團的主腦及骨幹成員，涉及工程承辦商、工程顧問、中間人、業主立案法團成員以及物業管理公司職員。

行動共涉及兩個位於港島的住宅屋苑及商住樓宇，以及四個位於新界的住宅屋苑及工業大廈的多個維修工程項目，合約總值約1.8億元，個別合約金額由數百萬元至數千萬元不等。

詳情見[新聞稿](#)。

The Commission and ICAC conducted their first joint operation on April 16 and 17, neutralising a newly-rising syndicate engaging in corruption and bid-rigging in relation to building maintenance.

In the joint operation, search warrants were executed by the two authorities to conduct searches at about 40 premises, including offices of project contractors, consultancies and

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2. The commitments include a release mechanism that allows for flexibility throughout the duration of the commitments, addressing situations where Foodpanda and/or Deliveroo see(s) a decrease in market share.

property management companies, as well as residences of the individuals concerned. Various exhibits were also seized, including computers, mobile phones, and tendering documents relating to building maintenance projects.

The Commission has exercised its compulsory powers in the operation. In addition to searching premises with warrants, it also requested relevant parties to produce documents and information. During the course of the operation, certain individuals had refused to provide relevant information. The Commission will follow up on this obstruction of its investigation powers, which is criminal in nature under Sections 52 and 54 of the Competition Ordinance.

In the joint operation, the ICAC arrested 20 persons, namely 17 men and three women aged between 36 and 70, including the mastermind and backbone members of the syndicate. The arrestees included project contractors, project consultants, middlemen, members of Incorporated Owners and members of property management companies.

The operation involved renovation projects of two residential estates and residential-commercial composite buildings on Hong Kong Island, as well as four residential estates and industrial buildings in the New Territories. Individual contracts of such renovation projects worth from several millions to several tens of millions dollars, totalling around \$180 million.

View [Press Release](#).

## 競委會就殯儀業案件展開搜查行動 Commission conducts search regarding funeral service

競委會於1月17日展開搜查行動，根據法庭手令搜查了13個分別位於紅磡、屯門及元朗的處所，包括多間殯儀服務公司，及一個商會的辦公室。

競委會於2023年8月突擊訪查新界（沙田）法醫學大樓（重置後的富山公眾殮房），並分析收集到的資料，除了從中發現有殯儀從業員於上述地點協調如何招攬生意，涉嫌瓜分市場外，亦有商會和一些殯儀服務公司及從業員在提供殯儀服務時，涉嫌從事合謀定價等反競爭行爲。

競委會因此決定循有關方向作出跟進，開立另一個案，並在信納個案存在「合理因由懷疑」有違反競爭守則的情況下，將個案提升至調查階段。

競委會在行動中行使了其強制權力，除了持法庭手令搜查處所，亦要求有關各方交出文件和資料。

詳情見[新聞稿](#)。



On January 17, the Commission executed search warrants at 13 premises, including a number of funeral service companies and an office of a trade association in Hung Hom, Tuen Mun and Yuen Long.

After a surprise visit to the New Territories (Shatin) Forensic Medicine Centre (*the reprovisioned Fu Shan Public Mortuary*) back in August 2023, the Commission analysed the information and found that, apart from allegations that funeral service practitioners engaged in market sharing by coordinating their solicitation of customers at the Centre, a trade association and certain funeral service companies and practitioners were also suspected of engaging in anti-competitive conduct, including price fixing when providing funeral services.

The Commission therefore initiated another case to pursue the matter and was satisfied that there is “reasonable cause to suspect” a contravention of a competition rule. The Commission thus decided to escalate the case to the investigation phase.

The Commission has exercised its compulsory powers in the operation. In addition to searching premises with warrants, it also requested relevant parties to produce documents and information.

View [Press Release](#).

## 競委會與廣東省市場監督管理局共同發布合規指南 Commission and Guangdong Administration for Market Regulation co-publish compliance manual

競委會與廣東省市場監督管理局（廣東市場監管局）共同發布《粵港企業競爭合規指南》（《指南》）。該《指南》有助在粵港澳大灣區（大灣區）營運的企業，尤其是中小企，認識及理解香港及廣東兩地的競爭法制度，並採取相應的合規措施，提升內部風險評估，加強守法能力。

競委會與廣東市場監管局基於過往的執法及倡導工作經驗，共同編撰了《指南》，以深入淺出的手法，介紹香港的《競爭條例》及內地的《反壟斷法》，包括法例的主要內容、執法機制及違法後果等，並就粵港企業的競爭合規管理作出多項建議。《指南》亦列舉了兩地的競爭法案例，供企業及各界人士參考。



詳情見[新聞稿](#)及[《指南》](#)。

The Commission and the Guangdong Administration for Market Regulation (GDAMR) have co-published the *Competition Compliance Manual for Businesses in Guangdong and Hong Kong* (Manual). The Manual will assist businesses in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA), especially small and medium-sized enterprises, to gain an understanding of the competition law regimes in Hong Kong and Guangdong, take corresponding measures to enhance their internal risk assessments and strengthen their ability to comply with the law.



The Commission and the GDAMR, based on their past experiences in enforcement and advocacy, jointly compiled the Manual to introduce the Competition Ordinance in Hong Kong and the Anti-monopoly Law in the Mainland to the business community in an easy-to-understand manner. Apart from explaining the key elements of the laws, their enforcement mechanisms and consequences of contraventions, the Manual also features competition law case studies from both jurisdictions, and provides recommendations to businesses to facilitate their compliance strategies.

View [Press Release](#) and [Manual](#).

## 競委會繼續與海外競爭法機構緊密聯繫

### Commission continues to strengthen ties with overseas counterparts

第22屆國際競爭會議於2024年2月28日至3月1日在柏林舉行，會議提供了一個寶貴的交流平台，讓競委會積極參與國際討論。

會議期間，行政總裁畢仲明先生分享了競委會的執法方針如何有效地取得成果，及回應公眾期望。世界各地的與會者，包括30多個競爭法機構，以及經濟合作與發展組織（OECD）和聯合國貿易和發展會議（UNCTAD）等國際組織的代表，均對競委會的分享深感興趣。

3月22日，競委會接待了由國務秘書Sopheak Sok率領的柬埔寨商務部代表團。是次交流成果豐碩，雙方就穩健的競爭政策如何有效促進經濟增長、締造方便營商的環境進行了討論，並探討了與數碼市場有關的競爭事宜。

第72屆美國律師協會反壟斷法春季會議於4月10至12日舉行，期間競委會主席陳家殷先生與加拿大競爭局委員Matthew Boswell於對談環節中接受訪問。

陳主席談及香港競爭法制度的發展、競委會與國家市場監督管理總局的工作關係，以及競委會國際化的工作班子與執法方式。

於會議另一討論環節—「亞太執法者：疫後最新發展」中，陳主席分享了競委會於疫情期間的執法成果、執法重點及國際間的合作，並介紹了競委會深入人心的倡導工作。



The 22nd International Conference on Competition in Berlin, held from February 28 to March 1, 2024, provided a valuable platform for the Commission to actively engage in international discussions.

During the conference, CEO Mr. Rasul Butt shared the Commission's approaches to its enforcement work which aim to bring about outcomes effectively while aligning with public expectations. The Commission's sharing received strong interest from the global audience, including representatives from over 30 competition authorities and international organizations such as the OECD and the UNCTAD.



On March 22, the Commission welcomed a senior delegation from the Ministry of Commerce of Cambodia, led by His Excellency Mr. Sopheak Sok, Secretary of State. It was a fruitful exchange with a focus on how robust competition policies contribute greatly to economic growth and a business-friendly environment. The dialogue also explored competition issues arising from digital markets.



During the American Bar Association's 72nd Antitrust Law Spring Meeting from April 10 to 12, the Commission's Chairman, Mr Samuel Chan, together with Competition Bureau Canada's Commissioner of Competition, Mr Matthew Boswell, were interviewed in a fireside chat. Mr Chan spoke about the development of Hong Kong's competition law regime, the Commission's working relationship with the State Administration for Market Regulation and the international character of the Commission's staff composition and enforcement approach.

At another panel session during the Spring Meeting, "Asia-Pacific Enforcers: Post-Pandemic Update", Mr Chan discussed the enforcement achievements of the Commission during the COVID pandemic, enforcement priorities and international cooperation. He also highlighted the Commission's impactful public advocacy work and initiatives.

## 與年輕一代接觸

### Engaging the younger generation



# 玩PO競

## 社交媒體宣傳 挑戰賽2024

#Post to Compete!  
Social Media Advocacy Challenge

[www.postto Compete.hk](http://www.postto Compete.hk)

競委會於2024年2月推出了「玩·PO·競」社交媒體宣傳挑戰賽。該活動乃是競委會於較早前為高中學生而設的「合謀有罪！睇劇認識《競爭條例》」教育活動的延伸。

挑戰賽公開予本港高中學生參與，參賽者須創作社交媒體宣傳帖子，推廣競爭法，冠軍隊伍可贏取港幣8,000元獎學金，並獲得職場體驗機會。活動共吸引超過180隊來自80多間學校的學生報名參加。

為了讓參賽學生了解《條例》並學習社交媒體宣傳秘技，競委會於4月20日舉辦了一場工作坊，由競委會代表、網絡紅人笑波子及網絡營銷專家主講，分享見解及經驗。

另此，競委會與教育局首次合辦了競爭法香港中學教師培訓課程，共吸引了約280名任教不同科目的中學教師報名參與。培訓課程讓教師們深入了解《條例》及不同案例，以裝備他們應對相關課題的教學工作。

「玩·PO·競」社交媒體宣傳挑戰賽2024詳情見[新聞稿](#)及[宣傳海報](#)。培訓課程詳情見[新聞稿](#)。



As an extension of the “*Cartel Hunters – Learn more about the Competition Ordinance*” teaching programme tailor-made for senior secondary school students earlier, the Commission launched the “Post to Compete” Social Media Advocacy Challenge in February 2024.

The Challenge is open to senior secondary school students in Hong Kong and participants are invited to compete by creating social media campaigns to promote competition law. The winning team will receive HK\$8,000 cash scholarship and exclusive job shadowing opportunities. Over 180 teams from more than 80 secondary schools have signed up for the Challenge.

To equip participating students with the knowledge of the Ordinance as well as tips on running impactful social media promotions, the Commission hosted a workshop on April



20, featuring insights from representatives of the Commission, renowned social media influencer Smiling Boris, and online marketing experts.

On another front, the Commission and the Education Bureau conducted an inaugural training course on competition law for secondary school teachers in Hong Kong. Around 280 teachers with diverse teaching portfolio signed up to participate in the training. The training course provided teachers with an in-depth understanding of the Ordinance and various enforcement cases, equipping them with the necessary knowledge in teaching the subject to students.

View the “Post to Compete” Social Media Advocacy Challenge 2024 [press release](#) and [event poster](#). View the training course [press release](#).



## 「超新猩」向全港宣揚競爭意識 “Honest Gorilla” takes on citywide awareness drive

合謀定價是《條例》下的嚴重反競爭行爲，競委會早前在全港多個地點展開活動，加強公眾對這行爲的了解。自1月以來，競委會吉祥物「超新猩」已巡迴了本港多個大型運動場館，並將於今夏移師至多個公共圖書館，敬請密切留意！

The Commission has embarked on a citywide initiative to educate the public on price fixing as a serious anticompetitive conduct under the Ordinance. Since January, the pop-up exhibit, featuring the Commission’s “Honest Gorilla” mascot, has been touring various sports centres in the city and is slated to visit public libraries in the summer. Stay tuned.



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