

## TECHNICAL ASSISTANCE DIALOGUE WITH UNCTAD

### - 1<sup>st</sup> FIELD VISIT

#### Programme Schedule

##### 23 May 2012, Wednesday

Venue: Prime Minister's Office

Attended by: CPL Work Group

3.30pm-4.30pm          Discussion to guide WG on policy framework

##### 24 May 2012, Thursday

Morning : workshop (open session for all relevant stakeholders from the public and the private sector & media)

Proposed session opening by: SUT (PE)

Afternoon: closed-door discussion with stakeholders from the public sector & sectoral regulators only

Venue: Rizqun International Hotel, Gadong

08.15 – 08.45	Registration
09.00 - 09.15	Opening Remarks
09.15 – 10.15	Session 1: CPL and its potential benefits in relation to small and developing economies (Dr. Hassan Qaqaya, UNCTAD)
10.15 – 10.30	Coffee Break
10.30 – 12.00	Session 2: Substantive provisions: The scope of the application & prohibited practice (Mr. Sangmin Song, UNCTAD)
	Session 3: Institutional framework for enforcement (Mr. Sangmin Song, UNCTAD)
12.00 – 14.00	Lunch (UNCTAD experts, GIZ experts + CPL WG hosted by PMO)
14.00 – 14.30	Presentation by GIZ on Preliminary Findings of CPL in Brunei (based on field visit outcomes)
14.30 – 15.30	Dialogue session: The scope of the law Discussion with stakeholders (closed session)
15.30 – 15.45	Coffee Break

15.45– 16.45

Dialogue session: Institutional framework  
Discussion with stakeholders (closed session)

Key questions for the dialogue session for “the scope of the law”

- Should the competition law apply to all enterprises, including state-owned enterprises?
- Are there any sectors or activities to be exempted from the application of competition law, and if so, on what grounds?
- Is there any potential conflict between the competition law and existing legislatures?
- Which exemption system is more appropriate in the Brunei context?
- How should the law be implemented, a gradual implementation or a big-bang approach?

Key questions for the dialogue session for “institutional framework”

- Which one is a more appropriate set up for Brunei, among (i) a unit/department within a ministry, (ii) an agency under the auspices of a ministry, and (iii) a fully independent agency?
- Which body is in charge of making the first decision?
- Which one is better for judicial review, between a separate appeal court and main court system.
- What kind of relationship do you envisage between the competition authority and sector regulators.

**25 May 2012, Friday**

Attended by: CPL Work Group (PMO , Department of Planning & Economic Development, Civil & Drafting Division, AGC)

Venue: Prime Minister’s Office (PMO)

09.00 – 12.00

Discussion with Competition Policy WG at PMO

- A big picture of competition policy framework in Brunei by PMO (40 minutes), including its objectives, vision of national CLP, implementation strategies etc
- Policy issues for discussions (2 hours and 20 minutes):
  - (i) Institutional set-up
  - (ii) CPL and sector regulators
  - (iii) CPL and state-owned enterprises

(iv) Exemptions

12.00 - 14.30

Lunch

14.30- 16.30

Discussion with Competition Policy WG

- Substantive contents of the law for discussions (1 hour and 30 minutes) :

(i) substantive provisions

(ii) Investigative and sanction powers

- Discussion on possible scope of TA cooperation with UNCTAD in connection with strategies to move forward (30 minutes)

\* WG Chairperson: TSUT

\* Closed Session to include only **key officials** from relevant government agencies as follow:

- PMO (Permanent Secretaries and Deputy Permanent Secretaries)
- Department of Planning and Economic Development
- Attorney General's Chamber (AGC) (Civil, International & Drafting )
- Judiciary (high court)
- Brunei Economic Development Board (BEDB);
- Ministry of Industry and Primary Resources (MIPR);
- Ministry of Development (MOD)
- Ministry of Communication (MOC)
- Monetary Authority of Brunei Darussalam (AMBD);
- Authority of Info-Communications Technology Industry (AITI);
- Ministry of Finance/State Tender Board.
- Ministry of Energy;
- Anti-Corruption Bureau
- Center of Strategic and Policy Studies (CSPS);

\*WG: officers responsible in the work of establishing CPL framework

\* Open Session - relevant agencies from the public sector and business associations/ selected private sector