

## PROPOSED CHANGES TO THE CCS GUIDELINES ON MAJOR PROHIBITIONS

### Overview of main changes

The *CCS Guidelines on the Major Provisions* provide an overview of the main provisions of the Act and makes reference to the various Guidelines published by CCS. In view of the amendments to the various CCS Guidelines, the following consequential amendments have to be made to the *CCS Guidelines on the Major Provisions*:

- i. Paragraph 4.5: Update the definition of small and medium enterprise (“SME”) to reflect the new definition of SME by SPRING Singapore;
- ii. Paragraph 5.8: Highlight that a finding of dominance can be established at a market share below the indicative threshold of 60% and to remove the reference to the need for “strong evidence of dominance” before dominance at a lower market share could be established;
- iii. Paragraph 5.10: State that SMEs are in general unlikely to be capable of conduct that would have an appreciable adverse effect on competition;
- iv. Paragraph 11.4: Insert the additional factor that CCS will take into account when setting the amount of financial penalty, i.e. immunity, leniency reductions and/or fast track procedure discounts.
- v. New Part 13: Insert a brief description the new Fast Track Procedure and reference to the *Guidelines on Fast Track Procedure*.

The proposed changes in the draft revised guidelines are marked out in blue.

### [Draft CCS Guidelines on the Major Provisions](#)

### Questions for Reflection and Consultation

Does the *CCS Guidelines on the Major Provisions* provide a useful summary on the major prohibitions against anti-competitive activities under the Act?