

# VIETNAM EXPERIENCES IN ADVOCACY

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*(Views expressed in this presentation do not necessarily reflect the view of the VCAD)*



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- Overview of Competition Law and VCCAA
- Advocacy Activities
- Recommendations



# Overview of the Competition law

- Promulgated by National Assembly on 3<sup>rd</sup> December 2004
- Objectives
  - control competition restricting acts.
  - Regulate against unfair competition acts.
  - create and sustain a fair competitive environment.



## COMPETITION LAW (No. 27/2004/QH11)

Competition Restriction Agreement

Abusing dominant position on the market, abusing monopoly position

Economic concentration

Competition Restriction

Unfair Competition

Misleading indications

Infringement upon business secrets

Constraint in business

Discrediting other enterprises

Disturbing business activities of other enterprises

Advertising for the purpose of unfair competition

Sale promotion for the purpose of unfair competition

Discrimination by associations

Illicit multi-level sale

Other unfair competition acts



# Implementation guidelines of the Competition Law

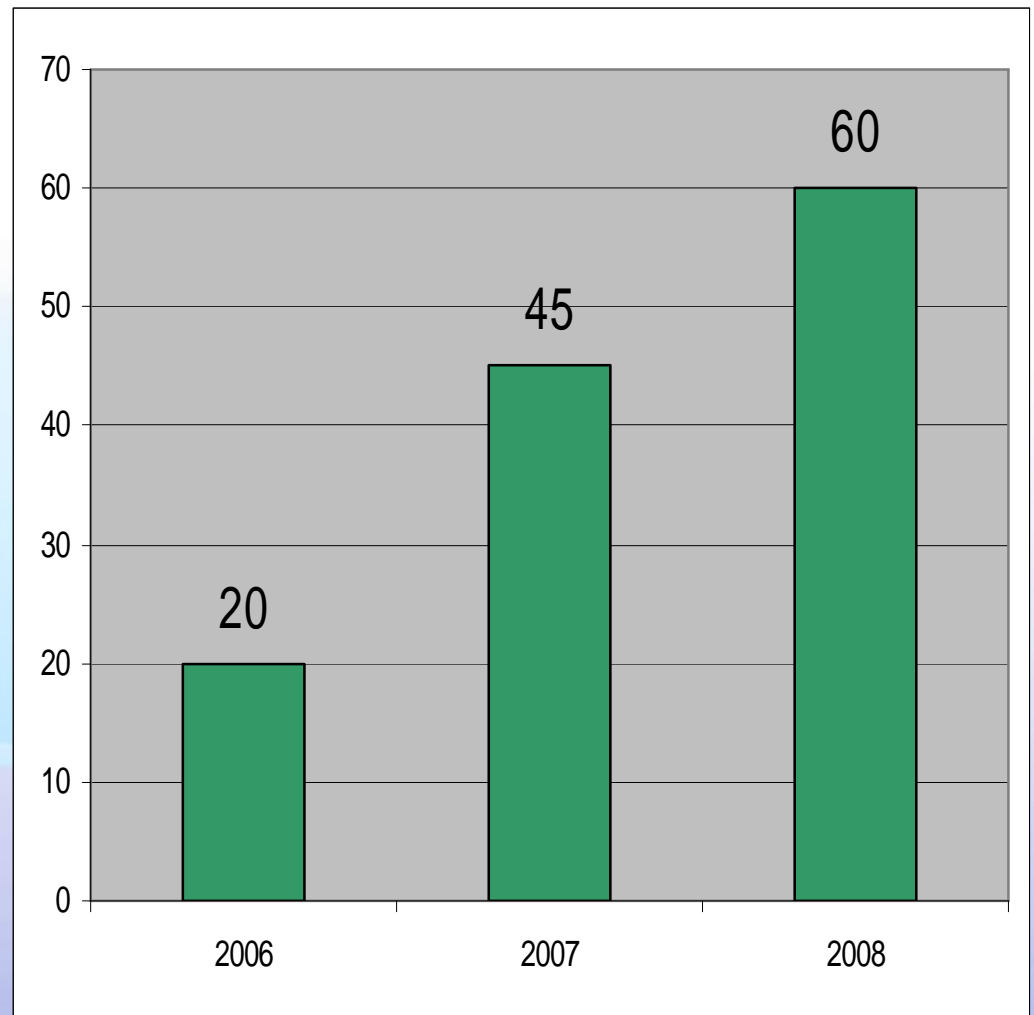
- Decree No. 05/2006/ND-CP dated 09/01/2006
- Decree No. 06/2006/ND-CP dated 09/01/2006
- Decree No. 116/2005/ND-CP dated 15/09/2005
- Decree No. 120/2005/ND-CP dated 30/9/2005
- Decree No. 110/2005/ND-CP dated 24/08/2005
- Circular No. 19/2005/TT-BTM dated 08/11/2005





# Overview of VCAD

- 2008: 60 staffs
- Investigator: 22





# Overview of VCCAD's Activities

<b>M&amp;As</b>			
	<b>Number of Cases</b>	<b>Consultations</b>	<b>Notification</b>
2007	1		1
2008	4	4	0
<b>Cartel and Abuse of dominance position</b>			
	<b>Number of Cases</b>	<b>Consultations</b>	<b>Investigation</b>
2007	3	2	1
2008	3	2	1
<b>Unfair Competition</b>			
	<b>Number of Cases</b>	<b>Consultations</b>	<b>Investigation</b>
2007	12	8	4
2008	4	2	2



## II. VCCA'S COMPETITION ADVOCACY





# Periods of Advocacy

Ø Drafting the Law on Competition

Ø Introduction on Competition  
Law/Establishment of Competition  
Agencies

Ø Pushing up Enforcement activities



# Advocacy Tools

- Internet/Mass Media
- Seminar/Workshops
- Training courses
- Leaflet/Books
- Public Researchs
- MOUs
- Etc.



# Targeted Groups

- Business Community
- Consumer
- Relevant Government Agencies
- Sectoral Regulators
- Judges
- Mass Media
- Universities
- International Competition Family



# Advocacy Workshops/Seminars on Competition

- Various workshops has been organized:
  - Workshops for business communities (Comments on Guidelines)
  - FDI and Enforcement of Competition Law (Hanoi and Hochiminh City)
  - Competition Law Enforcement: Necessary Information for Business Community (organized at various provinces around Vietnam since 2006 until the end of 2007) ...
- Hints
  - Quality of presentations
  - Local business association/representative from major company contribute presentations
  - Invitees (higher level)
  - Cooperation with local department of trade
- Limitations
  - Short of VCCA's budgets



# Printed Publications

- Leaflets
  - Leaflet on the function of VCCA
  - Leaflet on multi-level sale
  - Misleading advertising
- Publication Books
  - Q&A on Competition Law
  - Overview on Vietnam Competition Law
  - Foreign Competition law and policy
- Circulation
  - Workshops
  - Bilateral meetings
  - Send to local trade departments
  - Business associations, chamber of commerce



# Mass Media

- Organizing press conference
- Inviting reporters to major conferences, meeting.
- T.V Interviews
- Press release
- Posting news to website of the Ministry of Industry and Trade



# Website

- VCAD website has been operated since 2007
  - Vietnamese and English Version
  - Frequently update
  - Forum





# Training Courses

- Judges and Sectoral Regulators has been invited by VCAD to attend training course on competition related issues.





# Signing MOU with relevant agencies

- MOUs has been signed between VCAD and various sectoral regulators.
- There are several MOUs has been signed with government agencies, like Foreign Investment Agency.
- VCAD planning to sign more MOUs with other agencies, sectoral regulators.



# International Visibility

- Taking Chairmanship of ACFC tenure 2006-2007
- Hosting East Asia Top Official on Competition Policy Meeting in 2007
- Attending Annual Conference of International Competition Network (since 2005)
- Other international and regional foras



# Recommendations

- Effective Advocacy Strategy help strengthening visibility of competition authority, especially in introduction period.
- Broadcasting of successful cases could be an useful tools in competition advocacy



**THANK YOU!**