

Dear Trade Association and Chamber Colleagues,

The Competition and Consumer Commission of Singapore (CCCS) has issued an Infringement Decision on 14 Dec 2020 and imposed financial penalties totalling over \$419,000 on three businesses for infringing the section 34 of the Competition Act by engaging in bid-rigging conduct relating to tenders.

We would appreciate your assistance to disseminate this information to your members.

READ MORE ABOUT THE RECENT BID RIGGING CASES UNCOVERED BY CCCS:

- [CCCS Penalises Contractors for bid-rigging in tenders for maintenance services of swimming pools and other water features \(CCCS Media Release\)](#)
- [3 water feature maintenance firms fined over bid rigging \(The Straits Times\)](#)
- [3 firms fined for rigging bids in tenders for maintenance of swimming pools, other water features \(Channel NewsAsia\)](#)
- [CCCS Penalises Contractors for Bid Rigging of Quotations for Wildlife Reserves Singapore \(CCCS Media Release\)](#)

WHAT IS BID RIGGING?

Two or more suppliers/purchasers collude on bid submission for tenders. They may take turns to win a tender by agreeing on terms in a bid submission, or not to participate in certain tenders after agreeing on who should win the tender.

Impact? Suppliers do not genuinely compete, resulting in customers not getting the best offers which a competitive process should provide.



BID RIGGING IS UNLAWFUL

Bid rigging distorts the competitive bidding process, thereby preventing businesses from getting the best value for their tenders. Bid rigging is prohibited under the Competition Act.

DOS & DON'TS FOR SUPPLIERS

- Prepare your bids independently and do not participate in any discussion, coordination, or plan which is anti-competitive in nature.
- If you are approached to join in anti-competitive agreements, immediately reject the approach and publicly distance yourself from any such discussions.
- If you are asked by a potential customer to procure additional bids, leave it to your competitors to independently decide their own bids.



APPLY FOR LENIENCY IF YOU ARE INVOLVED IN BID RIGGING

CCCS's leniency programme affords lenient treatment to businesses that are part of a cartel agreement or concerted practice (or trade associations that participate in or facilitate cartels), when they come forward to CCCS with information on their cartel activities.

Immunity from financial penalties

Where eligible for lenient treatment, businesses can be granted total immunity or be granted a reduction of up to either 100% or 50% in the level of financial penalties, where applicable. Read more: <https://go.gov.sg/cccsleniency>



CCCS'S FAST TRACK PROCEDURE

Under the **Fast Track Procedure**, Parties who admit liability for their infringement will be eligible for a fixed 10% reduction in the amount of financial penalty.

Read more: <https://go.gov.sg/cccsfasttrack>

REPORT BID RIGGING ACTIVITY

CCCS wants to hear from persons with useful information on bid rigging or cartel activities in Singapore. Under the **CCCS Reward Scheme**, depending on the circumstances and in appropriate cases, a monetary reward can be applied to informants for information that leads to infringement decisions against cartel members. Read more: <https://go.gov.sg/cccsreward>



MORE RESOURCES

Download brochures on the Competition Act [here](#).

Learn more about CCCS Guidelines on the Section 34 Prohibition [here](#).

Please share this information within your company/organisation.



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Thank you for your support.

On behalf of the Competition and Consumer Commission of Singapore (CCCS)