



NOTICE UNDER RULE 19 OF THE COMPETITION TRIBUNAL RULES

COMPETITION TRIBUNAL ENFORCEMENT ACTION NO. 1 OF 2019

Pursuant to rule 19 of the Competition Tribunal Rules, [Cap 619D], (“the CTR”) the Registrar hereby gives notice that an application under section 92 and 94 of the Competition Ordinance, Cap.619, has been filed by the Competition Commission (“the Applicant”) on 3 July 2019 against Fungs E & M Engineering Company Limited (“the 1st Respondent”), Yee Hing Metal Shop (“the 2nd Respondent”), Cheung Min trading as Accord Construction & Decoration Co (“the 3rd Respondent”), Hing Shing Construction Company (“the 4th Respondent”), Luen Hop Decoration Engineering Company Limited (“the 5th Respondent”), Dao Kee Construction Company Limited (“the 6th Respondent”), Wong Wai Chuen (“the 7th Respondent”), Wong Fu San (“the 8th Respondent”) and Cheung Yun Kam (“the 9th Respondent”).

The Applicant states that the 1st to 6th Respondents have contravened the First Conduct Rule by making and/or giving effect to a market sharing and price fixing arrangement in relation to the provision of renovation services at On Tai Estate Phase 1, Kwun Tong, a public rental housing estate developed and managed by the Housing Authority. The Applicants further states that the 7th and 8th Respondent were involved in the contravention of the First Conduct Rule.

The Applicant seeks orders for

- (a) a declaration that the 1st to 6th Respondent have contravened the First Conduct Rule;



- (b) a declaration that the 7th and 8th Respondent were involved in the contravention;
- (c) an order that the Respondents be restrained or prohibited from entering into or participating in any anti-competitive agreements in respect of any renovation projects under the Housing Authority's Decoration Contractor System
- (d) pecuniary penalty against all the Respondents; and
- (e) a director disqualification order against the 9th Respondent.

Any person who has a sufficient interest in the matters to which the application relates may apply for leave to intervene in the proceedings in accordance with rule 20 of the CTR within 28 days from the date on which this notice is published.

The application for leave to intervene must be made by filing the application in Form 3 in the Schedule to the CTR.

Published on 5 July 2019

Registrar
Competition Tribunal