



NOTICE UNDER RULE 19 OF THE COMPETITION TRIBUNAL RULES

COMPETITION TRIBUNAL ENFORCEMENT ACTION NO. 2 OF 2021

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 14 December 2021 against Hong Kong Commercial Cleaning Services Limited (“1st Respondent”), Man Shun Hong Kong & Kln Cleaning Company Limited (“2nd Respondent”), Chan Ming Chu (“3rd Respondent”), Cheng Yip Chiu (“4th Respondent”), and Cheng Hok Kuen (“5th Respondent”).

The Applicant states that the 1st and 2nd Respondents have contravened the First Conduct Rule by having engaged in price-fixing (exchange of commercially sensitive information) in tenders submitted to the Hong Kong Housing Authority (HA) for the procurement of cleaning services for public rental housing estates and other buildings under the management of the HA at least from 27 May 2016 to 21 August 2018, both dates inclusive (“the Contravention”).

The Applicant further states that the 3rd and 4th Respondents, as directors and shareholders of the 1st Respondent, and the 5th Respondent, as director and shareholder of the 2nd Respondent, were involved in the Contravention.

The Applicant seeks the following orders:

- (a) a declaration that the 1st and 2nd Respondents have contravened the First Conduct Rule;
- (b) a declaration that the 3rd to 5th Respondent were involved in the Contravention;



- (c) pecuniary penalty against all the Respondents;
- (d) a director disqualification order against the 3rd to 5th Respondent;
and
- (e) an order restraining or prohibiting the 1st and 2nd Respondents
(together with its directors, servants and agents) from engaging in
any conduct that constitutes the Contravention.

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 16 December 2021

Registrar
Competition Tribunal