



NOTICE UNDER RULE 19 OF THE COMPETITION TRIBUNAL RULES

COMPETITION TRIBUNAL ENFORCEMENT ACTION NO. 2 OF 2022

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 16 June 2022 against ATAL Building Services Engineering Limited (“1st Respondent”), Analogue Holdings Limited (“2nd Respondent”), Shun Hing Engineering Contracting Company Limited (“3rd Respondent”), Shun Hing Holdings Company Limited (“4th Respondent”), Ser Ka Wai (“5th Respondent”), Cheng Kit Shun (“6th Respondent”) and Kwan Siu Kin (“7th Respondent”).

The Applicant states that the 1st to 4th Respondents have contravened the First Conduct Rule by having engaged in price fixing, market sharing, and/or bid-rigging in relation to provision of air conditioning maintenance, installation, repair, and/or replacement works (“the Contravention”).

The Applicant further states that the 5th to 7th Respondents were involved in the Contravention.

The Applicant seeks the following orders:

- (a) a declaration that the 1st to 4th Respondents have contravened the First Conduct Rule;
- (b) a declaration that the 5th to 7th Respondents were involved in the Contravention;
- (c) pecuniary penalty against all Respondents; and
- (d) an order against 1st to 4th Respondents that they do adopt and implement effective competition compliance programmes.



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 20 June 2022

Registrar
Competition Tribunal