



NOTICE UNDER RULE 19 OF THE COMPETITION TRIBUNAL RULES

COMPETITION TRIBUNAL ENFORCEMENT ACTION NO. 3 OF 2023

Pursuant to rule 19 of the Competition Tribunal Rules, [Cap 619D], (“the CTR”) the Registrar hereby gives notice that an application under section 92 ,94 and 101 the Competition Ordinance, Cap.619, has been filed by the Competition Commission (“the Applicant”) on 14 November 2023 against Midland Realty International Limited (“1st Respondent”), Hong Kong Property Services (Agency) Limited (“2nd Respondent”), Midland Holdings Limited (“3rd Respondent”), Wong Ching Yi Angela (“4th Respondent”), Po Siu Ming (“5th Respondent”), Lee Chung Yin (“6th Respondent”), Cheong Tsz Chuen (“7th Respondent”) and Ma Tai Yeung (8th Respondent”).

The Applicant states that the 1st to 3rd Respondents have contravened the First Conduct Rule by making and/or giving effect to an agreement and/or engaging in a concerted practice which involved the fixing of minimum net commission rate for and/or exchange of competitively sensitive information in respect of the sale of first-hand resident properties in Hong Kong (“the Contravention”).

The Applicant further states that the 4th to 8th Respondents are persons involved in the Contravention.

The Applicant seeks the following orders:

- (a) a declaration that the 1st to 3rd Respondents have contravened the First Conduct Rule;
- (b) a declaration that the 4th to 8th Respondents are persons involved in the Contravention;
- (c) pecuniary penalty against all the Respondents;



- (d) an order against the 1st to 3rd Respondents that they do adopt and implement an effective competition compliance programme; and
- (e) a director disqualification order against the 4th to 8th Respondents.

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 November 2023

Registrar
Competition Tribunal