
Competition Law

Focus Group Discussion: Market Review on the Digital Economy Ecosystem [Registration Deadline – 16 August 2024]

Under section 11 of the Competition Act 2010 ("**Competition Act**"), the Malaysia Competition Commission ("**MyCC**") may, on its own initiative or upon the request of the Minister of Domestic Trade and Living Costs of Malaysia ("**Minister**"), conduct a review into any market in order to determine whether any feature or combination of features of the market prevents, restricts or distorts competition in the market. In exercise of its powers under section 11 of the Competition Act, MyCC has initiated a comprehensive Market Review on the Digital Economy Ecosystem under the Competition Act ("**Digital Economy Market Review**"). This review, which began in July 2024, is set to conclude in December 2025. The initiative aims to assess and ensure the competitive landscape of Malaysia's burgeoning digital economy.

According to the MyCC's tender document for the Digital Economy Market Review, the general objective of the Digital Economy Market Review is to understand the market structure and supply chain, as well as identify any possible anti-competitive conduct in the digital economy market in Malaysia, focusing on the following four subsectors:

- (a) Mobile Operating and Payment Systems;
- (b) E-Commerce and Advertisement Platforms;
- (c) Data Privacy and Protection; and
- (d) Online Travel Agencies (OTAs).

The specific objectives of the Digital Economy Market Review are the following:

- (a) To determine the market structure, supply chain, and profile of industry players that are involved throughout the upstream and downstream of the digital economy and sub-sectors studied;
- (b) To identify any market behaviours and possible anti-competitive behaviours in the digital economy and sub-sectors studied;
- (c) To determine the extent of market distortion by the authority's regulations and policies and whether the government's intervention is necessary in curbing anti-competitive conduct in the digital economy and sub-sectors studied; and
- (d) To recommend improvements across the government agencies and regulators in the digital economy to minimise the actual or potential restrictive effect of regulations on competition.

MyCC will now be holding a Focus Group Discussion ("**FGD**") that will serve as a platform for MyCC to gather extensive inputs from government ministries, government agencies, industry players and other

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relevant stakeholders. These discussions will play a crucial role in its current market review. The FGDs will be held on the following dates and venue:

Date:

- (a) 20 August 2024 - Online travel agency (OTA)
- (b) 21 August 2024 - E-commerce (Marketplace)
- (c) 27 August 2024 - Online advertising services
- (d) 29 August 2024 - Mobile operating & payment system

Time: 9.00 AM – 3.30 PM

Venue: Putrajaya & Kuala Lumpur

Interest for participation in the sessions can be notified to MyCC by filling out the online attendance form ([link](#)). Registration of non-government entities must be carried out by **16 August 2024**.

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