

CLIENT ALERT

Appointment of Commissioners to Philippine Competition Authority

The first set of commissioners to constitute the Philippine Competition Commission (PCC) has just been appointed. The PCC, a five member body created by the Philippine Competition Act (passed into law in July 21, 2015), is mandated to implement the national competition policy. Vested with a broad range of powers, it can conduct administrative inquiries, institute civil or criminal proceedings before the courts, and review proposed mergers and acquisitions.

President Benigno Aquino III has appointed Arsenio Balicasan as PCC Chairperson, with a term of seven years. Balicasan had been serving as Socioeconomic Planning Secretary and National Economic and Development Authority (NEDA) Director General, but has already resigned from his NEDA post. Other members of the PCC are: Johannes Bernabe, Stella Alabastro-Quimbo, El Cid Butuyan, and Menardo Guevarra. Together with Balicasan, Bernabe and Quimbo will hold office for a term of seven years. Butuyan and Guevarra will hold office for a term of five years.

With the constitution of the PCC, the powers of the existing Office for Competition under the Department of Justice are now limited to conducting preliminary investigation and undertaking prosecution of all criminal offenses under the PCA and other competition-related laws. The PCC, in consultation with the DOJ's Office for Competition and concerned sector regulators, is mandated to draft the necessary implementing rules and regulations for the PCA's implementation.

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