

## Competition Commission Thrives on Board Diversity

### 委員會組合多元化 助競委會蓬勃發展

Zhang Mengying 張夢瑩



▲ Members and senior management of the Competition Commission attended the Directors of the Year Awards presentation ceremony. 競委會委員及管理層成員出席「2022 年度傑出董事獎」頒獎典禮。

**T**he Competition Ordinance, under which the Competition Commission was established, is a relatively new law that came into force in December 2015. In the seventh year of its full operation, this young law enforcement agency has become a winner in the HKIoD's Directors Of The Year Awards under the Statutory/Non-Profit Distributing Organisations Category. The 21st Century Director has the pleasure to interview Mr. Samuel CHAN Ka-yan, BBS, JP, Chairman of the Competition Commission, revealing how the Commission embraces corporate governance excellence to navigate a complex new regulatory landscape, establish credibility, and win respect of a diverse range of stakeholders consistently over the last seven years.

Board diversity is a key success factor of the Commission, according to Samuel. The 15 Members on the Commission come

from a wide range of industries and fields, whose sage advice contributes to best-informed decisions made on the board level and implemented across the organisation.

“Every batch of our Commission Members are very diversified, comprising lawyers, economists, those with rich experiences in public administration as well as representatives from trade associations, political parties and academia, which ensure that we can make balanced and all-rounded decisions. Our role is to promote a competitive environment in Hong Kong that is conducive to free flow of trade, efficiency and innovation, bringing more choices and better quality and prices of goods and services to consumers,” said Samuel.

The Commission also observes important international trends, including gender diversity. At the moment, over 30% of the Commission Members are female.

### Setting the right vision

The laws and economic theories in the competition regulatory regime are highly technical. While Hong Kong makes reference to the EU's model, our economy is vastly different from Europe or any other economies in the world.

“As a relatively young enforcement agency, we are learning as we grow in experience and exposure in enforcing the Competition Ordinance in Hong Kong. To build our credibility and relevance as an enforcer, our strategy is to carefully envision our way forward and set the right priorities, based on our Members’ deep understanding of laws, economic theories and Hong Kong’s unique business environment,” said Samuel.

“We have set three priority areas as a guiding framework for the Commission’s overall enforcement direction, namely (1) anti-competitive agreements and practices affecting people’s livelihood, (2) potential exploitation of public funding and subsidies, and (3) cases involving digital markets, all of which are matters that people in Hong Kong care deeply about. These priorities are formulated under our vision to safeguard a level-playing field for businesses and in the interest of consumers, enhancing economic vibrancy, stimulating innovation and delivering consumer benefits in Hong Kong. We believe that if our vision is right, everything will fall into the right place,” he added.

### Performance and Conformance

In addition to attending Commission meetings, Members are also represented on the enforcement committee, finance and administration committee, and staff committee, which are established to oversee and assist with establishing



▲ Samuel believes board diversity is a key success factor of the Commission.  
Samuel認為委員會組合多元化是競委會成功的關鍵因素。

priorities for investigations, advise on financial and administrative matters, and make recommendations on organisational development respectively. It is evidential that the Competition Commission has proactively embraced corporate governance principles to drive excellent organisational performance, alongside fulfilling the high expectations of conformance as a statutory organisation.

Over the past few years, the Commission has spared no effort in developing its information technology capability to enhance productivity and efficiency in a fast-changing environment, especially in facing the challenges brought by the pandemic. A key initiative was the launch of a digital document management system which not only facilitates the circulation of confidential information among Members while maintaining the highest standards of security and integrity, but also demonstrates the Commission’s commitment to environmental, social and governance principles.

“Like many other private and public organisations, the Commission has evolved rapidly to enhance our digital readiness during the pandemic. We are proud to

witness how the Commission and its executive team have swiftly made digitalization of important organisational functions a priority and implemented new system upgrades to attain ‘business as usual’ since the beginning of pandemic. In addition to the capability of conducting Commission meetings virtually, we take pride in the Commission’s efforts in achieving paperless document management for the board. Instead of going through a big binder of documents for each board meeting, now Members can access digital documents at their fingertips on a secured platform. This also makes the updating of documents more streamlined, confidential and environmentally-friendly, because we do not have to print and replace the updated content physically anymore,” said Samuel.

Samuel thanked HKIoD for awarding the Commission this important corporate governance accolade, and providing the organisation an opportunity to reinforce the importance of corporate governance.

“The Commission is very encouraged to have won the HKIoD Directors of the Year Awards, which is an important recognition

# Join the PCPD Professional Workshops to Enhance Your Organisations' Competitiveness

## 參加私隱專員公署專業研習班 提升業務競爭力



A sound Personal Data Privacy Management Programme (PMP) requires all members of an organisation to be aware of, and be ready to act on personal data protection responsibilities. Organisations should provide employees with up-to-date data protection training tailored to their specific needs.

To this end, the PCPD has developed a series of Professional Workshops on Data Protection catered to the needs of specific industries and sectors. **Professional Workshops from October to December 2023 are now open for enrolment!** HKIoD members can enjoy the discounted fee.

健全的個人資料私隱管理系統有賴機構內各個員工知悉其保障個人資料的責任，並付諸實行。機構應針對相關員工的特定需要而提供培訓及教育，並傳達最新資訊。

就此，私隱專員公署設計了一系列有關保障個人資料的專業研習班，以配合在不同工作範疇處理個人資料的人士的需要。二〇二三年十月至十二月的專業研習班。現已接受報名，香港董事學會的會員可以優惠價參加。

	Date 日期	Time 時間	Course 課程名稱	Format 授課形式	Course Fee* 課程費用* (HK\$ / 港幣\$)
Oct 2023	11/10	2:15 - 4:15pm	Data Protection in Property Management Practices 物業管理的資料保障	Online 網上形式	\$750/ \$600*
	25/10	2:15 - 5:15pm	Recent Court and Administrative Appeals Board Decisions 法院及行政上訴委員會近期的案例	Online 網上形式	\$950/ \$760*
Nov 2023	8/11	2:15 - 5:15pm	Data Protection and Data Access Request 資料保障與查閱資料要求	Face-to-face 面授形式	\$750/ \$600*
	22/11	2:15 - 5:15pm	Practical Workshop on Data Protection Law (English) 資料保障法律實務研習班 (英語)	Online 網上形式	\$950/ \$760*
Dec 2023	6/12	2:15 - 5:15pm	Data Protection in Banking / Financial Services 銀行 / 金融服務的資料保障	Face-to-face 面授形式	\$750/ \$600*

\* Applicable to members of PCPD's Data Protection Officers' Club ("DPOC") and the supporting organisations (including HKIoD) only.

\* 只適用於私隱專員公署之保障資料主任聯會會員或支持機構（包括香港董事學會）的成員。

For more details, please visit below website or scan the QR code for further information and registration.

詳情請參閱以下網站或掃描二維碼以獲取更多有關課程的資訊及報名方法。

**Register NOW! 請即參加！**

[https://www.pcpd.org.hk/english/education\\_training/organisations/workshops/workshop.php](https://www.pcpd.org.hk/english/education_training/organisations/workshops/workshop.php)



For enquiry, please contact Corporate Communications Division of PCPD at 2877 7130 or 3423 6678 or [training@pcpd.org.hk](mailto:training@pcpd.org.hk).

如有查詢，歡迎致電2877 7130 / 3423 6678 或電郵 [training@pcpd.org.hk](mailto:training@pcpd.org.hk) 聯絡私隱專員公署企業傳訊部。



of our dedication to high standards of governance in exercising our functions under the Competition Ordinance. It is also heartwarming to see our busy Members getting together and celebrate this achievement over the gala dinner. Moreover, many of the attending guests are our contacts in the closely knitted business circle and the opportunity to network and exchange is highly valuable to us,” concluded Samuel. “Looking ahead, the Commission will continue to uphold excellence in corporate governance to ensure professionalism, transparency and integrity in the best interest of all consumers and businesses in Hong Kong.”

**2** 015年12月全面生效的《競爭條例》，是一條相對較新的法例，亦是競爭事務委員會（競委會）成立的基礎。在全面運作的第七個年頭，這個年輕的執法機構亦成為了香港董事學會年度傑出董事獎法定/非分配利潤組織類別的得獎者。《廿一世紀董事》藉此採訪了競委會主席陳家殷先生BBS JP，分享競委會在過去7年來如何通過卓越的企業管治，穩步應對複雜而嶄新的監管環境、建立公信力，並贏取各方持分者的尊重。

競委會的15名委員來自不同的行業和領域，陳家殷(Samuel)表示，委員會組合多元化正是競委會成功的關鍵因素。各委員的精關意見，有助競委會作出明智的決策，並在組織內實行。

他補充：「競委會的委員構成非常多元化，包括律師、經濟學家、公共行政專家，以及行業協會、政黨和學術界的代表，全靠他們的寶貴意見，競委會才能夠做出平衡和全面的決策。競委會致力推動有利於自由貿易、高效率及創新的競爭環境，以祈為本港消費者帶來更多選擇、更佳價格和更具質素的商品及服務。」

競委會亦會留意重要的國際趨勢，包括董事會的性別多元化。目前，競委會的女性委員比例佔超過30%。

### 訂立正確的願景

競爭監管制度牽涉複雜的法律和經濟理論。雖然香港的競爭法參考了歐盟的模式，但我們的經濟與歐洲或世界上任何其他經濟體都有很大的差異。

Samuel 解釋：「作為一個相對年輕的執法機構，我們會在執行《競爭條例》期間一直累積經驗和接觸不同範疇，從而不斷學習和成長。為建立我們作為執法機構的公信力及相關性，我們的策略是根據委員們對法律、經濟理論和香港獨特商業環境的深刻理解，謹慎制定出正確的願景和執法重點。」

他又指出：「我們制定了三大執法重點，作為競委會的總體執法方向，三大重點包括(1)損害民生的反競爭協議和行為、(2)濫用公帑和政府補貼的行為，以及(3)涉及數碼市場的案件，這些都是香港市民關注的議題。我們的願景是為香港消費者及商界維護平等競爭環境，提升經濟活力、激勵創新，及促進消費者利益。我們相信，只要有正確的願景，一切工作都會明確到位。」

### 績效合規並重

除出席競委會會議外，競委會委員亦會參與執法委員會、財務和行政委員會以及人事委員會，這些委員會的成立，是為了監督並協助定出調查的優先次序，和就財務及行政事宜以及組織發展提供建議。競委會積極實踐機構管治原則，以推動卓越的組織成效，同時滿足各界對其作為法定組織的合規性的高度期望，這些成績是有目共睹的。

過去幾年，競委會不遺餘力地發展資訊科技方面的能力，以提升生產力及效率，同時應對急速變化的環境以及疫情帶來的挑戰。其中一項重要措施是推出數碼文件管理系統，這不僅有助委員在高度安全及的環境下傳閱敏感資料，同時亦貫徹機構對環境、社會和公司治理方面的承諾。

Samuel 表示：「與許多其他私營和公營機構一樣，競委會在疫情期間迅速加強了機構的數據系統能力。自疫情開始以來，競委會及其行政團隊把數碼化視為優先事項，透過升級新的系統支援競委會履行其職能，並確保職員能在疫情期間如常辦公。除了以線上模式召開競委會會議外，我們亦為引入無紙化文件管理系統感到自豪。過去每次會議，委員都會收到一大疊文件，現在，他們可以在加密平台上輕鬆閱覽文件，這亦令更新文件變得更為方便、保密和環保，因為我們不再需要重新打印和替換相關文件。」



▲ Competition advocacy is an important part of the Commission's work. 宣揚競爭訊息是競委會的重要工作之一。



*A trusted partner in your  
greatest endeavors*

**SPRG**



## 2022年模範董事專訪

Samuel 感謝香港董事學會向競委會頒發這項重要的公司治理榮譽，並為該會提供了一個彰顯機構治理重要性的機會。

他總結道：「競委會對榮獲香港董事學會年度傑出董事獎感到非常鼓舞。這是對我們在履行《競爭條例》下的職能時，致力恪守高水平機構管治的重要認可。看到忙碌的委員在晚宴上慶祝我們努力的成果，實在感到欣慰，不少在場嘉賓都是我們在業界的友好，與他們交流的機會對我們來說亦非常寶貴。展望未來，競委會將繼續努力，堅持卓越的機構管治，秉持專業、透明及正直的原則，維護香港消費者和企業的利益。」



▲ The Commission organized a press conference to announce its enforcement actions. 競委會舉辦記者會，向傳媒講解執法行動。



香港董事學會  
The Hong Kong Institute of Directors  
FOUNDED 1997

# Discover

the premier body representing professional directors

### Values to Members

- Recognition: an authoritative body
- Availability: information and education service
- Representation: collective director voice
- Diversity: multi-sectoral and multi-cultural
- Networking: local and cross-border



Experienced, new and potential directors from companies of all sectors and all types of firms or organisations are **welcome to join!!**

For more information, please call +852 2889 9986.



Website  
www.hkiod.com



Facebook



LinkedIn

# The 21st Century DIRECTOR

廿一世紀  
董事

## Publisher 出版機構

The Hong Kong Institute of Directors 香港董事學會

## Sponsor 贊助機構

Corporate Governance Development Foundation Fund 企業管治發展基金

## Publishing Board 出版委員會

Mr Stanley Mok (Chairman) 莫兆光先生 (主席)  
Ms Bonnie S Y Chan JP 陳心愉女士  
Dr Agnes K Y Tai 戴潔瑩博士  
Mr Richard Tsang 曾立基先生  
Dr Carlye Tsui SBS MBE JP 徐尉玲博士

## Project Management 項目統籌

Executive Office, The Hong Kong Institute of Directors  
香港董事學會行政處

For enquiries about circulation and advertisement, please contact:

有關發行及廣告查詢，請聯絡：

Chief Business Officer: Ms Miriam Yee

業務總監：余海恩小姐

For editorial enquiries, please contact:

有關編輯上的查詢，請聯絡：

Manager, Communication & Projects: Ms Joanne Yam

傳訊及項目經理：任綺欣小姐

Tel 電話：+852 2889 1414

Fax 傳真：+852 2889 9982

Email 電郵：magazine@hkiod.com

《廿一世紀董事》同時可於網上閱覽

The 21st Century Director is also available at

<http://www.hkiod.com/21century.html>

ISSN 1996-9619

Sponsored by 贊助機構：

Corporate Governance  
Development Foundation Fund  
企業管治發展基金



The Hong Kong Institute of Directors 香港董事學會

## Patron 贊助人

The Hon John LEE Ka-chiu GBM SBS PDSM PMSM 李家超行政長官

## Founder Chairman & Hon President 創會主席兼榮譽會長

Dr the Hon Moses Cheng GBM GBS OBE JP 鄭慕智博士

## Past Chairmen 前任主席

Dr Herbert H M Hui JP (Deceased) 許浩明博士 (已故)  
Mr Peter S H Wong MBA 黃紹開先生  
Dr Kelvin Wong SBS JP DBA 黃天祐博士  
Mr Henry Lai 賴顯榮律師

## Council 理事會 (2023-2024)

### Chairman 主席:

Dr Christopher To 陶榮博士

### Deputy Chairmen 副主席:

Ir Edmund K H Leung SBS OBE JP 梁廣灝工程師  
Ms Bonnie S Y Chan JP 陳心愉女士  
Mr Richard Tsang 曾立基先生  
Mr William Lo 羅志聰先生

### Treasurer 司庫:

Mr Man Mo Leung 文暮良先生

### Immediate Past Chairman 卸任主席:

Mr Henry Lai 賴顯榮律師

### Chief Executive Officer 行政總裁:

Dr Carlye Tsui SBS MBE JP 徐尉玲博士

### Council Members 理事會成員:

Dr Leonard S K Chan 陳新國博士  
Mr Vincent Chan 陳永誠先生  
Mr Hamilton Cheng 鄭炳熙先生  
Mr Anthony Cheung 張振宇先生  
Dr Charles Cheung JP 張惠彬博士  
Mr Richard Ho 何麗康先生  
Mr Randy Hung 孔敬權先生  
Mr Ip Shing Hing BBS JP 葉成慶律師  
Mr Alan Lai 黎嘉豪先生  
Mrs Margaret S Leung 梁甘秀玲女士  
Mr Ka-Yin Li 李家彥先生  
Mr Jeffrey Mak 麥振興律師  
Ir Prof John Mok 莫建鄺教授  
Mr Stanley Mok 莫兆光先生  
Dr Agnes K Y Tai 戴潔瑩博士  
Ms Cynthia Y S Tang 鄧宛舜女士  
Mr Jim Wardell 詹華達先生  
Mr Stephen Weatherseed 韋大象先生  
Mr Andrew Weir 韋安祖先生  
Mr Kenneth Wong 黃永恩律師  
Ms Alice Yip 葉嘉明女士

### Advisory Board 顧問委員會

Dr Justin K H Chiu 趙國雄博士  
Dr David Wong GBS JP 黃友嘉博士  
Mr Huen Wong SBS BBS JP 王桂堦律師

*The 21st Century Director* is the official magazine of The Hong Kong Institute of Directors. All rights reserved. No part of this magazine may be reproduced or stored in or introduced into a retrieval system, or transmitted, in any form or by any means (electronic, mechanical, photocopying, recording or otherwise), without the prior written permission of the publisher and/or the copyright owner of this magazine. Quotation of short passages of the magazine for the purposes of review and education is allowed provided that it is made with explicit reference to the source and publisher. Neither the magazine nor the publisher accepts liability for any views, opinions or advice expressed by writers and interviewees of articles. The contents of the magazine do not necessarily reflect the views or opinions of The Hong Kong Institute of Directors or the members of the Institute and no liability is accepted in relation thereto. This magazine includes articles that have been invited from or contributed by authors. While such articles present the views of the respective authors, these articles may not necessarily represent the views of the Publishing Board of the magazine or The Hong Kong Institute of Directors. It is the intention of the Institute to present views from various perspectives, which may inspire thinking and generate constructive discussions.

《廿一世紀董事》是香港董事學會的官方雜誌。本雜誌所有出版內容的版權為香港董事學會所有。未經出版人及/或版權擁有人書面同意，本雜誌所有內容一律不得以任何形式或以任何工具(電子、機械、影印、錄製或其它工具)翻印、儲存或引進於檢索系統或傳送。本雜誌內容可供摘要引述以作研討或教育用途，但必須註明出處或出版人。本雜誌及出版機構不會為雜誌內作者及被訪者所表達的觀點、意見或建議負上責任。雜誌的內容並不一定反映香港董事學會或學會會員的觀點及意見，學會與會員均不因此而負上任何責任。本雜誌收錄邀約作者及供稿作者的文章，然而這些文章表達了其作者的觀點，卻不一定代表雜誌出版委員會或香港董事學會的觀點。學會的用意是容納多角度的意見，這或可啟發思考及產生具建設性的討論。

© The Hong Kong Institute of Directors 香港董事學會 © 版權所有

The Hong Kong Institute of Directors is Hong Kong's premier body representing directors to foster the long-term success of companies through advocacy and standards-setting in corporate governance and professional development for directors.

香港董事學會為香港代表專業董事的首要組織，其宗旨是促進所有公司的持久成就；為達成使命，學會致力提倡優秀企業管治與釐訂相關標準，以及協助董事的專業發展。

The Hong Kong Institute of Directors Executive Office 香港董事學會行政處

2104 Shanghai Industrial Investment Building, 48 Hennessy Road, Wan Chai, Hong Kong 香港灣仔軒尼詩道48號上海實業大廈2104

Tel 電話: (852) 2889 9986 Fax 傳真: (852) 2889 9982 E-mail 電郵: executive@hkiod.com



The Hong Kong Institute of Directors 香港董事學會



The Hong Kong Institute of Directors