

## ANNEX 9.1

For agencies identified in Annex 9 WITH policy,  
issuance, rules and/or regulations relevant to market competition

### Competition Threshold Checklist

(1) Agency Name	
(2) Reference Number	
(3) Title	
(4) Issuing Office	
(5) Remarks	

Upon conducting a Competition Impact Assessment (CIA), the <Name of Agency> has reviewed the abovementioned policy/issuance/rule/regulation. Below is the summary of the agency's review.

#### Checklist<sup>1</sup>

<i>In any affected market, would the regulation...</i>	YES	NO	Comments
<b>1. Directly or indirectly restrict the number or range of suppliers or buyers?</b>			
Does it exclusively award rights to a supplier or buyer?			
Does it introduce procurement from a single supplier, or restricted group of suppliers?			
Does it introduce a fixed limit on the number of firms (quotas)?			
Does it restrict geographical access to goods and services?			
Does it require license, permits, or authorization as a pre-condition to operation?			

<sup>1</sup> Based on the checklist under the OECD's Competition Impact Assessment toolkit.



<b><i>In any affected market, would the regulation...</i></b>		<b>YES</b>	<b>NO</b>	<b>Comments</b>
	Does it limit the ability of suppliers to provide a good or service, or of buyers to purchase goods or services?			
	Does it create higher costs of entry or exit for firms?			
<b>2. Restrict the ability or incentive of suppliers or buyers to compete?</b>				
	Does it limit the extent to which prices are determined by market forces?			
	Does it increase the scope for self-regulatory or co-regulatory regimes that negatively impact entry conditions or of the ability of firms to set prices and other market variables?			
	Does it require the sharing or publication of information on firm output, volume, prices, sales, purchases, or costs?			
	Does it provide for a competition exemption?			
	Does it limit the freedom of firms to advertise or market their goods or services?			
	Does it set standards for product quality that are above the level that some well-informed customers would choose?			
	Does it limit the discretion for innovation?			
<b>3. Discriminate against certain agents?</b>				
	Does it introduce a discriminatory application of rules?			
	Does it allow for the discretionary application of rules to market players?			

<b><i>In any affected market, would the regulation...</i></b>		<b>YES</b>	<b>NO</b>	<b>Comments</b>
	Does it introduce subsidies, incentives, policies, and access to limited resources that distorts the level playing field?			
	Does it allow regulators to provide goods or services in competition with private players?			
	Does it provide for a clear and effective access policy to essential facilities?			
<b>4. Limit choice or information available to consumers or producers?</b>				
	Does it limit or eliminate the consumers' (producers') choice of supplier (buyer)?			
	Does it limit the mobility of consumers (producers) across alternative suppliers (buyers)?			
	Does it limit the information available to producers or consumers?			
<b>5. Does it mention the PhCC and its functions and or alter any of its powers, or functions?</b>				

**Prepared by:**

\_\_\_\_\_  
**Name of NCP Focal Person / Designation / Date**

**Approved by:**

\_\_\_\_\_  
**Department Secretary/Agency Head / Date**

**GUIDELINES IN ACCOMPLISHING  
ANNEX 9.1 – REVISED COMPETITION THRESHOLD CHECKLIST**

<b>Row 1</b>	Indicate the <u>name of the agency</u> .
<b>Row 2</b>	Indicate the <u>reference number and year of issuance</u>
<b>Row 3</b>	Indicate the <u>title or short title of policy</u> .
<b>Row 4</b>	Indicate the <u>name of office/s that drafted the policy</u> .
<b>Row 5</b>	Indicate the <u>relevant information such as under TRO, superseded, unfunded, timebound, etc.</u>