

BACKGROUND NOTE: DRAFT AMENDMENTS TO THE COMPETITION COMMISSION OF INDIA (GENERAL) REGULATIONS, 2009

1. The Competition Act, 2002 (the 'Act') aims to prevent practices having an adverse effect on competition, to promote and sustain competition in the markets, to protect the interests of consumers and to ensure freedom of trade carried on by other participants in markets, in India.
2. Under Section 36 of the Act, the Competition Commission of India is guided by the principles of natural justice. Subject to the other provisions of the Act and any rules made by the Central Government, the CCI has the powers to regulate its own procedure. For such regulation of its procedure, the CCI has, in exercise of the powers conferred upon it under Section 64 of the Act, framed various regulations, one of them being the Competition Commission of India (General) Regulations, 2009 ('General Regulations'), which came into effect from 22.05.2009. As and when exigencies have arisen and situation demanded, various provisions of the General Regulations have been amended by the CCI from time to time.
3. On 11.04.2023, the Competition (Amendment) Act, 2023 was passed by the Central Government incorporating certain new provisions in the Act and amending certain previously existing ones. This created a need for amendment/ repeal/ overhauling of the various regulations framed by the CCI as well as for introduction of certain new ones.
4. Accordingly, amendments are being proposed to the Competition Commission of India (General) Regulations, 2009 as follows:
 - (a) pursuant to the changes made in the Competition Act, 2002 by Competition Amendment Act of 2023;
 - (b) to incorporate the amendments made in the other regulations and/ or framing of new regulations by the CCI; and
 - (c) to review the existing regulations based on experience gained since 2009 till date.
5. The CCI invites stakeholders to submit written comments on the draft amendments to the Competition Commission of India (General) Regulations, 2009, within 30 (thirty) days from 06.06.2024 to 08.07.2024. The comments must be sent by duly filling up the form hosted on the CCI's website at: <https://www.cci.gov.in/stakeholders-topics-consultations>