



KERATAN AKHBAR DAN MEDIA ONLINE UNTUK MAKLUMAN :

**Y.B. MENTERI
Y.B. TIMBALAN MENTERI
Y.BHG. KSU
Y.BHG. TKSU (PDN)
Y.BHG. TKSU (PUP)
SETIAUSAHA AKHBAR**

6 MEI 2021 (KHAMIS)



KERATAN AKHBAR DAN MEDIA ONLINE (KPDNHEP)

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Alexander memimpin sesi berbincang dan dialog bersama 33 wakil persatuan serta pemain industri katering secara dalam talian di Putrajaya. (Foto Ihsan FB Alexander Nanta Linggi)

Penambahbaikan bantu nasib perniagaan katering

KPDNHEP kemuka cadangan pastikan kelangsungan industri

Dieth Samudri Ahmad
bhnews@bh.com.my

Putrajaya: Kementerian Perdagangan Dalam Negeri Dan Hal Ehwal Pengguna (KPDNHEP) akan mengemukakan cadangan kepada Majlis Keselamatan Negara (MKN) serta Kementerian Kesihatan (KKM) mengenai penambahbaikan bagi memastikan kelangsungan aktiviti perniagaan katering yang terjejas akibat pandemik COVID-19.

Menterinya, Datuk Seri Alexander Nanta Linggi, berkata beliau sudah mengadakan sesi berbincang dan dialog bersama 33 wakil persatuan serta pemain industri katering meliputi perunding perkhidmatan, secara dalam talian bagi membincangkan perkara itu pada



KPDNHEP mengambil inisiatif bagi membela nasib pemain industri katering dan perancang perkahwinan yang terjejas akibat PKP. (Foto Ihsan)

Isnin lalu.

Katanya, sesi itu penting sebagai platform untuk pihak terbabit berbincang secara hati ke hati, sekali gus menyuarakan pandangan, cadangan dan maklum balas kepada kerajaan mengenai isu serta masa depan industri berkenaan.

Beliau berkata, perbincangan itu diadakan berikutan kementerian mengambil maklum keperluan pihak industri yang terkesan secara langsung dengan penularan wabak berkenaan.

"Sepanjang sesi berkenaan, beberapa isu dibangkitkan pihak industri, termasuk pemulangan duit bayaran deposit dan cadangan penambahbaikan garis panduan membabitkan katering.

"Perkara lain dibincangkan ialah keperluan bantuan dana serta latihan dan tahap profesionalisme dalam industri ini.

"Isu dibincangkan akan diberi perhatian dan tindakan lebih terperinci oleh kementerian

serta jabatan kerajaan lain yang berkaitan, bersama pemain industri," katanya dalam satu kenyataan, di sini, semalam.

Mengulas lanjut, Alexander berkata, kementerian mengambil maklum kepentingan dan impak industri itu terhadap ekonomi negara.

"Sumbangan industri ini kepada Keluaran Dalam Negara Kasar (KDNK) meningkat daripada RM3.6 bilion pada 2010 kepada RM5.8 bilion pada 2015," katanya.

COMMENT by Jason Loh

Fight back against the cartel culture

THE news in early April this year regarding the existence of a cartel/syndicate that had been monopolising government procurement contracts is yet again a grim reminder of how deeply rooted the culture of corruption is in our society.

The modus operandi of the cartel was to deploy some 150 companies under its control as cover for submitting tender bids to ministries and agencies.

In other words, the sheer number of companies submitting the bids gave the illusion of unrelated bidders.

At the same time, the tactic of submitting differential price tags but approximating the "ceiling price" (maximum price the ministry or agency was willing to pay) was aimed at "cornering the market", i.e. pricing out their competitors.

According to the Malaysian Anti-Corruption Commission (MACC), the cartel had been active since 2014 and was awarded 345 tenders worth RM3.8 billion with a focus on maintenance and development projects until the cessation of its operations with the arrest of the individuals concerned that is.

Indeed, we are a country where cartels/syndicates thrive and flourish - where their existence is a "way of life".

Even the now retired IGP (Inspector-general of police) who stepped down on May 3, Tan Sri Abdul Hamid Baidor, has admitted to the existence of a cartel or clique within PDRM (Royal Malaysian Police Force), i.e. right at the very heart of the institution that's supposed to be the nemesis and antithesis of criminality no less.

The term "cartel" within PDRM should be understood not in monolithic terms but consisting of disparate individuals and groups that are said to be affiliated with organised crime and enjoy their share of the illicit proceeds in exchange for protection and non-enforcement.

Hopefully, with Datuk Seri Acryl Sant Abdullah Sani at the helm as successor and with officers such as Johor Chief Commissioner Datuk Ayob Khan Mydin Pitchay "by his side", so to speak, PDRM on the whole will be able to start off with a clean slate as it were, and be that fighting force against criminal cartels and syndicates of whatever shape and stripe.

And of course, we've been living with the existence of well-established cartels thriving on borderline, semi-legal activities like market monopoly and manipulation.

When "big business" (the other but unmentioned reality of Adam Smith's "invisible hand") controls the market

in terms of wholesale supply (as is usually the case when it comes to "essential" items), then profiteering that's unrelated to the dynamics of supply and demand is to be expected.

Perhaps, a good example would be the price of chicken, which has been a hot topic these days due to the upcoming festive season.

Yet market traders are convinced there's some price fixing going on behind the scenes due to the fact that the pattern repeats itself each time in conjunction with the festive cycle despite the protestations of those in the mid-stream, especially the supply chain.

The price of chicken has hit an all-time high this year at between RM9.50 and RM10 per kg in certain locations.

But there's no excuse since the Domestic Trade and Consumer Affairs Ministry (KPDNHEP) and Agriculture and Food Industry Ministry have been involved in discussions and reached a settlement or agreement with players and stakeholders in the supply chain - from farm to retail - to ensure that prices were kept at RM7.90 per kg (until May 20) whereby the respective profit margins across the spectrum are provided for.

Enforcement teams from KPDNHEP, however, are springing into action to ensure price reversion and stability on the back of the implementation of the 2021 Aidilfitri Festival Season Maximum Price Control Scheme throughout the country beginning from April 21.

No efforts will be spared in prosecuting errant and non-compliant suppliers and traders.

Here, with regard to market monopoly and price collusion, the government is doing well at least on the remedial action front.

Notwithstanding, there's much the government has to do to fight back the criminal cartels and syndicates.

Firstly, there's no doubt that these needs to be a major cleaning up of the police force. The fight back against the cartel culture should begin within the law enforcers themselves.

And by that it means a combination of external and internal reforms.

Externally, there needs to be a dedicated taskforce or specialised unit physically positioned within the force to monitor and gather intelligence on the activities of the rank and file, including the IGP.

This would be the equivalent of the Special Branch except that human intelligence and technical intelligence work is solely focused on keeping tabs on PDRM over a time-limited or temporary basis (e.g. for seven years only).

It will work and loosely coordinate

with the Enforcement Agency Integrity Commission and what should be an "Internal Affairs Division" of PDRM as proposed by then home minister Datuk Seri Ahmad Zahid Hamidi.

This taskforce or unit, unlike the Internal Affairs Division, will only report directly to either the home minister or prime minister and be accountable to the relevant parliamentary select committee. Its report shall be presented and tabled in Parliament annually.

In addition, there also needs to be a specialised court set up for trial over the misconduct and wrongdoing of police officers that is parallel to the existence of court martial for the military.

This is to ensure respect for the PDRM institution and afford the defendants some semblance of honour and dignity.

Composition of the tribunal would be a mixture of civilian and retired police officers and could either be *sui generis* (i.e. in a class of its own) or part of the judicial system.

Internally, as per the "substantive essence" of the report by the Royal Commission to Enhance the Operation and Management of the Royal Malaysian Police (2005), the (now renamed) Independent Police Conduct Commission (IPCC) Bill (2020) should be expedited as soon as Parliament reconvenes as also urged by Subhakar (Human Rights Commission of Malaysia) albeit on the issue of police abuse of power with respect to custodial deaths and torture.

Secondly, with regard to the government procurement system, there needs to be a complete overhaul of the tender process.

For example, this requires the relevant ministry or agency concerned to thoroughly scrutinise the details of the background and profile of the submitting entity - as part of the standard operating procedure (SOP) - to be checked against the database of the Companies Commission of Malaysia (CCM) to ensure there are no multiple submissions from the same source.

Here as is in other areas, the use of artificial intelligence (AI) - progressing from machine learning (i.e., algorithm of detection) to deep learning (i.e., algorithm of prediction) - is critically important to ensure detection and identification of potential fraud.

Predictive analysis entails the AI to be endowed with knowledge of a large number of complex permutations from different weightages of different types of data such as the rate of successful bids, the number of companies that participated in the auction and the bid prices.

A good example to emulate would be the South Korean bid-rigging indicator analysis system (Ibias), as highlighted in *Algorithms and collusion: Competition policy in the digital age*.

AI could also be used for tracking the flow of funds (which entails the cooperation of banks).

In this, the Malaysia Competition Commission (MyCC) under KPDNHEP, as the body par excellence charged with quasi-judicial body powers to investigate and prosecute at the same time in spearheading the effort against bid-rigging and other anti-competitive activities, should also play a central role in training, advocacy and execution by the use of digital technology.

Finally, among others, under the Leniency Programme provided for by Section 41 of the Competition Act (2010) whereby cartel members are encouraged to come forward in exchange for lenient or total immunity from the penalties, the following should be considered as per "The Use of Leniency Programme in Detecting Cartels in Malaysia" (2019) published in *Sciencedo* (Academic Journal of Interdisciplinary Studies):

1. MyCC should clearly and systematically stipulate the levels of fine reduction in exchange for assistance provided by cartel whistleblowers who don't qualify for 100% waiver;

2. MyCC to provide a wider scope for immunity eligibility so that the ringleader/head honcho will also be eligible for 100% fine waiver provided that he didn't force others to participate in the cartel, or MyCC has not been able to find enough evidence of infringement; and

3. MyCC shall, strictly and without equivocation, have zero tolerance in accepting undertaking (i.e., some form of understanding - oral or written) involving cartel cases in reference to Section 43 of the Competition Act (2010).

In conclusion, purging our society of the cartel culture is indeed a long-term and indefatigable effort.

It not only requires an all-of-government and whole-of-society approach but precisely a change of culture that starts from within the individual, to quote Datuk Hussamuddin Yaacob, founder of the Rasuah Busters movement.

Jason Loh Seong Wei is head of Social, Law and Human Rights at EMIR Research, an independent think tank focussed on strategic policy recommendations based on rigorous research. Comments: letters@thesundaily.com

The fight back against the cartel culture should begin within the law enforcers themselves. And by that it means a combination of external and internal reforms.

HARI	:	<u>KHAMIS</u>
TARIKH	:	<u>6/5/2021</u>
M/SURAT	:	<u>16</u>

 Senarai Harga Barang Keperluan	• Ayam RM5.99	• Telur Gred A RM10	• Gula Pasir RM1.99	• Cili Merah RM6.49
	• Daging Lembu Tempatan RM34	• Ikan Kembung RM8.90	• Bawang Besar Holland RM3.19	• Kubis Rulot Tempatan RM7
	• Daging Lembu Import RM24	• Minyak Masak RM5.90	• Bawang Putih RM4.99	• Tepung Gandum RM2.09
<i>*Harga (RM/kg) Sumber: KPDNHEP</i>				

Harga RON97 naik dua sen, RON95 dan diesel kekal

KUALA LUMPUR - Harga runcit petrol RON97 naik dua sen seliter manakala harga runcit RON95 dan diesel kekal masing-masing pada RM2.05 dan RM2.15 seliter bagi tempoh 6 hingga 12 Mei.

Kementerian Kewangan dalam satu kenyataan pada Rabu memaklumkan harga baharu petrol RON97 ialah RM2.60 seliter.

Menurut kenyataan itu, harga berkenaan adalah berdasarkan penetapan harga runcit produk petroleum secara mingguan menggunakan formula Mekanisme Harga Automatik (APM).

“Bagi melindungi pengguna daripada kesan kenaikan harga minyak di pasaran global, kerajaan mengekalkan paras harga siling RM2.05 seliter bagi petrol RON95 dan RM2.15 seliter bagi diesel walaupun harga runcit APM bagi RON95 dan diesel telah meningkat melebihi harga siling.

“Kerajaan juga akan terus memantau kesan perubahan harga minyak mentah dunia serta mengambil langkah bersesuaian memastikan kebajikan dan kesejahteraan rakyat terpelihara,” menurut kenyataan itu. - *Bernama*