

Respondents	Fine (HK\$)	Cooperation discount applied
Respondents receiving cooperation discounts		
BP/Noble	HK\$90,000 (jointly and severally) (c. US\$11,584)	<ul style="list-style-type: none"> • 25% early cooperation discount. • The first company indicating willingness to cooperate, but only after the investigation had kicked off and the Commission had already gathered material evidence by other means, thus the Band 1 discount was not applicable. • Indicating willingness to cooperate before the Commission's proceeding and therefore the 20% Cap did not apply.
Multisoft	HK\$1,190,000 (c. US\$153,172)	<ul style="list-style-type: none"> • 18% discount. • Offered cooperation after BP/Noble and commencement of proceedings, and thus the 20% Cap applied. • Parent company MTT Group Holdings was NOT penalised, possibly because the contravention was an independent conduct of Multisoft without MTT's direction, knowledge or involvement.
A director and shareholder of KEWK	HK\$32,000 (c. US\$4,118)	<ul style="list-style-type: none"> • 20% cooperation discount. • Similar to Multisoft, the individual respondent offered cooperation after BP/Noble and commencement of proceedings, and thus the 20% Cap applied. <p>Neither the four-step approach in <i>Commission v W Hing Construction Company Ltd and Ors</i> (W Hing Construction)¹¹ for determining pecuniary penalty nor the <i>Cooperation Policy</i> applies to individuals.</p> <p>Despite this, the Commission's application of discount here suggested the Commission's willingness and flexibility to encourage cooperation and admission of liability from individuals.</p> <ul style="list-style-type: none"> • Rationale for setting the fine: To ensure deterrence, the Commission set the base penalty at HK\$40,000 (c. US\$5,555) by referencing factors including the respondent's monthly income (c. HK\$41,450) instead of the actual amount of bribe of HK\$9,000 (c. US\$1,250) actually received by the respondent for engaging in the misconduct. The Commission then applied a 20% discount.
KEWK	None	<ul style="list-style-type: none"> • The Tribunal did not impose penalties over KEWK but only on its shareholder and director, who was also disqualified from being KEWK's director. • KEWK had no other business operations until the director and shareholder used it to issue quotations for applicants seeking D-Biz funding. • The Tribunal declared that KEWK contravened the Ordinance and ordered it to pay the Commission's investigation costs.
Respondents without cooperation discounts applied		
<p>Application of Rule 76 of the Competition Tribunal Rules ("CTR"):</p> <ul style="list-style-type: none"> • Under Rule 76, which functions as a default judgment procedure, the Tribunal has authority to grant relief sought by the Commission when respondents fail to respond to the Commission's proceedings within the specified timeframe under Rule 75 of CTR. • This indicates that non-responding respondents are likely to face more severe legal consequences. 		
Yat Ying	HK\$242,000 (c. US\$31,149)	<ul style="list-style-type: none"> • No discount, due to failure to respond to the Commission's proceedings. • Imposed a penalty of statutory cap of 10% of turnover upon the relief sought by the Commission.
The representative of Yat Ying and BP/Noble	HK\$160,000 (c. US\$20,594)	<ul style="list-style-type: none"> • Similar to Yat Ying, no discount due to failure to respond to the Commission's proceedings. • Multiplied the starting amount (HK\$40,000, c. US\$5,195) by four times because the representative acted for four subject companies in the contravention upon relief sought by the Commission.