



# **‘The Competition Bureau: Supporting a Thriving, Productive... and Competitive Economy’**

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Mergers and Acquisitions Workshop

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University of Calgary, Downtown campus



# Roadmap



- Three-Year Strategic Vision
- *Competition and Compliance Framework* Bulletin
- *Corporate Compliance Programs* Bulletin
- Criminal Provisions and Programs
- Domestic/International Cooperation



# Three-Year Strategic Vision



- Improves the effectiveness and efficiency of the Bureau's enforcement and competition promotion activities
- Enforcement will continue to be the Bureau's primary focus, but will be complemented by advocacy and competition promotion
- Identifies five strategic objectives for 2015-2018
  - Increase Compliance
  - Empower Canadians
  - Promote Competition
  - Collaborate with Partners
  - Champion Excellence
- Informs our Annual Plan, budget and branch operational plans



- Outlines the various outreach, enforcement and advocacy instruments used by the Bureau
- Updates and replaces the former *Conformity Continuum Information Bulletin*
- Comments to be provided by July 20<sup>th</sup>



- Provides updated guidance on how to develop and maintain credible and effective compliance programs
- Reflects a more modern, incentives-based approach by providing for the possibility of fine reductions
- Creation of a Compliance Unit
- Complementary compliance tools for small and medium-sized businesses:
  - SME Fact Sheets
  - SME Pamphlet





Compliance doesn't just happen... and not everyone plays by the rules

Good management practices = enhanced compliance

Corporate compliance program:

- Not legislated, but strongly recommended
- Ingrained behaviour across the enterprise



# Benefits of Compliance Programs



- Protect your brand and reputation
- Reduce the risk of non-compliance
- Detect instances of non-compliance at an early stage, including possible violations of the criminal provisions of the Act



# Criminal Provisions and Programs



- **Conspiracy – Section 45:** When two or more competitors or potential competitors conspire, agree or arrange to fix prices, allocate customers or markets, or restrict output of a product.
- **Bid-rigging – Section 47:** Two or more bidders agree on the bids submitted, agree that one party will refrain from bidding or agree that one party will withdraw a submitted bid without the knowledge of the company calling for the bids.
- **Immunity Program:** One the Bureau’s most effective tools for detecting and investigating criminal anti-competitive activities.
- **Leniency Program:** The Bureau may recommend to the Director of Public Prosecutions that cooperating persons who have breached the cartel provisions but are not eligible for immunity be considered for lenient treatment in sentencing.







- Cooperation is key to a Bureau without borders  
– where we are not constrained by jurisdiction  
and can extend our reach and resources by working  
in collaboration with our enforcement partners.
- Cooperation makes us all stronger, and ensures that  
consumers—regardless of where they live—enjoy the  
benefits of competitive markets.



# Conclusion



Effective competition is critical to an efficient marketplace.

Compliance is the best way to ensure competition works.

Long-term commitment to cooperation is required to build and maintain relationships.

Visit the Bureau's YouTube channel for more.

Questions?



Canada 