



**Asia-Pacific
Economic Cooperation**

2014/SOM1/CPLG/003

Agenda Item: 3

Report on 2013 APEC Training Course on Competition Policy in Taipei

Purpose: Information
Submitted by: Chinese Taipei



**Competition Policy and Law Group Meeting
Ningbo, China
21-22 February 2014**

Report on 2013 APEC Training Course on Competition Policy in Taipei

Chinese Taipei
February 21, 2014

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Description

- ◆ *APEC Regional Seminar of ANSSR Initiatives against Anti-Competitive Practices for Ensuring an Open, Well-functioning and Competitive Market*
- ◆ Organizing APEC Economy
 - Chinese Taipei
 - Japan
- ◆ Co-Sponsoring APEC Economy
 - Philippines
 - Singapore
 - USA

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Description (cont.)

- ◆ Date: September 25-27, 2013
- ◆ Venue: Shangri-La's Far Eastern Plaza Hotel, Taipei
- ◆ Participants: 27 participants from 14 APEC member Economies
 - Australia, Chile, Indonesia, Japan, Mexico, Papua New Guinea, Peru, Philippines, Russia, Singapore, Chinese Taipei, Thailand, USA, and Viet Nam

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Main Objectives

- ◆ to discuss the latest investigative techniques for anti-competitive practices and effective remedies and settlements;
- ◆ to share best approaches in tackling anti-competitive practices and the experiences in enforcing competition law among the APEC member economies; and
- ◆ to build capacity especially for the newly established and younger competition authorities by better utilization of the accumulated APEC knowledge and expertise.

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Methodology

Date	Content	
Day 1 Sept. 25	<ul style="list-style-type: none"> ◆ Opening Remarks ◆ Four Keynote Speeches 	
Day 2 Sept. 26	<ul style="list-style-type: none"> ◆ Small Group 1 ◆ Investigative Techniques for Anti-Competitive Practices 	<ul style="list-style-type: none"> ◆ Small Group 2 ◆ Effective Remedies and Settlements
Day 3 Sept. 27	<ul style="list-style-type: none"> ◆ Summary Presentation of Small Groups ◆ Review of APEC Training Courses and future development ◆ Closing Remarks 	

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Keynote Speeches (1)

- ◆ Theme: Investigative Techniques in Cartel Cases
- ◆ Speaker: Mr. Yusuke KAERIYAMA from Japan Fair Trade Commission
- ◆ Key Points
 - Mechanisms for Cartel Investigation
 - Dawn Raid
 - Digital Information Gathering
 - Leniency Program

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Keynote Speeches (2)

- ◆ Theme: Investigative Techniques in Merger Review
- ◆ Speaker: Mr. Timothy T. HUGHES from United States Federal Trade Commission
- ◆ Key Points
 - Key Principles
 - Initial Filing
 - Preliminary Investigation
 - Full Investigation and Second Requests
 - The USFTC's Compulsory Process

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Keynote Speeches (3)

- ◆ Theme: Effective Anti-Cartel Enforcement Tools-Leniency and Settlement
- ◆ Speaker: Mr. Steve BRAY from Australian Competition and Consumer Commission
- ◆ Key Points
 - The Introduction of Cartel Conduct
 - ACCC's Immunity Policy
 - ACCC's Cooperation Policy
 - Cartel Settlements

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Keynote Speeches (4)

- ◆ Theme: Effective Remedies for Merger Cases
- ◆ Speaker: Prof. Andy CHEN, Chung Yuan Christian University, Chinese Taipei
- ◆ Key Points
 - The Definition of Merger Remedies
 - Some Guidelines regarding Merger Remedies
 - A Function-Oriented Framework for Merger Remedies
 - CTFTC's Experience

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Small Session



Small Group 1

Theme: Investigative Techniques for Anti-Competitive Practices



Small Group 2

Theme: Effective Remedies and Settlements

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Summary Report (1)

- ◆ Theme: Investigative Techniques for Anti-Competitive Practices
- ◆ Moderator: Ms. Lieh-Ling WU from Chinese Taipei Fair Trade Commission
- ◆ Main Conclusion:
 - There are no standard procedure of investigation applicable to every member economy.
 - Suggested the best practices for improving investigation techniques.
 - Due process should be taken into consideration.

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Summary Report (2)

- ◆ Theme: Effective Remedies and Settlements
- ◆ Moderator: Mr. Steve BRAY from Australian Competition and Consumer Commission
- ◆ Main Conclusion:
 - Mandatory pre-merger notification can be useful.
 - Structural or behavioral remedies may be considered to ensure competitive outcomes.
 - The administration of competition law is best centralized and undertaken by a single agency.

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Key Findings

- ◆ Legal systems, organizational structures, and investigative procedures in the APEC-wide economies are varied; and
- ◆ The improvement of competition policy and law among APEC member economies is a process of learning by doing.

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Thank You for Listening



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