

ICN Steering Group Meeting
Tuesday, February 12, 2013
Teleconference from 8:00 – 9:30 am (Ottawa)

Attendees

- Australian Competition and Consumer Commission
- Barbados Fair Trading Commission
- Brazilian Administrative Council for Economic Defense
- Competition Bureau Canada
- European Commission DG Competition
- French Autorité de la concurrence
- German Bundeskartellamt
- Japan Fair Trade Commission
- Italian Autorità Garante della Concorrenza e del Mercato
- Mexican Federal Competition Commission
- Moroccan Conseil de la Concurrence
- Netherlands Competition Authority
- Polish Office of Competition and Consumer Protection
- Russian Federal Antimonopoly Service
- South African Competition Commission
- United Kingdom Office of Fair Trading
- United States Department of Justice
- United States Federal Trade Commission

Item 1. Approval of Agenda and Minutes

The Steering Group approved the proposed agenda for the current meeting and the minutes of the January 16, 2013 meeting.

Item 2. ICN-OECD joint project on enforcement cooperation

The UK OFT and US DOJ led a discussion on the ICN-OECD joint project on enforcement cooperation, summarizing the institutional advantages of the two organizations, identifying possible follow on products, and proposing a process for deciding future work.

In thinking about institutional strengths, Steering Group members emphasized the broad membership of ICN, and in particular, younger and smaller agencies, and NGAs' deep engagement and wide geographic base. This diversity could influence allocation of future work. For example, because some of the more intense cooperation has occurred among more mature agencies, if in particular cooperation projects these agencies shared concrete examples of case cooperation, younger agencies may be more engaged.

The Steering Group also discussed the areas for future work presented in the ICN report such as developing Recommended Practices, templates of agreements, MOUs, model waivers, networks of officials, and advocacy initiatives.

In discussing these specific areas for future work, Steering Group members agreed that it would be important to work closely with OECD. One Steering Group member noted that cooperation instruments, particularly bilateral, can be an interesting avenue for future ICN work, and that the Merger Working Group was well placed to continue work on the Framework for Merger Cooperation. Another member suggested ICN and OECD could consider dividing work based on area or by topics. A number of members agreed that waivers and templates are important new projects, and that the ICN is particularly well suited to do work on templates.

On process, Steering Group members stressed the importance of consulting with the Working Groups in considering and implementing future work. The process for determining future work will be for the Steering Group to provide input to Working Groups, who will then integrate it as appropriate into work plans. As with all of the work plans, the Horizontal Coordinator and Vice Chair Andreas Mundt will review plans and provide feedback, and then at the March 14 meeting the Steering Group will review Working Groups' work plans. The plans will be discussed in Warsaw, and re-evaluated as necessary after the annual conference.

Steering Group members agreed on the process for determining future work, and will continue the discussion on specific areas of work at the February 27 Steering Group meeting.

Item 3. Other Business

Steering Group members discussed the application from the Superintendency from Ecuador and the new agency's relationship with the Subsecretariat of Competition, which joined the ICN in 2010. Steering Group members agreed that the KFTC should contact the Ecuadoran government to determine whether the Superintendency had subsumed the Subsecretariat's responsibilities for enforcing the ANDEAN competition law.

Item 4. Future Meetings of the Steering Group

Wednesday, February 27, 2013 (Paris)

Wednesday, March 14, 2013 (at 6:00 Mexico City / 8:00 Ottawa / 13:00 Brussels / 23:00 Canberra)

Wednesday, April 3, 2013

Wednesday, April 10, 2013