

ICN Steering Group Meeting
July 19, 2012
Teleconference from 8:00 – 9:00 am (Ottawa)

Attendees

- Australian Competition and Consumer Commission
- Autorità Garante della Concorrenza e del Mercato (Italy)
- Autorité de la concurrence (France)
- Barbados Fair Trading Commission
- Brazilian Administrative Council for Economic Defense
- Bundeskartellamt (Germany)
- Competition Bureau Canada
- European Commission DG Competition
- Japan Fair Trade Commission
- Korea Fair Trade Commission
- Mexico Federal Competition Commission
- 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

Departures

Before the Steering Group meeting began, the Chair acknowledged the significant contributions to the ICN of outgoing Acting Chairman Olavo Chinaglia, from Brazil's Administrative Council for Economic Defense, and outgoing Commissioner Melanie Aitken, from the Canadian Competition Bureau. The Chair thanked them for their support and encouraged them to stay involved in the ICN as NGAs.

Item 1. Approval of Agenda & Minutes

The Steering Group approved the proposed agenda for the current meeting and the minutes of the June 13, 2012 meeting.

Item 2. Member Assistance

The Chair presented principles and processes for supporting members' requests for assistance, based on the discussion at the June 2012 meeting.

Steering Group members approved the principles and processes outlined in the Chair's note, with the following changes:

- The Japan Fair Trade Commission clarified that AIN members will participate in their individual capacity, and suggested the description of participation in comments be clarified to say: "The Chair, together with interested Steering Group and Advocacy and Implementation Network members, prepare comments."
- In addition to describing conformity with ICN practices or principles, written comments circulated to the Steering Group for review and approval should include a brief description of the request, with background and context as available, any notable concerns or issues, and key elements of the comments.
- Circumstances may limit the ability to provide assistance in response to every request, and, some situations may be better suited for assistance through the existing AIN program.
- As suggested in the Chair's note, the Steering Group will revisit the process once it has had some experience using it.

Item 3. Work Plans

Steering Group members approved the Bundeskartellamt's proposal to change the current work plan format of short-term (1 year) and long-term (5 years) plans to rolling three-year plans, updated annually. The Bundeskartellamt will work with the Australian Competition and Consumer Commission to prepare a template for Working Group chairs and the Steering Group to consider.

Item 4. International Cooperation

The US Department of Justice ("US DOJ") updated SG members on the ICN-OECD survey on international enforcement cooperation.

In July, the OECD Secretariat circulated a revised draft survey to members and observers for comment. The US DOJ also sent the revised draft survey to the Cartel, Merger, and Unilateral Conduct Working Group Chairs as well as to seven ICN members from non-OECD countries. The final version of the survey will be sent to ICN and OECD members by the end of July with a response deadline by mid-September.

One ICN member noted future cooperation work should build on existing ICN work. For example, the Cartel Working Group has "Information Sharing Charts", which could be expanded to include mergers or unilateral conduct.

Item 5. Topics

Steering Group members agreed to the following topics for discussion at upcoming meetings:

- September 25: international cooperation project; ICN-OECD relations
- October 24: implementing the visibility of competition policy and principles; AEWG's investigative process project
- December 5: member and NGA engagement; courts and judges project.

Item 6. Other business

(i) Outreach

The Chair reported on the ICN's first town hall meeting, which took place on June 21, 2012. Discussion was robust and turnout was excellent, with 75 participants from more than 30 jurisdictions participating. A recording of the meeting will be available on the ICN website.

The Chair also reported on an ICN meeting on the margins of the July UNCTAD meeting. All UNCTAD participants were invited to an informational session and discussion with the Chair, the US Federal Trade Commission, and Professor Bill Kovacic. Feedback from the meeting was very positive, with keen interest from agencies who are ICN members that are not active participants but would like to be more involved.

(iii) Reschedule March 2013 SG Meeting

Steering Group members agreed to reschedule the March 20, 2013 Steering Group meeting because of a conflict with the Bundeskartellamt's International Competition Cartel conference.