



ICN Steering Group Meeting
Wednesday, November 30, 2016, 8:15 CET, Paris

Attendees

Australian Competition and Consumer Commission
Brazilian Administrative Council for Economic Defense
Competition Bureau Canada
European Commission DG Competition
French Autorité de la concurrence
German Bundeskartellamt
Competition Commission of India
Japan Fair Trade Commission
Italian Autorità Garante della Concorrenza e del Mercato
Korean Fair Trade Commission
Mexican Federal Economic Competition Commission
Netherlands Authority for Consumers and Markets
Norwegian Competition Authority
Portuguese Competition Authority
Russian Federal Antimonopoly Service
Competition Commission of Singapore
Competition Commission of South Africa
Spanish National Authority for Markets and Competition
Turkish Competition Authority
United Kingdom Competition and Markets Authority
United States Department of Justice
United States Federal Trade Commission

Item 1: Approval of Agenda and Minutes

The Chair, Andreas Mundt, welcomed the Steering Group (SG) members. The SG approved the proposed agenda and the minutes of the SG meeting on 19 October 2016.

The Chair welcomed the new SG members Ms. Isabelle de Silva, President of the Autorité, Ms. Margarida Matos Rosa, President of the Portuguese Competition Authority, represented by Nuno Rocha de Carvalho, Member of the Board, and Mr. Devender Kumar Sikri, Chairman of the Competition Commission of India.

Item 2: Workshop

The Spanish National Commission for Markets and Competition debriefed the SG on the Cartel Workshop in Madrid, Spain, which was held from 2 - 5 October, 2016.

The Mexican Federal Economic Competition Commission provided a debrief on the 2016 Advocacy Workshop, which was held in Mexico City on November 3 – 4, 2016. The event gathered around 85 attendees from 28 jurisdictions.

The Competition Bureau, Canada, provided a debrief on the 2016 Chief Economists Workshop in Vancouver, which was held from September 12 – 13, 2016 and suggested to further increase the participation of expert economists in the ICN by establishing a project or a strategic work theme in the Agency Effectiveness Working Group. The SG supported this concept. The SG pointed out that any such project/group should not lead to a reduction of the active engagement of economists in other working groups.

Item 3: 2017 Annual Conference Agenda

The Portuguese Competition Authority provided an update on the planning of the 2017 ICN Annual Conference. The conference website is online and registration is open. The authority presented a draft agenda and explained the general structure of the event. The WG Chairs provided a brief description of their proposed topics for the 2017 Annual Conference. The Chair and the SG thanked the host and the working groups for putting together the draft agenda and for selecting a wide range of important and topical issues. The SG approved the draft agenda on the basis that the agenda is not yet final and will be further developed.

Item 4: Financing of ICN events

The Operational Framework Working Group (OFWG) co-chairs presented its discussion paper on the financing of ICN events. The SG discussed the OFWG recommendations to the SG and approved them. Regarding the question of whether to implement an annual conference fee for participants, further consideration is needed. Regarding a possible amendment to the ICN Specified Purpose Account rules, it was pointed out that the ICN's funds are limited and any amendment should avoid raising high expectations.

Item 5: Change Committee

The Brazilian Administrative Council for Economic Defense (CADE) presented a discussion paper inspired by the ICN members' implementation stories. The Chair thanked CADE for carrying out the Implementation Stories Project which is considered important and helpful.

The Implementation Topic Team asked the SG to approve the recommendations to use the existing "Advocacy and Implementation Network" (AIN) to accomplish suggestions provided by members and NGAs in the second decade follow-up for increased implementation efforts. The new AIN structure provides for three co-chairs (including JFTC), representatives from each working group plus interested members and NGAs. The AIN will support the working groups, work with the co-chairs and report to SG. It will create an annual work plan with anticipated activities and goals for implementation efforts. The renewed AIN will focus on ICN-wide implementation and work product promotion tasks, such as: (i) create an ICN-wide distribution list for work products; (2) promote work products to members and non-ICN

members to raise awareness; (3) consider ideas for new implementation tools for key work products; (4) seek and compile implementation stories; and (5) continue to offer implementation assistance to members. The recommendations are described in detail in a corresponding note. The SG approved the recommendations.

The New Work Topics team reported that it had reached out to the various Working Group co-chairs to get their input on the issue of future work topics as a follow-up to the Second Decade Report conclusions. The team also took into account the topics identified by the Steering Group itself as important future topics. The team presented to the SG a note summarizing the main suggestions for new topics. The note proposes ten areas for future work: (1) Parental liability (CWG); (2) Competition and compliance (AWG); (3) Competition and disruptive innovation (AWG); (4) Sector regulation/sector-based topics (AWG and MWG); (5) Vertical mergers (MWG); (6) Joint ventures (MWG); (7) Assessment and quantification of efficiencies (MWG); (8) Mid-term and ex-post evaluation/assessment of the effectiveness of an agency's enforcement action (AEWG); (9) Internal organizational choices that competition agencies make and have control over (AEWG); (10) Competition and Intellectual Property (horizontal ICN initiative). The note also proposes to build on the already successful current working group annual planning process for determining future topics. Furthermore, it makes a number of suggestions to give greater visibility to ICN work products as well as the working groups' work programmes in view of the fact that many respondents to the Second Decade Survey had in fact mentioned topics that were already covered; and finally, it endorses the coordination of future work also with other international organisations.

Item 6: OECD Liaison

The ICN-OECD Liaison provided an update on OECD activities in order to facilitate cooperation between ICN and OECD and to avoid duplication of work.

Item 7: Other Business

The Chair reminded the SG that Chairman Greco of Argentina's National Commission for the Defense of Competition had submitted a new Antitrust Draft Bill for the ICN's consideration. The Chair informed the SG that CADE, DG Competition, the Italian AGCM, and the US FTC had formed a drafting team and that the comments from the ICN had been sent to Chairman Greco.

Item 8: Future SG Meetings

The next SG meetings will be held on January 25, February 22, March 29, April 12 (TBD), April 19 and May 12 2017.