



# Building a culture for competition

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# Competition culture constituencies

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- Government staff
- Business and associations
- Media
- Legal community
  - Law schools
  - Competition bar
  - Judges
- Politicians
- Public



# Government staff

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- Tools to reach officials involved in regulation:
  - Involving competition authority to assess competitive impacts of regulation
  - Produce guidelines on assessing competitive impacts of regulations, using Competition Assessment Toolkit (2016) and 2009 Council Recommendation on Competition Assessment.
  - Workshops on assessing competitive impacts of regulations
  - Include competition assessment as part of regulatory impact analysis
- Tools to reach the community of officials involved in procurement and increase their focus on competition include:
  - The *OECD Guidelines for Fighting Bid Rigging in Public Procurement*;
  - Embedding competition training in standard training programs for public procurement officials (Brazil, Canada, Mauritius, South Africa, among others);
  - Engaging in regular high-level discussions;
  - Requiring bidders to submit certificates of independent bid determination;
  - Establishing a MOU that allows sharing of information; and
  - Designate contact points at an operational level for procurement body and competition authority.



# Business and associations

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- Lay down a clear set of signals to indicate which business behaviors are appropriate, and which were not. Placing these signals in advance ensures that business would have time to adjust to a new legal environment, and adjust their dealings accordingly, prior to any competition enforcement.
- Reach out with these signals:
  - brochures explaining how competition law could apply to health practitioners were prepared and distributed.
  - speeches with workshops for the affected specific areas, e.g., for medical practitioners managers.
- Provide incentives to have effective compliance programme, e.g., toolkit prepared by the International Chamber of Commerce Commission on Competition.
- Book providing competition law guidance to business operators in ordinary language, with practical, illustrative examples from countries with a longer experience of competition law enforcement.



## Media

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- Issuing press releases that contain neutral phrasing and are thus appropriate as a source of text for the journalists;
- Holding press conferences; and
- Creating a cadre of journalists who are educated about competition law, and consider it to be one of their specialty areas.
- Further media tools can include competition authority officials writing regular columns and participating in radio and television programs.
- The heads of competition authorities can also hold occasional briefings or lunches with reporters to help to ensure more detailed understanding by journalists of competition law.



## Legal community

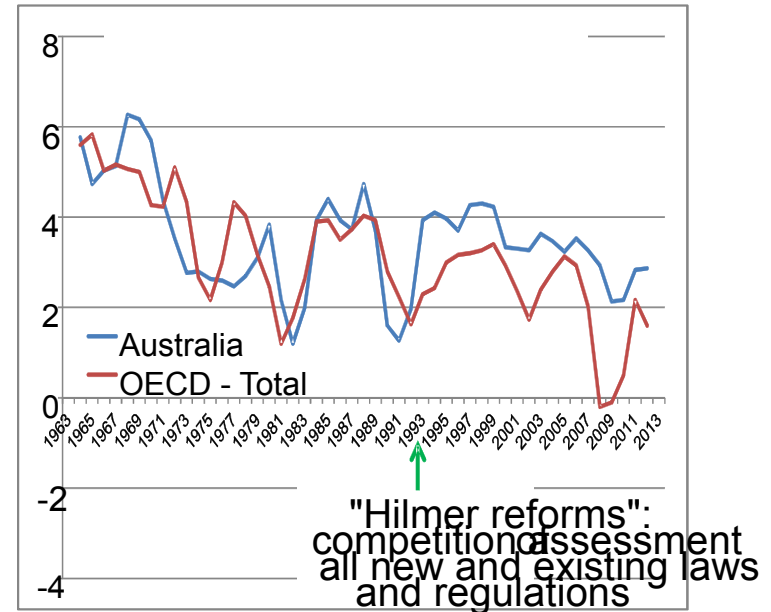
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- Law Schools
  - Introduce course on competition law and regulation; send professor(s) to law school in another country to see how such courses are organised and taught
- Competition Bar
  - Lawyer association organises workshops that provide continuing legal education credits, a particularly strong incentive in those countries that have a requirement for such on-going professional training.
- Judiciary
  - Workshops, often under the aegis of a judicial network.



# Political

- Studies showing the benefits of competition in the country.
- Occasional private briefings to key politicians about the work of the competition authority, without discussing cases under current evaluation.
- A final tool is through international policy comparisons that provide a motivation to politicians to keep up with other countries.





## Public

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- Childhood and “unconventional” education tools
- Information campaigns to help consumers identify better deals and lower priced stores
- Regular presence of the competition authority in the media with positive portrayals and reasonable quotes
- Price observatories
- Newsletters by competition authorities that explain cases
- Repeated emphasis of the benefits of competition resulting from careful, rigorous and unbiased studies





Thank you for your attention