



International
Competition
Network

ADVOCACY WORKING GROUP
BENEFITS PROJECT



**EXPLAINING
THE BENEFITS
OF COMPETITION
TO BUSINESSES**



INTRODUCTION



Previous work by the ICN Competition Policy Implementation Subgroup on Business Outreach (SBO) and the ICN Advocacy Working Group (AWG) has found that approaching and communicating with businesses is highly valued and clearly recognized by competition authorities in their advocacy activities.

Competition agencies consider that “[a]n understanding of competition law, its basic principles and the available sanctions help to exclude anticompetitive behaviour from the acceptable business strategies available to undertakings throughout the economy”. (AWG, *Competition Culture Project Report*, 2015). Competition authorities also carry out “activities designed to increase general [business] awareness of the ... benefits of competition” (SBO, *Business Outreach by ICN Members: Challenges and Case Studies*, 2006). In fact, business associations (along with government and legislators) are often the target audience when competition authorities explain the benefits of competition (AWG, *Interim Report on Explaining the Benefits of Competition Project*, 2012).

With *Explaining the Benefits of Competition to Businesses*, the ICN AWG builds upon these findings and *Explaining the Benefits of Competition to Government and Legislators*, to provide authorities with elements that may be useful in their advocacy activities directed at the private sector. This document begins by considering some elements necessary to achieve effective communication with businesses. It then suggests key messages that agencies may find useful when pursuing this objective. In the final section, relevant case studies illustrate specific means by which competition authorities have sought to deliver these messages.

The voice of businesses

Since these chapters deal with approaching and communicating with businesses, it was important to take account of their perspectives. The Advocacy Working Group would like to thank the numerous ICN Non-Governmental Advisors (NGAs) who participated in the drafting, as well as the In House Competition Lawyers’ Association (ICLA) and the Commission on Competition of the ICC (International Chamber of Commerce) for their helpful comments and inputs.

Please find below some statements from in house lawyers that illustrate the importance they attach to competition.

- “We strongly believe in the high quality of our products and our ability to succeed in business. Therefore, we benefit from a functioning competitive market.”
- “The correct application of competition rules will enable our Group to maintain a high level of reputation in the market towards our current customers and the potential new ones, our competitors and the anti-trust authorities.”
- “Competition is not only important to protect consumer’s welfare and foster innovation; it is also a way for us to stay at our best, ensuring that we remain at the forefront of business and constantly push the limits of our capabilities.”



- “The underlying goal is simple: to ensure that companies are free to carry on their business in a fair and competitive environment.”
- “Ongoing compliance with competition laws is a management responsibility and ultimately a responsibility of every employee.”



SECTION 1: TIPS FOR EFFECTIVE COMMUNICATION WITH BUSINESSES



Understand the roles of the business community and competition agencies in competition enforcement and advocacy

Businesses can play an important role as stakeholders and partners in a competition agency's enforcement and advocacy initiatives. Communications between businesses and competition authorities can also help raise the profile of competition law and policy and promote compliance with the law. Businesses are also an important source of information and insight for agencies. Businesses can provide information about the nature of competition and help competition authorities better understand the functioning of specific sectors or markets. Regular communication with businesses can help develop trust and build stronger relationships with the business community.

Competition authorities can play an important role in educating businesses on the importance of complying with competition law. Companies may not have a deep awareness of competition law or policy. Businesses may have a negative view of competition enforcement and be more aware of non-compliance messages from competition authorities, and they may not fully appreciate how competition benefits their business (section 2 will cover key messages to businesses). Furthermore, competition agencies may encourage businesses to consult competition experts in assessing risks to the company. Active and dynamic engagement and dialogue between competition authorities and business stakeholders can raise awareness and encourage compliance. Such dialogue can be a valuable investment for competition authorities: prevention and compliance efforts are cheaper than enforcement actions and promote efficient markets.

Identify different business stakeholders

The business community includes a wide range of companies, from large multinationals to SMEs operating across a wide range of sectors and industries. Companies have different levels of awareness and familiarity with competition law and policy. Their sensitivity and openness to communication with competition agency staff regarding competition issues may vary substantially. It may depend on the business' industry and geographic location, whether it has dedicated in-house antitrust resources, and whether the sector in which it operates in has been involved in prior competition enforcement or advocacy efforts. In-house antitrust counsels may play a relevant role in promoting competition compliance within their company.

When identifying business stakeholders, competition agencies might take into account that different operators within the same corporate structure may have different interests. Big businesses typically engage in more than one line of business: while they may face higher antitrust scrutiny for certain parts of their business operations, they may also engage in other businesses in which they appreciate the support of a competition authority to ensure a level playing field.

Given that there are a variety of different business groups and businesses with differing interests, it can be useful to categorise different business stakeholders in order to identify their likely awareness of competition. Understanding these differences may make it easier to prioritise, develop, and target the competition authority's communications. The key messages may be the same for any business audience, but the method and frequency of communicating with different businesses or groups may vary.



Target advocacy efforts

As a competition authority develops its communication strategy, it might be useful to identify potential business allies and to focus the authority's initial efforts on educating these businesses on the benefits of competition law and policy. Businesses that understand these benefits can act as emissaries for compliance in the broader market. Similarly, agencies may benefit from targeting the private bar, trade associations, chambers of commerce, and accountancy firms and banks providing services to businesses as distinct groups to raise awareness of competition law and the importance of compliance. This approach might be all the more relevant for younger agencies in regions that are new to competition law enforcement.

Competition authorities might also consider partnering with other government agencies that advocate compliance programmes aimed at bid-rigging and/or bribery, as there may be complementarity and overlaps worth pursuing jointly. In this respect, some authorities also use communication on sites managed by other organisations.

Select appropriate communication channels

Using multiple channel(s) for communicating with different businesses may be helpful. The communication channels and styles used will depend on the audience, the message, the purpose of the communication, and any desired outcome. While it may be appropriate to communicate with the public through the media and agency websites, it may be more effective to communicate with industry groups and businesses through more targeted communications. For example, competition agencies may consider attending or holding meetings with businesses where interactive discussion can be encouraged. Trade and industry associations may provide a useful forum for engaging particular industry groups. Some business stakeholders may be receptive to special events or workshops to communicate the benefits of competition, using case studies and hypothetical examples from their industry. Other stakeholders may be more receptive to smaller discussion groups. Competition agencies may also consider the best strategies for communicating with in-house counsel or the private bar. (See also: AWG, *Interim Report on Explaining the Benefits of Competition Project*, 2012, pages 39-40).

Tailor messages

It is important to deliver relevant and appropriate messages to business stakeholders. Competition authority staff should be aware of the business environment and perspective of the audience they are communicating with and adjust their messages accordingly. The underlying message about the benefits of competition is unlikely to differ across business, consumer and government stakeholders. However, businesses are likely to be more receptive to messages that relate to their business interests. In some cases, it might be necessary to explain the competition rules to make sure that they are better understood. Then, competition authorities may wish to convey messages to business stakeholders on how competition can affect their company's "bottom line". Both positive messages that show how competition law and enforcement helps business, as well as negative messages about the risks of non-compliance, are important and need to be communicated to encourage compliance.



[Section 2](#) of this document presents a list of key messages to aid competition agencies in explaining the benefits of competition to businesses.

Reassure business stakeholders

Some businesses may be concerned about reprisals if they initiate competition complaints or co-operate with the competition authority on investigations into the potential anti-competitive conduct of their competitors, suppliers or significant customers. To encourage co-operation in enforcement activities, competition authorities may wish to clarify the steps and commitments that they can undertake, consistent with their laws and confidentiality protections, to protect the identity of these businesses and their confidential information.

Use carrots and sticks

It is important to balance the “sticks” with “carrots”. For example, competition authorities must be able to convey the importance of competition law and policy in helping businesses obtain fair prices for their goods and services, pay fair prices for their raw materials and other inputs, and compete on a level playing field with similarly situated competitors. At the same time, authorities may wish to cite recent enforcement actions. Another persuasive tool might be to emphasise the positive reputational benefits to business of being perceived by customers as an ethical business partner.

Select the right communicator

Competition authorities may consider who inside or outside their agency is best suited to deliver the message to different business stakeholders. Some competition authorities employ communication specialists to frame and explain messages to particular stakeholders.

When selecting who will communicate a message on the competition authority’s behalf, it may be helpful to consider the seniority and expertise of the designated competition authority communicator depending on the business stakeholder, e.g., lawyers may be best placed to address the private bar. Some business stakeholders may be more receptive to messages from senior competition authority officials. Effective buy-in from business leaders may require senior level competition authority engagement.

Keep in contact

The frequency of communication will also vary depending on the message, the desired outcome, and the significance of business as a stakeholder. Therefore establishing regular opportunities to engage with businesses is beneficial and a long term communications strategy is helpful for competition authorities seeking to develop strong, sound relationships with business representatives.



SECTION 2: KEY MESSAGES TO BUSINESSES



Sound competition policy and effective law enforcement are good for the business community as they promote a level playing field in all markets and sectors and promote increased innovation and efficiency

- Competition provides firms with strong incentives to be more efficient than their rivals, reduce their costs, and innovate.
- Industries characterized by vigorous competition, under most conditions, utilize resources more efficiently, are more innovative, and produce more output at lower cost than industries where competitive pressure is weak.

Sources:

- (1) ICN Steering Group Chair John Fingleton, "[The case for competition policy in difficult economic times](#)," (October 2009)
 - a. This document provides a summary of key messages and examples that can be used to support competition policy and law enforcement, focusing on how the benefits of competition support economic recovery.
- (2) South African Competition Commission, [Official Newsletter – Competition News](#) (September 2015)
 - a. *"[...] while competition promotes consumer welfare by enhancing efficiency, promoting innovation and leading to wider product choice and better quality, it also facilitates a more even spread of ownership and development of small businesses by promoting access and reducing barriers to entry to markets. Strengthening competitive pressures in the economy acts to lower entry barriers, which enables the creation and expansion of small businesses and in turn facilitates the introduction of new technologies. As such, South Africa's competition policy and law are important policy tools to complement government's policies to promote small businesses."*
- (3) Competition Commission of Singapore, "[10 years of Championing Growth and Choice](#)," (2015)
 - a. *"When businesses compete for customers, they offer better prices to gain market share. To do this, they think of strategies to lower the cost of production and find the most efficient ways to produce their goods and services. As a result, businesses that are efficient and have the highest productivity will survive and thrive."*
- (4) Swedish Competition Authority, "[Better Competition is Good for Everyone](#)," (2015)
 - a. *"Competition helps the opening of markets, the establishment of new businesses and the development of innovative products." (In Swedish)*
- (5) Competition Commission of Singapore, "[A Two-Minute Wonder](#)," (video), (2011)



- (6) *"You have many priorities: talents, customers, new markets, growth, innovation and productivity. The last thing you should need to worry about are anticompetitive practices that make it difficult for your business to compete. Your business thrives best when there is a level playing field where big and small companies can compete against each other on merit. Competition law seeks to safeguard that competition process for everyone. Protecting competition, protecting you."* Portuguese Competition Authority, "[Fair Play](#)," (2014)
 - a. *"Competition policy promotes a level playing field in the market so that companies can compete on merit, whatever their size. To be successful in the market, companies need to improve performance. Become stronger, more competitive, more able to expand activity and gain scale." (in Portuguese) "When companies compete fairly, they become more efficient, innovate, and compete, to gain more customers. This pressure repels uncompetitive businesses and encourages the entry of new companies in the market, also efficient, dynamic, innovative and competitive." (in Portuguese)*
 - b. *"To compete fairly, companies strive to make their products or services other than those that already exist in the market. They want to bring the best product or service to the consumer... invent new services, invest in design, improve production techniques or invest in training for workers." (in Portuguese)*
- (7) United Kingdom Competition and Markets Authority, "[Competing Fairly in Business: At-A-Glance Guide](#)" (2015)
 - a. *"Competition encourages businesses to improve and innovate, for the benefit of their customers. Competition law make sure businesses are competing on a level playing field and are protected from others acting unfairly."*
- (8) Mexico Federal Economic Competition Commission, "[SMEs and economic competition](#)," (2015)
 - a. *"Competitive markets allow SME's access to better priced inputs and to a wider variety of goods and services. Also, SME's have the incentives to innovate and be more competitive."*
 - b. *"SME's can be affected by anti-competitive practices that diminish their economic development capacity."*
- (9) United States Federal Trade Commission, "[Competition Counts](#)"
 - a. *"By enforcing antitrust laws, the Federal Trade Commission helps to ensure that our markets are open and free. The FTC promotes healthy competition and challenges anticompetitive business practices to make sure that consumers have access to quality goods and services, and that businesses can compete on the merits of their work. The FTC does not choose winners and losers – you, as the consumer, do that. Rather, our job is to make sure that businesses are competing fairly within a set of rules."*



- (10) Ontario Chamber of Commerce (OCC), "[Promoting Competition and Fairness in the Telecommunications Industry](#)," (August 2013)
 - a. Competition policy protects business by ensuring that provisions of the legal framework are applied to companies equally and that a playing level field is maintained. A non-discriminatory treatment promotes competition and benefits not only businesses but also consumers by allowing them access to better services at better prices, thereby generating welfare for the public.

Sound competition policy and effective law enforcement protect businesses and consumers from anti-competitive behavior that can serve as artificial barriers to entry. Increased competition creates opportunities for business, including small and medium sized firms, to enter markets and grow

- Firms, including small and medium sized firms (SMEs), are also customers of both domestic and foreign firms, and often deal with distributors. With robust competition, businesses benefit because they can purchase intermediate goods and services at the most favorable prices, for given levels of quality and other non-pricing characteristics.
- Businesses benefit from robust competition upstream among their different suppliers, especially when negotiating new supply contracts. Businesses also have an interest in promoting competition downstream among firms that sell their products to final consumers, to increase their sales relative to other manufacturers.

Sources:

- (1) Commerce and Economic Development Bureau, Government of the Hong Kong Special Administrative Region of the People's Republic of China, "[FAQs document for Small and Medium Enterprises \(SMEs\)](#)"
 - a. This document discusses the goals and purpose of competition law, with a view to explain benefits to small and medium sized enterprises. When competition is distorted due to companies' exercising anticompetitive behaviors, such as creating barriers to entry, the Government would take appropriate actions to protect competition and consumers. Consequently, small businesses would be able to enter the market, have the opportunity to expand, trade more freely, and benefit from lower costs of inputs.
- (2) OECD, Global Forum on Competition, "[Competition on Poverty Reduction](#)," (2013)
 - a. Part of this document describes how competition can help small business owners and workers. It explains that competition can "help to create new product markets and businesses," which will create new employment, enabling them to earn more money. Further, removing overly restrictive regulations and achieving a more competitive market enhances entry and business development (at p. 41).



- (3) Competition Commission of Singapore, "[10 years of Championing Growth and Choice](#)," (2015)
 - a. *"Competition also forces suppliers to offer goods differentiated by price and quality, resulting in lower production costs for SMEs."*
 - b. *"Competition law is not out to make it uncompetitive for businesses. Rather, it is there to ensure a fair and level playing field for all businesses"*
- (4) Hong Kong Competition Commission, "[Competition Delivers](#)," (2014)
 - a. *"Competition creates more choices and better products at better prices in dynamic markets where businesses can expand and starts-ups are encouraged."*
- (5) Competition Commission of South Africa, "[The Competition Act: A Guide for SMEs](#)"
 - a. *"The overall objective of the Act is to promote and maintain competition in South Africa in order to, amongst other things, ensure that small and medium sized enterprises (SMEs) and businesses owned or controlled by historically disadvantaged persons (HDI) have an equitable opportunity to participate in the national economy. This requires us to monitor the markets to ensure that there are no unreasonable barriers for SMEs and HDI firms is not hampered by collusive and/or exclusive arrangements and that SMEs and HDI firms are not forced to exit markets because of abusive behavior by dominant firms."*
- (6) James Barty & Tommy Ricketts, BBA (Trade Association for the UK banking sector), "[Study on Promoting competition in the UK banking industry](#)," (June 2014)
 - a. An increase in the number of players in the banking industry would enable consumers to make informed choices from a greater range of products to suit their need from a wider variety of providers. Governments have contributed in promoting competition in the UK banking industry by reducing entry barriers through such means as "mak[ing] the new bank application process easier" and "reduc[ing] both the capital and liquidity requirements for new banks". At the same time, there are issues that remain to be resolved, in order to ensure level playing field, and the BBA urges the government to seek for solutions so that both large and small banks can compete fairly.
- (7) Brazilian Administrative Council of Economic Defense (CADE), "[CADE Practical Guide - The Defense of Competition in Brazil](#)," (2007)
 - a. Although this document precedes the new Brazilian Competition Law (Law nº 12.529/2011), which sets out a series of important changes in the Brazilian System for Competition Defense, its utility remains in that it discusses several aspects of competition law and policy, with a view on the importance of free competition and how competition can help medium and small-scale businesses and entrepreneurs. It explains that free competition supports "lower prices and greater possibility for consumers' choices, but also stimulates creativity and innovation". It also states that "the defense of competition is therefore of interest not only for consumers but also for enterprises of all sizes, especially for medium and small-scale entrepreneurs".



Businesses benefit from a strong culture of competition and high levels of competition law compliance. Competition agencies play a key role in promoting compliance

- Competition culture within the business community helps ensure anti-competitive conduct and associated harm is avoided in the first place. An understanding of competition law, its basic principles and the available sanctions help to minimize or reduce anticompetitive behaviour. This is particularly significant during times of economic crisis, when the danger of cartel and other anti-competitive practices may become more pronounced.
- Competition agencies that have published guidance on competition compliance programs have indicated that such guidance effectively raises awareness of and compliance with competition policy among businesses and business associations, including SMEs.

Sources:

- (1) ICN Advocacy Working Group, [Competition Culture Project Report](#) (2015).
 - a. *“Competition agencies define and promote competition culture in various ways. First, and perhaps most obviously, they give active content to competition law legislation through enforcement. Second, they often promote awareness of the benefits of competition and the adoption of competition-friendly policies within other government bodies through their role in competition advocacy. Third, they undertake a variety of advocacy activities to make economic agents and consumers aware of the advantages of market competition. Fourth, they promote legal procedures and administrative and judicial adjudication that provides the public good of competition culture to others beyond the immediate litigants. Finally, they interact with and educate specialists, including lawyers, economists and academics, who generate wider awareness of competition culture as non-governmental actors.”*
- (2) ICC SME Toolkit, [“Why is complying with competition law good for your business,”](#) (2015)
 - a. “By having a credible approach to competition law compliance, your company
 - b. could enjoy:
 - A stronger corporate culture and employee commitment to business integrity. This will enhance your reputation among existing and potential customers, and help you to recruit top talent.
 - Increased confidence when faced with competition law issues in commercial negotiations — just knowing when it’s worth getting specialist legal advice can help you to compete more aggressively (but lawfully).
 - a.



- Improved awareness of risks, leading to prevention and early detection of issues so you protect your company better.
 - Comfort that it will be easier to sell a business with a solid record of competition law compliance: no purchaser wants to bear the risk of future liability for cartel or other anti-competitive activity!"
- b. The ICC has also published "[ICC Antitrust Compliance Toolkit](#)," (2013). It is available in English, Chinese (Mandarin), Dutch, French, Italian, Polish, Romanian, Spanish and Turkish. Designed by business for business, the ICC Antitrust Compliance Toolkit provides practical antitrust tools for companies of all sizes wishing to build or reinforce a robust compliance programme.
- (3) UNCTAD Seventh UN Conference to Review the UN Set on Competition Policy, Presentation by Dave Anderson, "[Creating an enabling environment for the private sector](#)," (July 2015)
- a. Presentation on the roles of competition agencies and businesses in promoting compliance, providing examples of outreach tools and dynamic approaches to compliance.
- (4) Competition Commission of Singapore, "[10 Years of Championing Growth and Choice](#)," (2015)
- a. *"Complying with competition law not only helps shield SMEs from financial penalty, it also helps in fostering goodwill. SMEs with a reputation for not engaging in anti-competitive behaviour will be welcomed when they venture overseas."*
- (5) Competition Commission of Singapore, "[Better Business with Competition Compliance Programme](#)"
- a. *"Rivalry with competitors is part and parcel of doing business. Managing your risks with an effective Competition Compliance Programme means putting in place a better business process for your company, which will enhance your competitive edge."*
- (6) Japan Fair Trade Commission, "[Survey on Corporate Compliance Efforts with the Antimonopoly Act \(Summary\)](#)," (2012)
- a. *"To further promote fair and free competition in the market, it is necessary not only to eliminate anticompetitive conducts against the Antimonopoly Act (hereinafter, "AMA") by enforcing the AMA strictly but also to create an environment where compliance related to the AMA (hereinafter, "AMA compliance") is promoted within individual enterprises so that competitive business activities are implemented autonomously. From this viewpoint, the Japan Fair Trade Commission (hereinafter, "JFTC") has been encouraging AMA compliance in enterprises, considering the stringent and active enforcement of the AMA and, supports and advocacy for initiatives taken by enterprises related to AMA compliance as "a pair of wheels" in competition policy."*



Businesses face risks if they don't comply with competition law

- Businesses and their managers, directors, employees, and attorneys, should be aware of the consequences that can result from violating the competition law. In many jurisdictions, there are civil, and sometimes criminal, penalties for competition law violations. Such penalties can include fines, “business bans” for prominent members of the management, and/or partial annulment of agreements that infringe the law. In addition to penalties imposed by competition agencies or by courts, businesses may also suffer reputational harm, diversion of management time, legal costs, and lawsuits from third parties.

Sources:

- (1) ICN Cartels Working Group, [Anti-Cartel Enforcement Manual Chapter on Cartel Awareness and Outreach and Compliance](#) (2012).
- (2) ICC SME Toolkit, [“Why is complying with competition law good for your business,”](#) (2015)
 - a. The document highlights the advantages of complying with competition law for small businesses, including that non-compliance with competition law has a negative impact on company performance. Fines for non-compliance can be up to 10% of a firm’s business worldwide turnover for a single infringement. Customers may sue enterprises for damages if they have been affected by illegal practices. Furthermore, non-compliance with competition has a reputational cost among existing and potential customers. Compliance with competition law improves firm performance, increases its reputational capital, and helps companies to recruit talent and increase their competitiveness.
- (3) European Commission, DG Competition, [“Compliance Matters,”](#) (2012)
 - a. *“EU competition rules concern everyone who does business in the EU, as they apply directly to all undertakings which are active within the EU. This means not only managers, who have choices to make in the interest of their companies, but also employees, who require guidance on how to implement these choices. Companies whose market behaviour fails to comply with EU competition rules run the risk of incurring high fines and facing other negative consequences.”*
 - b. *“The Commission issues a press release whenever it has made a finding of illegal conduct and has fined the companies involved. The resulting media coverage, both general and specialised, could have a detrimental impact on the reputation of those companies. Moreover, they may face hostility from clients and consumers who feel cheated. Investigations by competition authorities can be time-consuming and costly for companies. Managers may become embroiled in lengthy legal discussions, thereby distracting attention from the core business activity.”*
- (4) Competition Commission of Singapore, [“Protect Your Business: Know the Dos and Don’ts of the Competition Act”](#)
 - a. “Breach of the Competition Act can hurt your company in several ways:



- Reputation affected – your company will suffer from the loss of its reputation and the goodwill of its consumers and the public
- Business affected – your company may have to stop operations or modify its activities or conduct
- Company fined – your company will be fined up to 10% of its turnover in Singapore for each year of breach, for a maximum of up to three years
- Company sued – your company may face third-part claims from any party that has suffered losses as a result of any breach of the Competition Act.”

- (5) OECD, [“Promoting Compliance with Competition Law,”](#) (2011)
- a. Summarizing a roundtable discussion, and providing written contributions from 23 jurisdictions and the OECD’s Business and Industry Advisory Committee.

Competition provides benefits to the economy, improves resource allocation and efficiency, and increases the ability to compete internationally

- Greater market competition results in greater productivity and economic growth. Competition in domestic markets affects the international competitiveness of national firms. Firms typically acquire many of their inputs – such as transport, energy, telecommunications, and financial services—in local markets. If these upstream markets lack competition, goods and services needed for production are not priced competitively. As a result, firms may be less competitive than their foreign rivals and domestic GDP growth may suffer. (See the [Economic Growth and Productivity](#) section in the ICN AWG’s Benefits Project website for more information)

Sources:

- (1) Markus Kitzmuller & Martha Marinez Licetti: [“Competition Policy: Encouraging Thriving Markets for Development,”](#) ViewPoint Public Policy for the Private Sector Series, No 331, Finance and Private Sector Development Vice Presidency, The World Bank Group, 2013
 - a. A literature review conducted by The World Bank Group shows that competition policy reforms allow markets to work more efficiently for the benefit of consumers and drive sustainable economic growth. Three main insights emerge: Greater market competition matters for achieving greater innovation, productivity, and economic growth. Policies that help open markets and remove anti-competitive regulations can promote competition, resulting in lower prices and better deals for consumers and firms. And effective enforcement of competition rules across sectors - rather than the pure existence of competition laws - makes a difference in the impact of competition policies.
- (2) Hong Kong Competition Commission, [“Competition Delivers”](#) (video) (2014)
 - a. *“The Competition Ordinance safeguards a competitive environment and encourages market growth.”*



- (3) United Kingdom, Office of Fair Trading, "[Productivity and Competition: An OFT perspective on the productivity debate](#)," (January 2007)
 - a. *"Competition is an important driver of productivity. This paper seeks to add to the understanding of how a competition authority can build productivity analysis into its prioritization. Productivity gains will be most beneficial to consumers if competition ensures that reduced costs or increases in quality are passed on to them. Empirical studies of product markets, and of deregulation provide strong evidence of the high level relationship between competition and productivity. Competition drives productivity through three mechanisms: within firm effects; between firm effects; innovation."*

- (4) United Kingdom, Office of Fair Trading, "[Competition and Growth](#)," (November 2011)
 - a. *"The central role of competition as a driver for economic growth and innovation is supported by a wide body of macroeconomic and sectoral evidence. We have long known that effective competition provides significant benefits for consumers through greater choice, lower prices, and better quality goods and services. Competition also drives growth because it provides strong incentives for firms to be more efficient than their rivals and to reduce their costs, and rewards innovation. (...) As well as the general relationship between competition and growth, this paper looks more specifically at how competition, and competition interventions by government or agencies, can contribute to the better utilization of capital, labor and natural resources, and to increased innovation and better management. It also discusses the role competition policy can play in maximizing competition's contribution to economic growth. It concludes that there are effectively two important arms of competition policy: that which is pursued by government itself, and that undertaken by the (usually independent) competition agencies."*

- (5) Aghion, Philippe & Schankerman, Mark, "[On the Welfare Effects and Political Economy of Competition-Enhancing Policies](#)," *The Economic Journal*, Vol. 114, October 2004, pp. 800-824.
 - a. *"The authors analyze the welfare effects of policies that intensify product market competition, and the channels through which they operate. Using a circular model of horizontal product differentiation with asymmetric costs, the authors study the effects of increased price competition on market selection among incumbent firms, cost reduction effort, and entry of new firms. The model also generates an endogenous demand for competition-enhancing or retarding policies arising from cost heterogeneity, and they demonstrate the possibility of a 'low-competition' political economy trap. Simulations of the model illustrate that the selection effects the authors analyze, which traditional cost-benefit analysis is unlikely to capture, can be large."*

- (6) Swedish Competition Authority, "[Better Competition is Good for Everyone](#)" (2015)
 - a. *"Well-functioning competition promotes efficient production and distribution of resources." (in Swedish)*
 - b. *"Good competition is crucial for dynamism and growth in the Swedish economy, and is thus a prerequisite for welfare" (in Swedish)*



- (7) Portuguese Competition Authority, "[Fair Play](#)" (2014)
 - a. *"To compete against each other, with fair play, companies improve performance, innovate, betting on product quality and better prices and make their most attractive products and services to international markets. Competitive firms are better able to explore expansion opportunities and gain scale in international markets."* (in Portuguese)
- (8) Competition Commission of South Africa, "[Pocket Guide to Competition](#)"
 - a. *"Why a Competition Act? To promote and maintain competition in the market place in order to:*
 - Promote the efficiency, adaptability and development of the economy;
 - Provide consumers with competitive prices and product choices
 - Promote employment and advance the social and economic welfare of SA;
 - Expand opportunities for South African participation in world markets and recognize the role of foreign competition in SA;
 - Ensure that SME's have equitable opportunity to participate in the economy;
 - Promote a greater spread of ownership, in particular to increase ownership of historically disadvantaged persons."
- (9) Competition Commission of Singapore, "[10 years of Championing Growth and Choice](#)," (2015)
 - a. *"Competition helps in the efficient allocation of resources. Inefficient businesses that are unable to match their competitors' price and quality will have to leave the market eventually. This frees up resources for businesses that remain competitive. Competitive businesses in turn allocate resources where they are demanded most, producing goods and services that people want."*

Businesses have the opportunity to inform competition policy and support competition law enforcement

- Competition authorities may find it useful to reinforce their communication with the private sector by explaining how enforcement of competition law can benefit them. In addition, businesses can report potential competition law violations to competition authorities.

Sources:

- (1) UK Competition and Markets Authority, "[Competition law risk: a short guide](#)" (2014)
 - a. *"Businesses and individuals that come forward to report their own involvement in a cartel may have their financial penalty reduced or avoid a penalty altogether."*
 - b. *"Doing the right thing can secure leniency."*
- (2) Mexican Federal Economic Competition Commission, "[SMEs and economic competition](#)" (2015)
 - a. *"What can you do regarding anticompetitive practices which are causing you harm? The competition law allows you to report such conducts to the competition authority."* (in Spanish).



SECTION 3: CASE STUDIES



These case studies demonstrate examples of how competition agencies and organisations have explained the benefits of competition to businesses. A great many ICN member agencies have produced valuable and effective materials about competition compliance. The case studies included here are highlighted to demonstrate examples of a variety of novel and effective messages, materials and communications and stakeholder strategies. They cover a broad range of different backgrounds and experiences, encompassing large and small, newer and more experienced agencies.

These may provide inspiration for agencies that wish to adopt new methods or techniques in reaching out to the business community to communicate the importance of competition compliance and the benefits of competition.

The case studies include examples from the following agencies and organisations:

- [The Competition Commission of Singapore](#)
- [The Competition and Markets Authority \(CMA\) - UK](#)
- [Fiscalía Nacional Económica \(FNE\) – Chile](#)
- [The Hong Kong Competition Commission](#)
- [The Japan Fair Trade Commission \(JFTC\)](#)
- [The Mexican Federal Economic Competition Commission \(COFECE\)](#)
- [The New Zealand Commerce Commission](#)
- [The Portuguese Competition Authority](#)
- [The Swedish Competition Authority](#)
- [The US Federal Trade Commission \(FTC\)](#)
- [The Spanish Competition and Market Authority](#)
- [The Competition Bureau of Canada](#)
- [The Brazilian Bar Association, Competition Sector, Sao Paulo \(CECORE / OAB-SP\)](#)
- [The International Chamber of Commerce \(ICC\)](#)

Competition Commission of Singapore

Singapore's Competition Commission has developed several online materials such as videos to raise awareness of the competition principles and the benefits of complying with them. The format of these videos makes them accessible and attractive to viewers as they are short and well-filmed, and the content is presented in an user-friendly and entertaining way, for example by making use of animations and comic-strip characters.

In the video "[2 Minute Wonder](#)" - *Why Competition Law Matters*", viewers are introduced to types of conduct that can violate antitrust law together with an interesting illustration of how they can adversely impact the drivers of business.

The video "[Cartels - What if you saw things from a different perspective?](#)" shows the statements of a cartel member explaining the benefits of cheating consumers by setting up a cartel; however the same sentences, with the simple trick of reading them in a reverse way, become the words of an advocate for competition compliance.



Competition and Markets Authority (CMA) - UK

The UK Competition and Markets Authority has produced a series of easy-to-understand materials aimed at informing businesses about compliance with the competition rules and the benefits of competition, including information specifically aimed at small businesses. The CMA's engagement with stakeholders in order to understand businesses' understanding of the law is also notable.

Wide range of "at-a-glance" materials

The CMA's materials include a short interactive quiz for users to test their knowledge of different anticompetitive behaviour, and a checklist for companies to see if they are in danger of breaking the law. They also include an "at-a-glance" one-page guide to competing fairly in business, with links to short animated video guides on anti-competitive activities, and case studies from the UK. This work accompanies other compliance documentation produced by the CMA and its predecessor, the OFT.

Through these materials, the CMA has created accessible and easy-to-understand messages about the competition rules and the risks of non-compliance in a variety of formats. To take one example, the small business checklist is structured as a simple flow-chart to help businesses understand when they are at risk of breaking the law. The interactive "2-minute quiz" uses simple true/false questions to explain essential aspects of the competition rules. The materials also promote overall messages about the benefits of competition, such as the message that "competition encourages businesses to improve and innovate, for the benefit of their customers. Competition law makes sure businesses are competing on a level playing field and are protected from others acting unfairly".

The materials can be found [here](#).

Commissioned research to understand businesses' understanding of the law

As the Benefits platform notes [check that this is the case], competition authorities can engage stakeholders during the process of creating materials to explain the benefits of competition to businesses. The CMA has commissioned research to better appreciate UK businesses' understanding of competition law, as well as small businesses' understanding of competition law and how the CMA can improve their awareness of anti-competitive behaviour. The research can be found [here](#) and [here](#).

Fiscalía Nacional Económica (FNE) - Chile

Recent experience of the Chilean competition authority (Fiscalía Nacional Económica, [FNE](#)) shows that a proper mix of public enforcement and advocacy activities is able to strengthen competition in a country where, in 2010, 40% of cartel cases involved trade associations.

Advocacy activities of the FNE

In order to initiate changes in the country's business culture, the traditional public enforcement of antitrust rules was deemed insufficient. An advocacy strategy of surveys and market studies, as well



as information campaigns, has been employed to create awareness of the business community on the importance of competition. In recent years, the FNE has provided guidelines to undertakings based on information collected by companies and trade associations. In 2011, the FNE released the [final version](#) of the guidelines and started a roadshow to present and discuss them with the business community.

Results of the FNE advocacy strategy

Even though at first businesses were critical of the guidelines and of the FNE's advocacy strategy, the situation has changed. According to a 2012 survey, 73% of antitrust lawyers stated that the guidelines created a shift in the conduct of the Chilean business community. In particular some trade associations have adopted competition guidelines to support the effort of their members to operate in compliance with antitrust rules. Thus, a degree of antitrust self-regulation is emerging among Chilean companies, and this seems to be the result of an open and transparent discussion between stakeholders and the authority which is helpful to build understanding of the importance of a culture of antitrust compliance.

Hong Kong Competition Commission

The Hong Kong Competition Commission's website is an important interface and engagement platform. It features useful and practical educational materials to assist businesses and members of the public in understanding and complying with the competition law and policy. The Competition Commission's work is illustrative of how competition agencies may wish to promote a competition culture in a jurisdiction where a new competition regime is being implemented.

In particular, the Competition Commission has made innovative use of TV and radio commercials which were broadcast months before the Competition Act came into effect fully (December 2015), in order to raise awareness of the competition offences and explain the benefits of competition to businesses and consumers.

Of particular interest are the ["One-minute TV Episodes "Compete With Integrity"](#) (July 2015), one for each competition violation (ten in total), and the [Radio Programme "Compete to Comply"](#), which was broadcast from September to November 2015 only in Cantonese.

The launch of the new Competition Act was announced in TV and radio announcements, available [here](#).

Japan Fair Trade Commission

From 2006 to 2015, the Japan Fair Trade Commission (JFTC) conducted seven surveys through questionnaires and interviews with companies and lawyers specialized in corporate legal affairs, and published a series of reports based on the survey results in order to present the various measures for further improvement, as well as recognize and analyze the promotion of the AMA compliance of enterprises, and thereby clarify the problems and challenges.



Especially the report published in 2012, which is based on the information obtained from the survey conducted in the same year, identified the important points for ensuring the effectiveness of compliance with Antimonopoly Act as follows:

1. Cases where the promotion of compliance has enabled an enterprise to avoid losses or has brought about a positive result to the enterprise (“success cases”).
2. Cases where failure to take measures concerning compliance or insufficient measures have resulted in losses or a negative impact on an enterprise (“failure cases”).
3. Cases that will be informative for achieving efficient and effective compliance.

This exercise has helped to show that the benefits of a compliance programme include: (i) maintenance or improvement of the reputation and brand image; and (ii) avoidance of potential risks and costs.

It has also provided evidence that an effective compliance programme allows companies to identify any violations at an early stage and to implement appropriate countermeasures.

To enhance effectiveness of compliance program, it is essential to include three crucial measures (called the “3Ds”):

- Deterrence: prevention of acts in violation of competition law through training and others.
- Detection: verification and early discovery of acts in violation of competition law through audits and others.
- Damage Control: appropriate response to an act.

At the same time, the survey found out that the effectiveness of enterprises’ compliance is enhanced by promoting a strong commitment and initiatives by top management. This effort has also enabled the JFTC to identify the other points to improve the effectiveness of compliance programmes and the success of advocacy efforts to promote their implementation.

The JFTC’s report published in 2012, which is focusing on AMA compliance overviewed above, can be found [here](#). In addition to this report, the JFTC published a report in 2015 which focused on compliance for foreign competition laws, can be found [here](#).

Mexican Federal Economic Competition Commission (COFECE)

The Mexican Federal Economic Competition Commission (COFECE), has undertaken an outreach strategy directed to the private sector. The purpose is to increase business’ knowledge regarding their rights and obligations within the competition legal framework. One important component involves explaining how competition benefits businesses. Two relevant documents related to this effort are described below. These are written in Spanish, and may therefore be accessible examples for competition agencies in other Spanish speaking countries.



SMEs and economic competition (brochure)

COFECCE recognizes that SME's financial, legal and human resources are limited. This short brochure, written in simple language and supported by illustrations, allows SME's to:

- understand the concept of competition and its benefits,
- identify anticompetitive practices performed by others which may harm them (including hypothetical examples),
- become familiar with the legal resources available to them,
- learn which anticompetitive practices they should avoid carrying out themselves.

Two of the main messages addressed by the brochure are:

- Competition triggers a virtuous circle that brings benefits to both consumers and businesses (in terms of better prices, improved quality and variety in choice of goods, services and inputs, as well as increased investment, innovation and productivity).
- SME's could be harmed by others' anticompetitive practices, and they therefore benefit from understanding how competition law could work in their favour.

The SME brochure can be found [here](#).

Recommendations for private sector actors on how to implement a competition compliance programme

This document provides professionals, businesses and business organizations with suggestions on how to design and implement a competition compliance programme.

It begins by explaining the concept of competition and how it benefits businesses and society as a whole. The document then covers the practices which businesses should avoid and the sanctions they may incur in.

Suggestions on how to implement a compliance programme include: (i) incorporating competition as part of the values of the organization; (ii) naming a person in charge; (iii) risk detection and assessment; (iv) implementing guides, manuals and policies (including training); (v) monitoring, audits and internal whistleblowing; (vi) internal disciplinary actions; and (vii) global assessment. The document recognizes that different sizes and types of organizations require different kinds of programme, and recommends that the suggestions should be adapted accordingly.

Organizations become familiar with: (i) how competed markets are beneficial for business activity; (ii) how complying with competition law not only reduces risks of sanctions, but also avoids loss of reputation and (iii) how it entails acting in a socially responsible way, contributing to global economic growth.

The recommendations for implementing a competition compliance programme can be found [here](#).



New Zealand Commerce Commission

The New Zealand Commerce Commission developed a unique approach to explaining competition compliance issues in reaction to a specific event, in this case the Christchurch earthquake. The Commission started the Christchurch rebuild initiative because its experience was that disaster reconstruction zones are notorious for anti-competitive practices. The Commission engaged with a range of Canterbury businesses involved in rebuilding activities about how to stay clear of breaching the Commerce and Fair Trading Acts.

The Commission's advocacy programme for Christchurch businesses initially focused on procurers of goods and services and the risks of breaching the competition rules in connection to procurement procedures. It then expanded the programme to include suppliers and Fair Trading Act issues as well.

Commission staff started talking to CERA, the Christchurch City Council, and major insurance companies and their project management offices (who procure building contracts) about how to spot price-fixing, bid-rigging and other anti-competitive business behavior.

The Commission's role has been described as two-fold: educating Christchurch businesses to help them avoid breaching competition and consumer laws, and looking out for illegal activity that might be taking place.

The Commission has online fact sheets and guidelines to help businesses to understand the law, to be in a position to identify and avoid risks, and to recognize when they should seek legal advice.

The website for the Commission's "Construction Site" initiative can be found [here](#).

Portuguese Competition Authority

The Portuguese Competition Authority undertook to promote the benefits of competition and the importance of compliance through an initiative called "Fair Play". The Fair Play initiative is an example of a competition authority utilizing a wide-ranging strategy to communicate its messages, and engaging stakeholders in the process.

A dedicated website with wide-ranging resources

The various resources connected to the Fair Play initiative are housed on a dedicated website, including an animated film about the competition rules, a presentation by the Director General of the Authority, and short videos by EU Competition Commissioner and the Portuguese Prime Minister. A booklet was also produced including short and clear core messages on the benefits of competition under different categories. Additionally, a second booklet promoting compliance programs is also available at the website.



Engaging stakeholders

The authority also carried out a road show through various Portuguese cities organized in partnership with local, regional and national business associations. The road show publicized the benefits of competition, the competition rules, the risk of non-compliance and the methods at companies' disposal to mitigate these risks.

The dedicated Fair Play website can be found [here](#).

Swedish Competition Authority

The Swedish Competition Authority (SCA) has strengthened and broadened its communication strategy as a part of its on-going advocacy efforts. Its efforts in this regard encompasses video, interactive checklists, brochures, easy-to-read factsheets and social media, and has even expanded to including podcasts. Taken as a whole, these resources aim to reach out to a broad range of stakeholders including the business community, in order to communicate messages about competition law compliance and the benefits of competition.

Brochures and videos

A recent brochure entitled “Better Competition is Good for Everyone” looks at different aspects of competition enforcement, for example cartel detection, with a description of the SCA's work and an explanation of how this benefits businesses. The key messages are backed by recent cases in which the SCA took action, followed with an explanation on the effects on the market.

In addition, the SCA has begun producing videos explaining the competition and procurement rules.

The brochure is available [here](#) (in Swedish and soon to be published in English). The videos are available [here](#).

Interactive guidance

The SCA has created a set of interactive guidance tools to take users through different scenarios, using yes/no questions, to help to determine whether a certain conduct is likely to be prohibited or permitted by the competition rules. The guidance covers three priority areas - cooperation in public procurement procedures; cooperation within trade associations; and competition neutrality. The SCA's goal is to expand the interactive guidance to cover other areas according to identified needs.

The interactive guidance (in Swedish) can be found on the [SCA's website](#).

Social media and podcasts

The SCA is increasingly active on social media, including Twitter and Instagram. Through these mediums, stakeholders and consumers can quickly and easily follow the Authority's latest decisions and initiatives and directly interact with the authority.



The recently launched podcast series discusses recent and current cases and topics. This forum is especially effective when addressing matters that are discussed in the media. The podcasts are available [here](#).

US Federal Trade Commission (FTC)

The Federal Trade Commission (FTC) carries out a variety of activities in promoting the benefits of competition and explaining the competition rules, ranging from guidance and workshops to advisory opinions and speeches. The FTC is also notable for making use of social media to raise awareness of the competition rules in the business community and promote compliance.

Educational resources

The FTC offers educational resources to explain the competition laws and the benefits of competition to consumers and to businesses. On the FTC’s website, there is a “Guide to Antitrust Laws.”

The Guide is written in plain-language, and is designed for consumers and business people with questions about the antitrust laws. The Guide summarizes the core laws that ban unfair business practices and prevent mergers that harm consumers, and explains how antitrust cases are brought by U.S., state, and international authorities, as well as private parties. There are also fact sheets on specific antitrust topics, such as price fixing, bid rigging, and refusals to deal.

The Guide is available [here](#).

The FTC’s Bureau of Competition has developed a variety of resources to help explain its work. For an overview of the types of matters investigated by the Bureau, read [Competition Counts](#).

Guidance documents

The FTC has additional guidance documents that promote transparency and encourage compliance with competition law. These resources are compiled online as “Competition Policy Guidance.” Available [here](#).

Workshops on Competition Policy

The FTC periodically holds free, public workshops to discuss various aspects of competition law and policy. These workshops promote dialog with the business community and typically feature speakers from the FTC, U.S. Department of Justice’s Antitrust Division, academia, businesses, and private attorneys.

Advisory Opinions

FTC staff issue advisory opinions to help clarify FTC rules and decisions, often in response to requests from businesses and industry groups. Available [here](#).



Social Media and Blog

The FTC uses social media to raise awareness of the competition rules in the business community and promote compliance, including through Facebook, Twitter and a blog, Competition Matters.

- Social Media main page, available [here](#).
- Competition Matters Blog, available [here](#).

Speeches

The FTC Commissioners and staff frequently give speeches to business, legal, and industry groups, including chambers of commerce, trade associations, and bar associations. Speeches raise awareness of competition law and promote compliance. One example is “A Common Goal: The U.S. Federal Trade Commission’s Healthcare Enforcement Program and Its Implications for ACOs,” Keynote Remarks by Commissioner Julie Brill for the Sixth Annual Accountable Care Organization Summit, available [here](#). All speeches are available [here](#).

Spanish Competition and Markets Authority (CNMC)

The Spanish Competition and Markets Authority (CNMC) has a variety of tools to explain the benefits of competition policy and to facilitate compliance with competition law. An example of such tools is the [Guide for Business Associations](#).

The Guide seeks to increase compliance with competition law by business associations, mainly due to the high number of cases related to these actors. It provides a set of guidelines that business associations should take into account in order to avoid anticompetitive practices.

The Guide explains why competition policy matters and how competition law may affect business associations. It is essentially devoted to reviewing the most frequent anticompetitive practices undertaken by business associations, namely: price recommendations, decisions regarding market sharing agreements, exclusionary conducts towards certain competitors (boycotts), information exchanges, and restrictions on competition on standardization agreements and standard contracts. The Guide clarifies the principles applied by the Spanish Competition Authority in such cases and helps business associations to avoid certain conducts and to comply with competition law.

When the Guide was published in 2009, a formal presentation was made in the Spanish Competition Authority. A massive email campaign targeting business associations was undertaken. In addition, the Spanish Competition Authority Staff has held several events with business associations to explain the contents of the Guide and its implications.

The Guide for businesses Associations can be found [here](#).



Competition Bureau of Canada

The Competition Bureau (the “Bureau”) offers a variety of resources to assist businesses and trade associations in recognizing and preventing anti-competitive conduct, including support in establishing effective compliance programs within their organizations. To that end, the Bureau published its updated Corporate Compliance Programs bulletin on June 3, 2015. This bulletin seeks to help businesses of all sizes in the development of a credible and effective compliance program, with special attention paid to small and medium-sized businesses. It is designed to help businesses get the solid information they need to reduce their risk of contravening the law.

In order to operationalize the Bulletin, a Compliance Unit (the “CU”) has been created to administer the Bulletin. In achieving its proactive external compliance objective, the CU is developing a suite of policy, communication, educational and other materials; engage with the Competition Law Section of the Canadian Bar Association and the business community to promote widespread adoption of credible and effective compliance programs across the country; and providing advice to the Commissioner and senior managers on compliance matters. The CU is promoting the revised Bulletin, along with the other complementary compliance tools, on a cross-Canada compliance “roadshow”.

Expected results include increased awareness and understanding of the Competition Act and the Bureau’s role within the business community. The Bureau also expects increased implementation of credible and effective corporate compliance programs to reduce the risk of non-compliance with the Competition Act and foster a more cooperative approach to enforcement between the Bureau and the business community.

The Corporate Compliance Programs bulletin is available on the Competition Bureau’s website [here](#).

In addition to the Bulletin, the Bureau has developed a video, fact sheets and a pamphlet on corporate compliance programs to inform and facilitate businesses’ efforts to comply with the law. The video is available [here](#).

Brazilian Bar Association, Competition Sector, of Sao Paulo (CECORE / OAB-SP)

In 2015, during a Conference organized by CECORE to celebrate the Anniversary of the Brazilian Competition Law, an official competition advocacy campaign was launched to promote competition law, its benefits and a culture of competition among lawyers from different areas and society, including entrepreneurs, government, students and trade unions. CECORE’s work was inspired by ICN AWG work and the Portuguese Competition Authority’s Fair Play Campaign (see here [insert link to Portuguese case study]).

Since then, CECORE has promoted conferences and speeches, with more scheduled for 2016.



As part of the campaign CECORE recorded five videos for the Brazilian Bar Association Web TV to explain the main aspects of competition and certain issues considered relevant to the Brazilian standards.

The videos (in Portuguese) can be found [here](#).

International Chamber of Commerce (ICC)

The International Chamber of Commerce has produced widely-distributed toolkits and arranged several events and workshops, all with the aim of promoting competition compliance. These efforts have been made for businesses by businesses and law firms with practical experience in supporting antitrust efforts.

Toolkits

The ICC has produced two practical “self-help” toolkits to help companies both large and small to introduce and sustain a culture of antitrust compliance:

1. ICC Antitrust Compliance Toolkit (published in April 2013 in English, and translated into 10 languages so far: French, German, Italian, Russian, Polish, Spanish, Ukrainian, Turkish, Romanian and most recently – Mandarin).
2. ICC “SME Toolkit”: Why is complying with competition law good for your business” (published in English in April 2015 and translated so far into 7 languages: Dutch, French, Italian, Polish, Romanian, Spanish and Turkish).

As the ICC notes, “the Toolkit benefited from contributions from antitrust specialists closely associated with in-house efforts around the world”. The SME toolkit uses a user-friendly format to “ensure that smaller businesses understand the rules and operate both ethically and legally.”

Over three thousand printed copies of the Toolkit have been distributed free of charge, and the Toolkits are also linked in on various competition agency websites.

The Toolkits are available [here](#).

Events and workshops

In addition, since 2013, the ICC Task Force on Antitrust Compliance and Advocacy has organized 44 pro bono and free entry events and workshops for businesses and agencies to feature the Toolkits and to promote the importance of a sustainable antitrust compliance culture. These workshops have taken place in 20 countries over 5 continents and have involved more than 3,000 participants (primarily from business, but with agencies also invited).

Several more workshops, speeches and antitrust compliance events are planned for 2016, including a joint ICC / Canadian Competition Bureau road show in Canada for SMEs to promote antitrust compliance to SME businesses. The ICC is also organizing workshops for businesses in Mexico, Romania, Qatar, China, South Africa and the Ukraine to name a few.



The ICC has also run events in 2014 and 2015 to explain to agencies why it is important to continue advocacy efforts to business, including at the ECN and OECD, as well as running pre-ICN conference events.