



ADVOCACY WORKING GROUP
MARKET STUDIES PROJECT

MARKET STUDIES INFORMATION STORE

SECTOR:

E-COMMERCE

UPDATED: DECEMBER 2015

Information Store

E-Commerce

Jurisdiction:	Finland											
Market:	Digital Markets	Range of Possible Outcomes										
End Date:		Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:												
Source of idea for study:	Own initiative (study conducted in co-operation with the Ministry of Employment and the Economy)											
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reason for study (what were the problems)?	To map the digital economy's need for regulation and the development needs of regulation itself. The study will be carried out jointly by the FCCA and the Ministry of Employment and the Economy. The responses of the study can be used in the context of the Government Programme and in the planning of competition and consumer policy.											
Link to report:												

Jurisdiction:	Australia											
Market:	Sharing economy	Range of Possible Outcomes										
End Date:	October 2015	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:	Six months											
Source of idea for study:	Internal											
Outcome (tick relevant columns):		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reason for study (what were the problems)?	The ACCC commissioned this research to identify competition and consumer issues of relevance to the ACCC. 50% of Australian consumers participate in the sharing economy.											
Link to report:	https://www.accc.gov.au/publications/the-sharing-economy-and-the-competition-and-consumer-act											

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Jurisdiction:	EU Commission	Range of Possible Outcomes									
Market:	Online market										
End Date:	May 2015	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found									
Duration:	ongoing										
Source of idea for study:	Ex officio										
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	<p>To allow the Commission to gather data on the functioning of e-commerce markets so as to identify possible competition concerns.</p> <p>It will focus particularly on potential barriers erected by companies to cross-border online trade in goods and services where e-commerce is most widespread (e.g. electronics, clothing and shoes), as well as in digital content. It will initially cover all EU Member States.</p>										
Link to report:	http://ec.europa.eu/competition/antitrust/sector_inquiries_e_commerce.html										

Jurisdiction:	Colombia	Range of Possible Outcomes									
Market:	E-Commerce in Colombia										
End Date:	2013	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found									
Duration:	4 months										
Source of idea for study:	Own initiative										
Outcome (tick relevant columns):		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	<p>The aim is to determine the market structure and the way the e-commerce was developed in Colombia during 2011 and 2012, for which an analysis of its regulation and problems was made.</p>										
Link to report:	http://www.sic.gov.co/drupal/recursos_user/documentos/promocion_competencia/Estudios_Economicos/Estudios_Economicos/Estudios_Mercado_E-commerce.pdf										



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Jurisdiction:	Finland											
Market:	Digital Markets	Range of Possible Outcomes										
End Date:		Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:												
Source of idea for study:	Own initiative (study conducted in co-operation with the Ministry of Employment and the Economy)											
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reason for study (what were the problems)?	To map the digital economy's need for regulation and the development needs of regulation itself. The study will be carried out jointly by the FCCA and the Ministry of Employment and the Economy. The responses of the study can be used in the context of the Government Programme and in the planning of competition and consumer policy.											
Link to report:												

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Jurisdiction:	France	Range of Possible Outcomes										
Market:	Electrical domestic appliances, cosmetic and personal care products, and luxury perfume and beauty products - online sales											
End Date:	September 2012	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Duration:	14 months											
Source of idea for study:	Internal											
Outcome (tick relevant columns):			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reason for study (what were the problems)?	<p>The aim of the survey was to examine the competitive operation of e-commerce, in view of the very rapid growth of the sector (+ 88% of total online spending on goods and services between 2008 and 2011 in France).</p> <p>The Autorité decided to focus on three sectors: electrical domestic appliances (TVs, sound systems, washing machines, computers, cameras, etc.), cosmetic and body care products, and luxury perfume and beauty products.</p> <p>The survey showed that online prices were substantially lower than those in retail outlets for domestic appliances and cosmetic and personal care products, a downward price trend compounded by the emergence of new players: price comparison websites, marketplaces and "pure players".</p> <p>The Autorité found that manufacturers were increasingly imposing a range of conditions on online retailers wishing to join their selective distribution networks, and also that operators with a strong online presence may be offered less attractive terms of purchase than those offered to the traditional retail brands.</p> <p>Therefore the Authority issued a reminder of the principles of competition law applicable to e-commerce:</p> <ul style="list-style-type: none"> - terms and conditions imposed by manufacturers when their products are sold online must not unjustifiably curb the development of e-commerce; - manufacturers are free to impose different commercial terms and conditions (including prices) on online and off-line retailers insofar as it is objectively justified and does not restrict competition in the market concerned. <p>The Autorité indicated that it would closely monitor the e-commerce sector to ensure that the need for specific distribution methods for certain types of product would not stifle the opportunities for</p>											

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	competition created by the Internet.
Link to report:	Press release in English http://www.autoritedelaconurrence.fr/user/standard.php?id_rub=418&id_article=1969 Full opinion in French: http://www.autoritedelaconurrence.fr/pdf/avis/12a20.pdf

Jurisdiction:	Netherlands												
Market:	Indications concerning web retailing	Range of Possible Outcomes											
End Date:	June 2009	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found											
Duration:	9 months												
Source of idea for study:	Media reports, indications and tip-offs												
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reason for study (what were the problems)?	<p>Reason for study On February 26th, 2008 , the Netherlands Competition Authority (NMa) publicly called for retailers to report any competition-law problems they have encountered with regard to selling their products/services online (hereafter: web retailing). This public call was made in response to various media reports about suppliers allegedly treating web retailers differently than traditional retailers.</p> <p>Conclusion: Despite the NMa's call to support the indications with as many documents as possible, such as letters or emails, the majority of these indications lacked such evidential support, as did an overwhelming majority of the reactions to the NMa's questionnaire. In the few cases where documents had been included, the information that these documents contained was too limited to trigger any further investigation into a specific industry, because, for example, they did not relate to any competition-law violations.</p> <p>Study relates to the discussion on the assessment of vertical agreements</p>												
Link to report:	https://www.acm.nl/nl/download/bijlage/?id=7800												

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Jurisdiction:	UK	Range of Possible Outcomes										
Market:	Online Targeting of Advertising and Prices											
End Date:		Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:												
Source of idea for study:	In-house work											
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	Increased use of the internet. This has introduced new pricing and advertising practices.											
Link to report:												

Jurisdiction:	US - FTC	Range of Possible Outcomes										
Market:	On-Line Behavioural Advertising											
End Date:	February 2009 Report	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:	1 year											
Source of idea for study:	Bureau of Consumer Protection											
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	<p>The report was part of a process to examine online behavioral advertising. It reflects input from the FTC, industry, consumer and privacy organizations, and individual consumers. The report notes that significant work in this area remains, and that FTC staff will continue the public dialogue regarding the privacy issues raised by behavioral advertising.</p> <p>Related workshops explored how the online advertising market, and specifically behavioural advertising, has changed in recent years, and what changes are anticipated over the next five years. Also, the workshops examined what type of consumer data is collected, how such data is used, how the data is protected, and more generally the costs and benefits to consumers of behavioural advertising.</p>											
Link to report:	https://www.ftc.gov/reports/federal-trade-commission-staff-report-self-regulatory-principles-online-behavioral											

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Jurisdiction:	Korea												
Market:	Internet Portal	Range of Possible Outcomes											
End Date:	December 2008	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Duration:	9 months												
Source of idea for study:	National Assembly, Media												
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reason for study (what were the problems)?	By analyzing the market structure, nature of competition, institutions regarding the relevant industry, the KFTC tried to find out anti-competitive factors and implications on competition law area to use as fundamentals for establishing desirable competitive market structure in the future.												
Link to report:													

Jurisdiction:	UK												
Market:	Internet Shopping	Range of Possible Outcomes											
End Date:	June 2007	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Duration:	14 months												
Source of idea for study:	Own initiative												
Outcome (tick relevant columns):		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	To investigate concerns about levels of consumer protection when shopping over the internet.												
Link to report:													

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Jurisdiction:	Poland											
Market:	Debit Cards on the Internet	Range of Possible Outcomes										
End Date:	2007	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:												
Source of idea for study:	Consumer complaint											
Outcome (tick relevant columns):		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?												
Link to report:												

Jurisdiction:	Japan											
Market:	Consumer E-commerce such as electronic malls	Range of Possible Outcomes										
End Date:	December 2006	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:	1 year											
Source of idea for study:	External complaints and internal competition concern											
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	While E-commerce was increasing year by year, it was pointed out that electronic malls might be abusing dominant bargaining positions against their tenants. In addition, there was concern that it may be difficult to start consumer E-commerce businesses and to develop it, and that incumbent tenants holding suppliers and retail premises were preventing new entries and their development.											
Link to report:	(Press release and full report in Japanese only) http://www.jftc.go.jp/houdou/pressrelease/cyosa/cyosa-ryutsu/h18/06122702.html											