




Assessment of ICN Members' Requirements and Recommendations on Further ICN Work on Competition Advocacy

*Presentation of the Report Prepared by
ICN Competition Advocacy Work Group
Sub-Group 1: Review and Update Project*

Zurich, June 3, 2009

def.:

“Competition advocacy refers to those activities conducted by the competition authority related to the promotion of a competitive environment for economic activities by means of non-enforcement mechanisms, mainly through its relationships with other governmental entities and by increasing public awareness of the benefits of competition.”

-  Organization of CA efforts by competition advocacy
-  Institutional aspects of CA
-  Sectoral directions on CA

Based on Questionnaire responses by 32 ICN member agencies

Recommendations on ICN future work on CA

- Major form of work – CA seminars as a means of experience sharing supplemented by use of CA Toolkit
- Topics to be selected basing on findings of the Report
- Apply to 2009 – 2010 ICN year

Requirements for experience sharing in institution oriented CA

- Institutions: government regulators and agencies, legislative and judicial bodies, business community, media, private bar associations, special interest groups, academic community, general public, consumer associations, etc.
- CA activities and means (number of responses):
 - providing comments or advice on current or proposed public policy and/or regulatory initiatives - 23
 - providing comments or advice on current or proposed legislation - 22
 - conducting public education and outreach - 21
 - issuing guidelines or other explanatory publications - 19
 - conducting or participating in seminars, workshops, conferences, or training programs - 17
 - conducting market studies or other research projects and issuing reports - 15
 - participating in meetings, discussions, or consultations with other government entities - 14
 - conducting outreach with the business community - 14
 - conducting outreach or filing briefs with judicial authorities - 9
 - participating in cross-government councils, task forces, or groups - 6
 - conducting outreach with the academic or economic communities - 4
 - international outreach activities – 4
- Separate mentioning of consumer education and facilitating competition culture
- Introduction of private right of action and relationship with private bar – 50% of responding agencies

Requirements for experience sharing in sector oriented CA

Recurrence

Sectors in which CA efforts have been recently undertaken

- Energy, including supply of electricity, natural gas, oil, gasoline - 21
- Telecommunications -16
- Transportation, including highways, railroads, sea ports etc. -15
- Financial services and banking - 14
- Health services, pharmaceuticals - 10
- Professional services - 9
- Agricultural goods, grain, fertilizers and retail networks - 8
- Postal service - 6
- Environment, sustainable development, water and sanitation services - 5
- Real estate - 5
- International trade - 2

Sectors where the competition agency CA efforts are most actively engaged or required

- energy - 26
- telecommunications - 25
- financial services - 21
- transport – 20
- professional services - 17
- natural monopolies and regulated utilities - 16
- privatization and regulatory reform - 13
- postal services - 10
- state created monopolies - 9
- intellectual property rights protection and anticompetitive use of IPRs - 8
- government and private standard setting - 6

Requirements for experience sharing in sector oriented CA (continued)

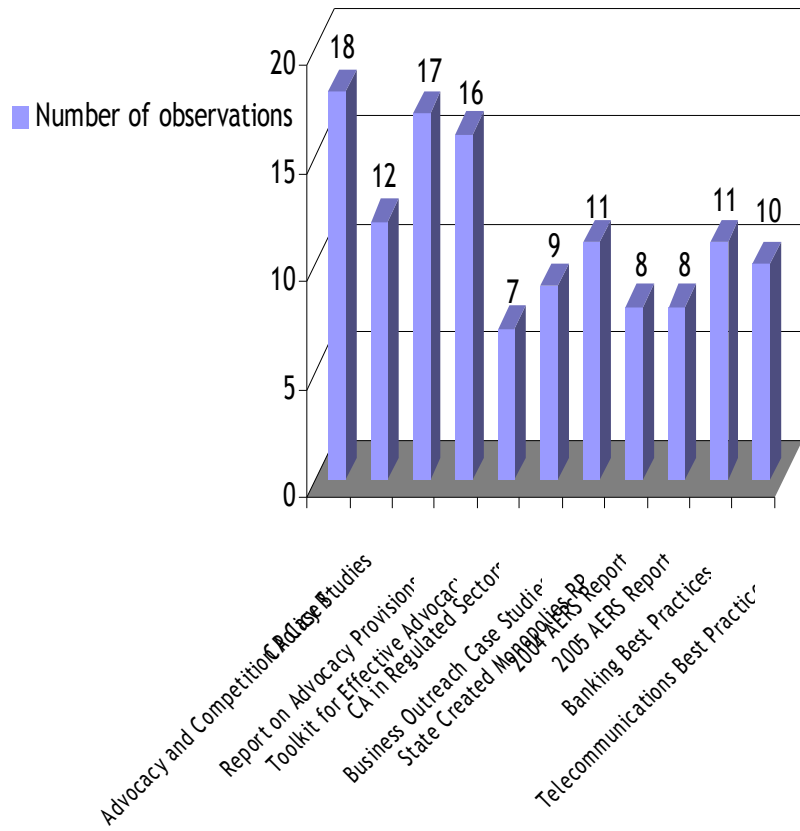
Importance

“Sectors needs to be carefully selected based on the extent to which they contribute the competitiveness of the EU economy and which are also important parts of citizen's household expenditure. For 2009 competition policy will therefore contribute to ensuring competitive markets in industries, such as energy, ICT, transport, electronic communications and financial services.” (EC DG Comp Response)

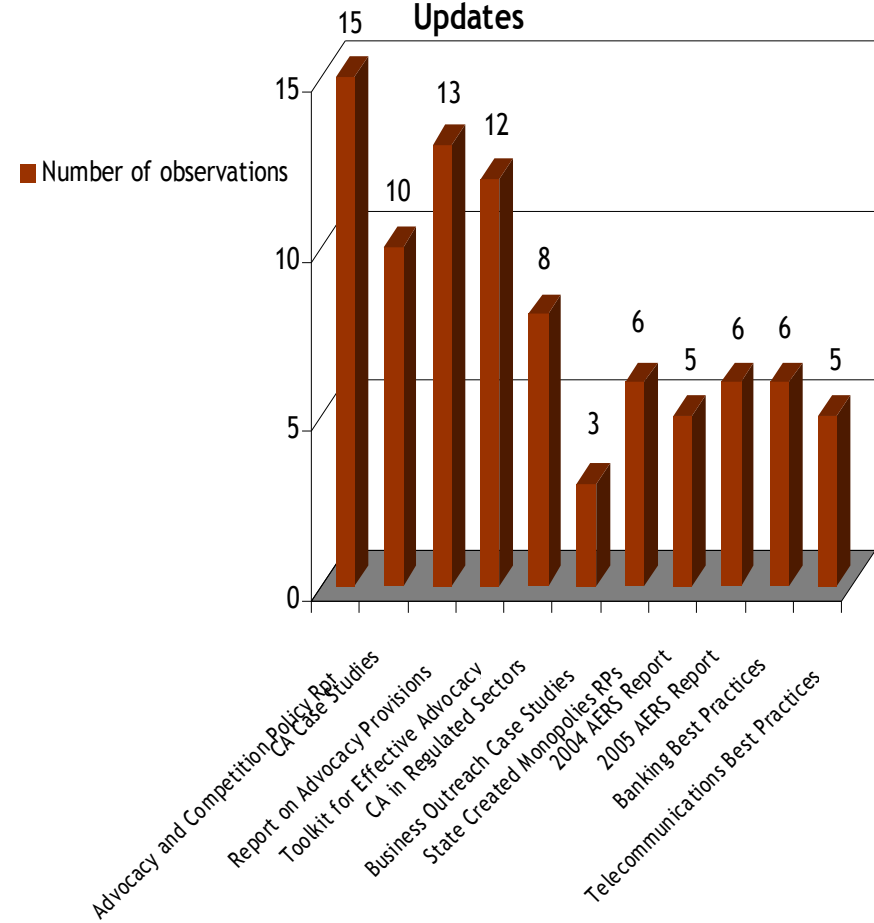
Recurrence \cap Importance \Rightarrow *energy, transportation, telecommunications, financial services, health services, pharmaceuticals, and professional services*

ICN CA Work Products: Use and Requirements for Updating

Use of ICN Work Products by Respondents



Requirements for Updates



Recommendations on CA Toolkit

- Post the records of CA presentations at teleseminars on the CA Toolkit web-site.
- Include “Postings” section in the web-site.
- Create/update links to other CA related web-pages of ICN site and work products.