



OECD-Korea Policy Centre, Competition Programme

Sector Focused Workshop

on

The Retail Sector

Busan, Korea, 3 December - 5 December 2014

Seminar Overview

Retail markets pose a lot of different challenges for competition authorities, are frequently investigated and are always of high public interest given that they are often the visible part of the value chain to the consumers. Indeed, this visibility of competition authorities' actions also derives from the fact that these may more directly and obviously harm consumer price, choice or other interests. Retail markets include a number of different consumer products and industries with differing characteristics, and the seminar will touch upon several such markets, such as food retail, e-commerce and consumer electronics, amongst other retail markets. The purpose of this workshop is to look at some of the specificities of the retail markets and their interaction with the several tools available for the competition authorities to ensure well-functioning markets and the maximisation of consumer welfare.

The seminar will therefore examine market definition and the methodology in determining markets that may be used in such markets, and will devote particular attention to vertical restraints (an overview and diving into some specific types of practices such as RPM as well as looking at some specificities in the ecommerce arena) and analyse merger control in retail markets (in particular looking at market definition, closeness of competition, buyer power, economic analysis and remedies). Finally, the seminar will also provide insights into sector inquiries and the links between competition law and unfair business practice rules.

The topics will be addressed and discussed in talks by competition experts from OECD countries with extensive reference to practical examples and in case studies presented by the participants. Practical exercises on hypothetical cases involving all the participants will complement the presentations will serve as an opportunity for active learning, discussion and sharing of views during the workshop.

Wednesday, 3 December

- 09:00-10:00 **Welcome and Opening Remarks from OECD-Korea Policy Centre, Competition Programme**
Mr. Kyeoung-Man Lee, Director General of the Competition Programme (OECD-Korea Policy Centre)
- 09:15- 9:30 **Introduction to the OECD-Korea Policy Centre**
Ms. Heeun Jeong, Director of the Competition Programme (OECD-Korea Policy Centre)
- 09:30-10:00 **Participants briefly introduce themselves and their agency to the group**
- 10:00 - 10:15 **Overview of the Programme of the Workshop**
Mr. Ruben Maximiano (OECD)
- 10:15-11:15 **Market Definition in Consumer and Retail Markets**
Mr. Viktor Porubsky (European Commission)
- Coffee Break*
- 11:30-12:15 **An Overview of Vertical Restraints in Distribution Agreements: Where is the Problem?**
Mr Ruben MAXIMIANO (OECD)
- 12:15-13:45 *Lunch Break and Photo session*
- 13:45-14:30 **Vertical Agreements in Retail Markets: the Canadian experience**
Mr. Richard Bilodeau (Canadian Competition Bureau)
- 14:30-15:30 **Resale Price Maintenance**
Mr. Richard Bilodeau (Canadian Competition Bureau)
- Coffee Break*
- 15:45-17:00 **Hypothetical Case #1**
Mr Ruben MAXIMIANO (OECD)
- 18:00 *Dinner hosted by the OECD-Korea Policy Centre at the Hotel*

Thursday, 4 December

- 09:00 - 10:15 **E-commerce Issues**
Prof. João Gata (Portuguese Competition Authority) followed by some remarks from the Canadian experience by Mr. Richard Bilodeau (Canadian Competition Bureau)
- 10:15-10:45 **Case Study: Restrictive Practices in Chinese Taipei**
Jin-Hui TSAI (CTFTC's)
- Coffee Break*
- 11:00-12:15 **Hypothetical Case #2**
Mr Ruben MAXIMIANO (OECD)
- Lunch Break*
- 13:45-17:00 *Sightseeing*
- 18:00 *Dinner Provided at a Busan Restaurant*

Friday, 5 December

09:00-09:15 **Essentials of Merger Control**
Mr. Ruben Maximiano (OECD)

09:15-10:15 **Merger Control in Consumer and Retail Markets**
Mr. Viktor Porubsky (EC)

Coffee Break

10:30-11:30 **A Retail Merger Case - E-Mart's Acquisition of Wal-Mart Korea**
Mr. Sang Min Song (KFTC)

11:30-12:15 **Case study: F&N Foods / King's Creameries, Singapore**
Ms. Loy Pwee Inn (CCS)

Lunch Break

13:45-14:30 **Merger Remedies in Consumer and Retail Markets**
Mr. Viktor Porubsky (EC)

14:30 - 15:00 **Case study: Carrefour case, Indonesia**
Ms. Dian Retno Mayang Sari, KPPU

Coffee Break

15:15-16:15 **Sectoral Enquiries, Distribution and the Limits of Competition Law**
Prof. João Gata (Portuguese Competition Authority)

16:15-16:30 **Concluding Remarks by OECD-KPC**