

# OECD-Korea Regional Centre for Competition

## Regional Antitrust Workshop

On

## Bid Rigging and Buyer Power

Seoul, Korea, 14-16 June 2006

### Seminar Overview

This seminar will explore competition issues associated with bid rigging and buyer power. Bid rigging is often identified by competition law as illegal *per se* as such agreements rarely have any procompetitive benefits. Accordingly, nearly all competition agencies see bid rigging as one of their top enforcement priorities. To highlight enforcement issues in this area a number of presentations will be made including several case studies. In addition, an action plan aimed at reducing bid rigging will be presented by Vietnam and discussed by a panel of experts.

In contrast to bid rigging, competition enforcement matters involving buyer power are relatively more common in Asia than they are in the United States or in Europe. This difference may be due to the historical development of these economies and perhaps as well to differing enforcement practices. Accordingly, a variety of presentations will be given that focus on these issues and in particular on separating the illegal use of buyer power from that which is procompetitive. To aid in this endeavour, a variety of cases will also be presented to help focus on practical enforcement issues.

### Attending Experts and Participants

Australia, China, Indonesia, Japan, Korea,  
Singapore, Chinese Taipei, United Kingdom and Vietnam

### Seminar Agenda

#### Wednesday June 14<sup>th</sup> – Bid Rigging

9:00-9:15 **Welcome and opening remarks:** *Young-ho AHN, Director, OECD Seoul RCC*

9:15-9:30 Introductions

9:30-10:15 **Issue Presentation by Chinese Taipei:** Bid Rigging, Evidence of Harm, and Per Se Illegality: *Mr. Chia-Hsien YANG, CTFTC*

10:15-11:15 **Issue Presentation by the OECD:** Common Methods of Bid Rigging, Suspicious Behaviours and Statements: *Dr. Kenneth DANGER, OECD*

11:15-11:30 *Break*

11:30-12:30 **Case Study Presentation by Korea:** *Mr. Joo-yong LEE, KFTC*

12:30-2:00	<i>Lunch</i>
2:00-3:00	<b>Issue Presentation by the Indonesia:</b> Working with Procurement Officials and Designing Ways to Reduce Bid Rigging: <i>Mr. Iman SANJAYA, KPPU</i>
3:00-3:15	<i>Break</i>
3:15-5:00	<b>Issue Presentation by Australia:</b> Detecting Bid Rigging - Investigative Analysis and Techniques: <i>Mr. Bruce COOPER, ACCC</i>

### Thursday June 15<sup>th</sup> – Bid Rigging Continued

9:30-10:30	<b>Issue Presentation by the OECD:</b> Sanctions and Leniency: <i>Dr. Kenneth DANGER, OECD</i>
10:30-11:30	<b>Case Study Presentation by Indonesia:</b> <i>Mr. Iman SANJAYA, KPPU</i>
11:30-11:45	<i>Break</i>
11:45-12:30	<b>Action Plan Presentation:</b> Reducing Bid Rigging in Vietnam: <i>Mr. Truong Giang NGUYEN and Ms. Chi Mai NGUYEN, VCAD</i>
12:30-2:00	<i>Lunch</i>
2:00-2:30	<b>Comments and Group Work:</b> Review of Vietnam's Action Plan on Reducing Bid Rigging
2:30-3:15	<b>Case Study Presentation by Japan:</b> <i>Mr. Takujiro KONO, JFTC</i>
3:15-5:00	<b>Visit to KFTC and Evening Cultural Tour in Seoul</b>

### Friday June 16<sup>th</sup> – Buyer Power

9:30-10:15	<b>Issue Presentation by Australia:</b> Should Antitrust Officials Assess Buyer Market Power Differently than Seller Market Power?: <i>Mr. Bruce COOPER, ACCC</i>
10:15-11:15	<b>Issue Presentation by the United Kingdom:</b> Buyer Power in Retail Markets: <i>Mr. Chris WALTERS, CC</i>
11:15-11:30	<i>Break</i>
11:30-12:30	<b>Case Study Presentation by Indonesia:</b> <i>Ms. Dewitya IRIANI, KPPU</i>
12:30-2:00	<i>Lunch</i>
2:00-2:45	<b>Issue Presentation by Japan:</b> How does the JFTC regulate abuse of dominant bargaining position by large-scale retailers?: <i>Mr. Isao KASUBUCHI, JFTC</i>

2:45-3:30      **Case Study Presentation by Australia: *Mr. Bruce COOPER, ACCC***

3:30-3:45      *Break*

3:45-4:30      **Case Study Presentation by the United Kingdom: *Mr. Chris WALTERS, CC***

4:30-5:00      **Closing Remarks and Photo Session**