

Competition co-operation and enforcement

INVENTORY OF CO-OPERATION AGREEMENTS



PROVISIONS ON REGULAR MEETINGS

This document contains the text of the provisions on regular meetings taken from the 2015 Inventory of Co-operation Agreements prepared by the OECD Competition Committee. This document includes:

- A short description of the provision which clarifies similarities and differences between agreements, as well as any innovative or unique features in a particular agreement.
- Relevant language from the 2014 OECD Recommendation concerning International Co-operation on Competition Investigations and Proceedings.
- A list of the relevant provisions in co-operation agreements. The agreements are listed in reverse chronological order, so that readers can see if wording has changed between agreements.

The full inventory, the OECD Recommendation and accompanying documents can be found online at www.oecd.org/competition/inventory-competition-agreements.htm.

Most co-operation agreements call for periodic meetings between the competition authorities of the parties to promote discussion and mutual understanding between the parties (12 out of the 15 agreements).

Relevant provisions in co-operation agreements

EU-Switzerland (2013)

Article 11 Consultations

3. The competition authorities of the Parties shall meet at the appropriate level, at the request of either competition authority. At these meetings, they may:

- (a) inform each other on their current enforcement efforts and priorities in relation to the competition laws of each Party;
- (b) exchange views on economic sectors of common interest;
- (c) discuss policy issues of mutual interest; and
- (d) discuss other matters of mutual interest relating to the application of the competition laws of each Party.

Canada-Japan (2005)

Article VIII

Unless otherwise decided by the competition authorities of the Parties, they shall meet at least every two years to:

- (a) exchange information on their current enforcement efforts and priorities in relation to the competition law of each country;
- (b) exchange information on economic sectors of common interest;
- (c) discuss policy changes that they are considering;
- (d) discuss other matters of mutual interest relating to the application of the competition law of each country; and
- (e) discuss developments relating to bilateral or multilateral fora involving the Parties that may be relevant to the cooperative relationship between the competition authorities of the Parties.

EU-Japan (2003)

Article 8

2. The competition authorities of the Parties shall meet at least once a year to:

- (a) exchange information on their current enforcement efforts and priorities in relation to the competition laws of each Party;
- (b) exchange information on economic sectors of common interest;
- (c) discuss policy changes that they are considering; and
- (d) discuss other matters of mutual interest relating to the application of the competition laws of each Party.

Canada-Mexico (2001)

Article IX Periodic meetings

Officials of the Parties' competition authorities shall meet periodically to:

- (a) exchange information on their current enforcement efforts and priorities in relation to their competition laws;
- (b) exchange information on economic sectors of common interest;
- (c) discuss policy changes that they are considering; and
- (d) discuss other matters of mutual interest relating to the application of their competition laws and the operation of this Agreement.

Mexico-US (2000)

Article IX Periodic Meetings

Officials of the Parties' competition authorities shall meet periodically to:

- a. exchange information on their current enforcement efforts and priorities in relation to their competition laws;
- b. exchange information on economic sectors of common interest;
- c. discuss policy changes that they are considering; and
- d. discuss other matters of mutual interest relating to the application of their competition laws and the operation of this Agreement.

Japan-US (1999)

Article VIII

2. The competition authorities of the Parties shall meet at least once a year to:

- (a) exchange information on their current enforcement efforts and priorities in relation to the competition laws of each country;
- (b) exchange information on economic sectors of common interest;
- (c) discuss policy changes that they are considering; and
- (d) discuss other matters of mutual interest relating to the application of the competition laws of each country.

Brazil-US (1999)

Article VIII Meetings of Competition Authorities

Officials of the Parties' competition authorities shall meet periodically to exchange information on their current enforcement efforts and priorities in relation to their competition laws.

Canada-EU (1999)

VIII. Semiannual meetings

1. In furtherance of their common interest in cooperation and coordination in relation to their enforcement activities, appropriate officials of the Parties competition authorities shall meet twice a year, or otherwise as agreed between the competition authorities of the Parties, to: (a) exchange information on their current enforcement activities and priorities, (b) exchange information on economic sectors of common interest, (c) discuss policy changes which they are considering, and (d) discuss other matters of mutual interest relating to the application of competition laws.

2. A report on these semiannual meetings shall be made available to the Joint Cooperation Committee under the Framework Agreement for Commercial and Economic Cooperation between the European Communities and Canada.

Israel-US (1999)

Article VIII Interagency Meetings

Officials of the Parties' competition authorities shall meet periodically, in the United States and Israel, to:

- a. exchange information on their current enforcement efforts and priorities in relation to their competition laws;
- b. exchange information on economic sectors of common interest;
- c. discuss policy changes that they are considering; and
- d. discuss other matters of mutual interest relating to the application of their competition laws and the operation of this Agreement.

Canada-US (1995)

Article IX Semi-annual meetings

Officials of the Parties' competition authorities shall meet at least twice a year to:

- a. exchange information on their current enforcement efforts and priorities in relation to their competition and deceptive marketing practices laws;
- b. exchange information on economic sectors of common interest;
- c. discuss policy changes that they are considering; and
- d. discuss other matters of mutual interest relating to the application of their competition and deceptive marketing practices laws and the operation of this Agreement.

EU-US (1991)

Article III Exchange of Information

2. In furtherance of this common interest, appropriate officials from the competition authorities of each Party shall meet at least twice each year, unless otherwise agreed, to (a) exchange information on their current enforcement activities and priorities, (b) exchange information on economic sectors of common interest, (c) discuss policy changes which they are considering, and (d) discuss other matters of mutual interest relating to the application of competition laws.

Relevant provisions in MoUs

Co-operation Agreement between the Australian Competition and Consumer Commission and the New Zealand Commerce Commission (2007)

7.0 Meetings

7.1 Officials of the Parties shall meet annually, or as necessary, to:

- (a) review and discuss the cooperation, coordination and enforcement assistance undertaken between the Parties for each 12 month period;
- (b) exchange information on their enforcement efforts and priorities in relation to their competition, consumer and regulatory functions;
- (c) exchange information on economic sectors of common interest;
- (d) discuss and coordinate contributions to international competition, consumer and regulatory fora;
- (e) discuss review or amendments under consideration with respect to their competition, consumer or regulatory functions;
- (f) discuss other matters of mutual interest relating to the application of their competition, consumer and regulatory functions or the operation of this Agreement, including the development of frameworks, guidelines or international developments in the application of economic theory; and
- (g) discuss visits of officials, as appropriate.

8.0 Joint Meeting of Commission

On an annual basis, or as otherwise agreed, there will be a meeting of Commissioners of the Parties to discuss cooperation and coordination efforts between the Parties.