



Remarks on Competition Policy, Outreach and Technical Assistance

Presented by the
Business and Industry Advisory Committee (BIAC) to the OECD
To the OECD Global Forum on Competition, Session II
February 14, 2002

BIAC welcomes the opportunity to provide its views to the OECD Global Forum on Competition on issues related to policy outreach and technical assistance. We suggest that the following points are relevant for consideration:

- In drafting and implementing competition laws, it is important to involve the local and international business communities so that the new law can gain the confidence of key constituents;
- In providing technical assistance, it is important to draw on resources persons who have actual enforcement experience, but also individuals who have private sector experience;
- In thinking about capacity building, it is important not only to build governmental enforcement institutions, but also local media, academics attorneys and related professional associations with competition policy knowledge;
- It is important to provide non-adversarial avenues for the exchange of views among enforcement officials and relevant elements of civil society including business and consumer representatives where they exist;
- It is important to have a clear timeline established for the passage of the law, the appointment of key personnel, and the required institutional and administrative funding to establish the agency and other implementation issues;
- While it is important for new agencies to have visible enforcement successes, it is also important they understand that they will not win every case on its merits, and that due process is important as the substantive outcome of any particular case.