



**PHILIPPINE
COMPETITION
COMMISSION**

PHILIPPINE COMPETITION BULLETIN

OFFICIAL NEWSLETTER OF THE PHILIPPINE COMPETITION COMMISSION

ISSUE 2 | OCTOBER 2016



**PHILIPPINE
COMPETITION BULLETIN**

OFFICIAL NEWSLETTER OF THE PHILIPPINE COMPETITION COMMISSION

EDITORIAL TEAM

CLARISSA C. DAVID
Editor-in-Chief

FERDINAND L. PAGUIA
Associate Editor

PENELOPE IOLE P. ENDOZO
PAUL ANDREW F. LUCENA
MA. ANGELINE L. SANTOS
Writers

EMMIE ALMA M. ALBANGCO
ALTHEA M. SANTIAGO
Graphic and Lay-out Artists

CONTENTS

- 04 Seminar on Competition Policy and Law kicks-off
- 08 Development partners join PCC in its inaugural Partnerships for Competition Development Forum
- 10 National Competition Policy Review (NCPR) maps Philippine competition landscape
- 11 Press Conference highlights PCC's progress in implementing antitrust law
- 12 Singapore competition agency forges ties with PCC to bolster capacity
- 13 JFC seeks clarification with PCC on competition law-related matters
- 14 Balisacan showcases PCC achievements in international competition law workshop
- 15 EPDP organizes executive course on competition and regulation: PCC briefs energy sector officials on competition law
- 16 Balisacan urges institutions to ease the way of doing competitive business
- 17 ASEAN competition agencies develop assessment toolkit on competition enforcement and advocacy
- 18 Lawyers and economists of PCC boost capacity on cartel investigation
- 18 Philippine competition law milestones presented to the international community
- 19 International standard eyed for PCC's Leniency Program

Seminar on Competition Policy and Law kicks off

The Philippine Competition Commission (PCC) teed off the first of its Seminar Series on Competition Law and Policy for various stakeholders last September 29-30 and October 3, mostly to officials of different state partner agencies, judiciary-related institutions and the academe.

To introduce the concept of competition, PCC Commissioner Stella Luz A. Quimbo discussed the benefits of competition and different economic studies to illustrate them.

She defined key concepts used throughout the seminar and also identified some sectors with high concentration. Noting that competition law applies to both small and big businesses, Commissioner Quimbo discussed how competition can benefit small firms but explained the “missing middle” or small number of medium-sized companies in the business sector.

From local to global, competition expert Atty. Ruben Maximiano from the Organisation for Economic Co-operation and Development (OECD) and Korea Policy Centre focused his talk on the international perspective on competition policy.

He presented the worldwide enforcement picture on competition in over 120 countries and cited some of OECD’s best practices that can be adopted in PCC. He also related the Philippine Competition Act (PCA) to its ASEAN counterparts and the international anti-trust community. Further, Atty. Maximiano introduced the audience to competition toolkits that can help in agency

enforcement against cartels, abuse of dominance, and anti-competitive mergers.

Maximiano also cited the need for competition assessment of regulations and market studies to complement other programs of competition authorities.

Zooming into the markets, Dr. João Eduardo da Costa Gata, a principal economic advisor of the Portuguese Competition Authority Board, talked about the central role of market power in competition policy.

Dr. Gata explained the technical aspects of competition policy by presenting techniques for measuring market power and market concentration.

He proceeded with a discussion of relevant markets, specifically the main tools traditionally used to define “relevant markets” such as the small but significant non-transitory increase in prices (SSNIP) test; critical loss analysis; price correlation



analysis; stationarity analysis for different products; shock analysis; econometric or structural modelling; surveys conducted among clients, suppliers and relevant associations; and the Elzinga-Hogarty Test as estimation of product movements.

On the legal side of competition, Prof. Antonio La Viña, former Dean of the Ateneo School of Government, delved into how competition policy has always been reflected in the Constitution.

He cited the long history of anti-trust provisions in the Philippine legal system prior to 1987 and reviewed pertinent case law.

PCC Commissioner Johannes Benjamin Bernabe then talked about the treatment of mergers and acquisitions in the PCA, providing an overview of notification thresholds, procedure for notification, notification issues, sanctions for non-notifications, and the merger review process itself.

PCC Commissioner El Cid Butuyan followed with a discussion of anti-competitive agreements, another pillar of the PCA. He discussed at length the tests used in qualifying behaviors as anti-competitive and the corresponding penalties.

Atty. Gwen Grecia-de Vera, Dean of the Manuel L. Quezon University College of Law, provided an overview of enforcement under the PCA in a separate talk. She spoke about PCC's enforcement mechanisms, non-adversarial remedies, and availability of private action, as well as about the role of the Department of Justice-Office for Competition and the courts.

Australian competition expert Atty. Rachel Burgess focused on cartels, their elements and how to prove them, the penalties and usual remedies used by competition authorities, as well as the need for a leniency program.

In another presentation, Atty. Burgess also talked about issues surrounding cases, including how to treat exchanges of commercially sensitive information, the role of trade associations, the importance of defining the market and the overlap between anti-competitive agreements and abuse.

The seminar was well attended by over 130 people from the judiciary, academe, and other government agencies.





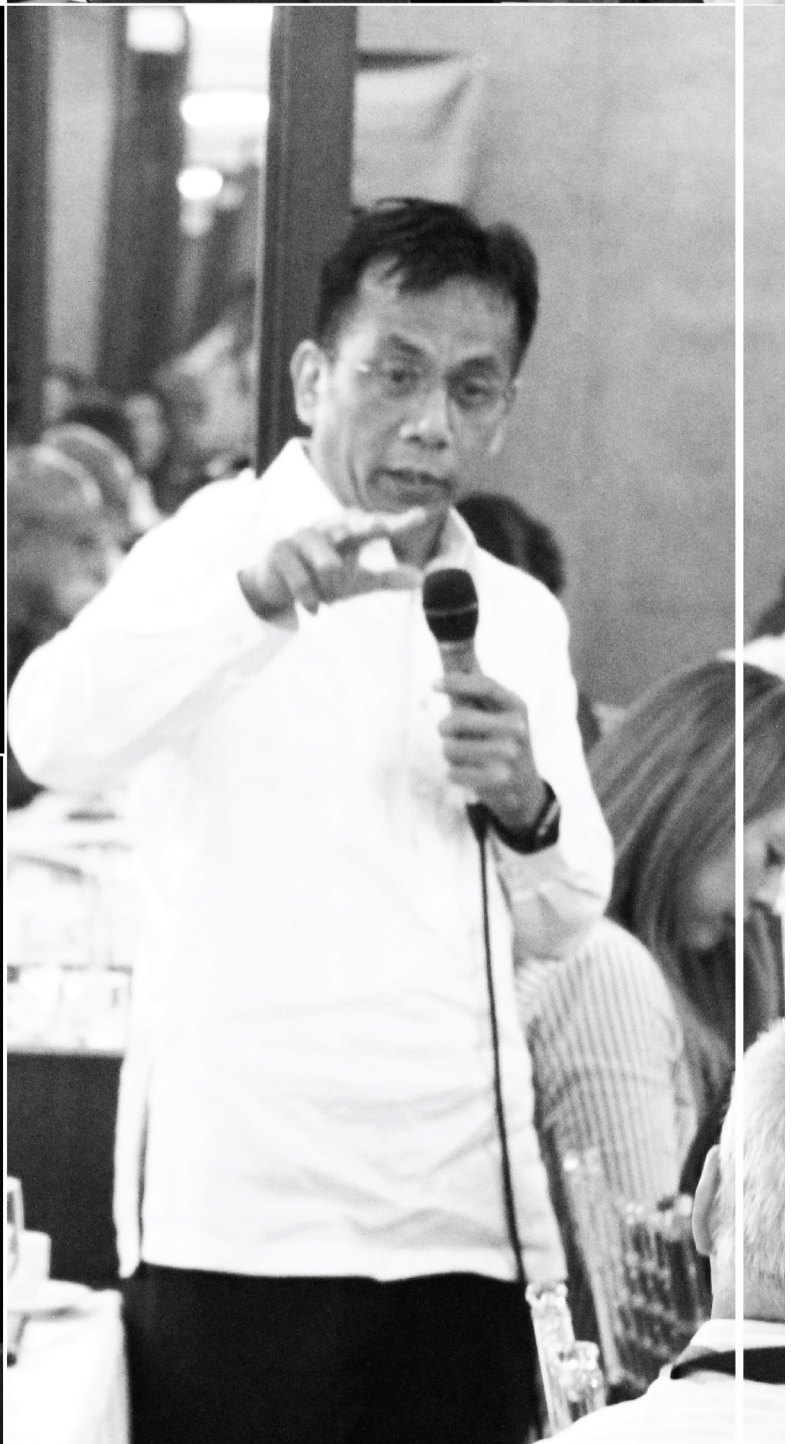
GALLERY

SEMINAR SERIES ON COMPETITION AND ECONOMICS





SEMINAR SERIES ON COMPETITION LAW AND ECONOMICS





Development partners join PCC in its inaugural Partnerships for Competition Development Forum

The Philippine Competition Commission (PCC) gets an additional boost as development partner institutions and other organizations came together at the PCC's inaugural Partnerships for Competition Development Forum last September 20 at the Asian Development Bank Headquarters.

With PCC being a new agency, the Forum was an avenue for coordination and cooperation between PCC and the development partners, which also include counterpart competition authorities in other countries and inter-governmental organizations.

"There is so much potential in a mutually beneficial partnership between PCC and each development partner. The PCC's goal is to learn and grow alongside our allies in competition and development and become a world-class competition authority. In turn, our success will benefit and contribute to the goal of the development partners in assisting the government

in achieving a more sustainable and inclusive economic growth," said PCC Chairman, Arsenio M. Balisacan.

Among those who signified their support were the World Bank Group (WBG), Asian Development Bank (ADB), Australian Department of Foreign Affairs and Trade (AUS-DFAT), Japan International Cooperation Agency (JICA), United States Agency for International Development (USAID), European Union-Trade Related Technical Assistance Project 3 (EU-TRTA3), the United Kingdom (UK) Embassy, Deutsche Gesellschaft für Internationale Zusammenarbeit (Germany-GIZ), and the Organisation for Economic Co-operation and Development (OECD). Also in attendance were representatives from the US Federal Trade Commission (US FTC) and US Department of Justice (US DOJ).

The event was a matching of strengths from the Development Partners to PCC's needs, which include a variety of activities such as a series



of in-country training; attendance to high-level bilateral exchange and conferences to expand the network of PCC; policy and technical workshops to aid the formulation of rules, guidelines and procedures; a string of capacity-building activities for officials and staff; and a series of advocacy work to promote a culture of competition in the Philippines. The PCC lined up its priority activities from 2016 to 2019.

For inter-governmental organizations such as the ASEAN and OECD, most of the trainings would be focused on sharing and exchange of best practices around the world and among ASEAN competition authorities. The ADB has initially provided support to PCC for the review of the competition environment in the Philippines to jumpstart the formulation of the Competition chapter in the Philippine Development Plan 2017-2022 and eventually leading to the National Competition Policy (NCP). The series of activities in developing the NCP will be supported by the World Bank Group with particular focus on providing capacity building activities for economic analysis and in-depth studies on Competitive Neutrality. GIZ has supported the attendance of officials and staff to trainings on various aspects of competition through their Competition Policy and Law in ASEAN. USAID and EU-TRTA3 have supported the PCC in significant activities, particularly in the formulation of the Philippine Competition Act's Implementing Rules

and Regulations.

In addition, USAID has likewise supported the deployment of experts from US FTC and US DOJ to provide twinning and capacity building to PCC staff. The AUS-DFAT has been a steadfast partner of the PCC during its initial stages of operations and has expressed further assistance to PCC's priority needs. The UK Embassy provided support that will focus on building on best practices of the UK in competition and capacity building activities on competition law and economics for PCC and its partner institutions, particularly, the judiciary.

As agreed with the development partners, the Commission, with the help of the ADB, will establish a Technical and Service Support Unit to monitor the progress of technical assistance and ensure that it complements the PCC's overall work program. The Unit will ensure that the flow of existing and potential technical assistance are optimized and harmonized to avoid duplication and aligned with PCC's priorities.



(From left to right: Senen Bacani, Dr. Raul Fabella, and Atty. Andre Palacios)

National Competition Policy Review maps Philippine competition landscape

The Philippine Competition Commission (PCC) has started a nationwide initiative of mapping the competition landscape in the Philippines through the National Competition Policy Review (NCPD).

The review panel is composed of the following: (i) Dr. Raul Fabella, University of the Philippines Diliman economics professor emeritus and the only national scientist for economics in the country; (ii) Atty. Andre Palacios, former Executive Director of the Public-Private Partnership (PPP) Center of the Philippines; and (iii) Senen Bacani, former secretary of the Department of Agriculture.

With a critical task ahead and a clock to beat, the team held a focus group discussion with the PCC last October 21 to set the expectations, timetable, and plan the scope of the project. The review is expected to be finished early next year.

The meeting was convened for the review team with representatives from the PCC and the National Economic and Development Authority.

Dr. Benjamin Radoc, Director for the Economic Office (EO) of PCC, said that the review will be the basis for the chapter on competition of the Philippine Development Plan (PDP) 2017-2022.

He explained that action programs under PDP are consistent with NEDA's flagship project AmBisyonNatin2040, the 2030 Agenda for Sustainable Development, and the President's 0+10-Point Socio-Economic Agenda.

In the FGD, the group members all agreed that government regulation is necessary to influence businesses' behavior. The other way to be effective is bringing up competition to the firms' table.

"In the end, we want the public to appreciate that market competition drives companies to be innovative, and gives consumers a wider selection of products at affordable prices," Radoc added.

The competition policy takes into account the typology of firms—private and public—and the interplay between firms.

In its preliminary assessment, the review panel has identified four (4) main types of government agencies that are engaged in businesses—government-owned monopolies, government-authorized private monopolies, government control of entry and expansion, and government provision of similar goods and services that directly or indirectly compete with the private sector.

Atty. Palacios explained that the team will recommend to either retain, recalibrate, remove or review the agencies they have covered.

Press Conference highlights PCC's progress in implementing antitrust law

The Philippine Competition Commission (PCC) held its first ever press conference on September 27, 2016 to highlight the important progress made in the implementation of the Philippine Competition Act (PCA). The PCC has also issued the implementing rules and regulations (IRR) of Republic Act No. 10667 or the PCA just four (4) months after the PCC was created.

Eight (8) months after it was organized, the PCC boasts of zero backlog on its merger reviews. The Commission has completed operational documents, including the merger notification form and merger review guidelines. PCC likewise provided guidance to businesses on submission requirements

through the Pre-Notification Consultation process.

These would not have been accomplished without the support of various partners. "We are excited to have had the unequivocal support of the public and government partners in the successful implementation of the the Philippine Competition Act, and we will continue to work hard to protect the interests of Filipino consumers," Chairman Arsenio M. Balisacan said.

Chairman Balisacan also shared the priorities of the Commission for the remainder of the year, including the completion of its National Competition Policy review, which is a report on the state of competition in various industries and sectors of the economy.

According to Balisacan, this important study will serve as the PCC's compass, a systematic guide, for focusing the activities of the PCC in the near to medium term, and will help inform the crafting of the Chapter on Competition of the Philippine Development Plan 2017-2022.

Meanwhile, addressing the concerns that the PCC review process is an additional burden to businesses, Balisacan said that "we have set for ourselves high standards as far as dealing with stakeholders is concerned. Our track record clearly shows that we are able to review and approve mergers and acquisitions quickly, especially when these do not pose harm to consumers and the public through substantial lessening of competition."

PCC Commissioner El Cid Butuyan also added that "We intend to exercise our enforcement powers in a way that is envisioned under the law, which is a muscular agency, not a paper-pushing, rubber-stamping agency."



" We intend to exercise our enforcement powers in a way that is envisioned under the law, which is a muscular agency, not a paper-pushing, rubber-stamping agency. "

Singapore competition agency forges ties with PCC to bolster capacity

Officials of the Philippine Competition Commission (PCC) met with Mr. Toh Han Li, Chief Executive and Chairman of the Competition Commission of Singapore (CCS) last October 6, as part of PCC's initiatives to strengthen ties with other competition institutions in the ASEAN.

Chairman Arsenio M. Balisacan said that "PCC will continue benchmarking and partnering with international competition authorities to beef up its capacity in enforcing the country's competition law." PCC envisions itself to be a world-class authority in promoting fair market competition. This will help achieve a vibrant and inclusive economy, and advance consumer welfare.

"While we have been able to attract talented and

committed team members, one of our challenges in PCC is capacity building. We hope that this is a start of a good collaboration between our institutions," Chairman Balisacan said.

Meanwhile, Li shared Singapore's experiences in the early years of CCS and the best practices they have. "The keys to effective enforcement are proper procedure and protocols. In our case, our staff had been trained by the police and we have an attorney present during interviews," Li said.

Li added that he is excited for the Philippines since it is the most recent country in Asia to have competition law. He said CCS is ready to help PCC in strengthening its capacity in enforcing the Philippine Competition Act.





JFC seeks clarification with PCC on competition law-related matters

The Joint Foreign Chambers (JFC) of the Philippines had a dialogue with the Philippine Competition Commission (PCC) on October 25 regarding the country's competition law.

Chairman Arsenio M. Balisacan started the meeting by explaining the mandates and priorities of the PCC, citing that its overall goal is to be seen as “part of the reform and for ease in doing business in the country, including foreign engagements.”

Guenter Taus, President of the European Chamber of Commerce of the Philippines (ECCP), sought clarification on policies involving the jurisdiction of regulatory boards, and guidelines on when to approach the PCC for applicable transactions. Atty. Amabelle Asuncion, ECCP general advocacy adviser, asked how the PCA complements the existing Corporation Code of the Philippines.

As questions emerged on procedures, Chairman Balisacan emphasized that the processes of PCC ultimately aim to make the market work for the benefit of consumers and deter businesses from engaging in anti-competitive agreement. This is to dispel the notion among some sectors that the Philippine

Competition Act (PCA) is just an added layer of bureaucratic work.

Chairman Balisacan was joined by Commissioner Stella Luz A. Quimbo and Commissioner Johannes Benjamin R. Bernabe in exchanging insights with the representatives of the foreign business chamber.

Aside from Taus and Asuncion, the foreign business delegation also included ECCP's Executive Director Florian Gottein, Japanese Chamber of Commerce and Industry of the Philippines, Inc. (JCCIPI) Vice President Nobuo Fujii, Korean Chamber of Commerce Philippines (KCCP) Director Ki Suk Hahn, and American Chamber of Commerce of the Philippines (AmCham) Advocacy Specialist Froland Tajale. The JFC represents over 2,900 member companies engaged in over \$227.83 billion worth of trade and some \$31.82 billion worth of investments in the Philippines.

Balisacan showcases PCC achievements in international competition law workshop

The Philippine Competition Commission (PCC) was invited by the University of South Australia School of Law and the Australian Competition and Consumer Commission for their 14th Annual Competition Law and Economics Workshop in Adelaide, South Australia held on October 14-15, 2016.

The two-day workshop provided a unique opportunity to bring together competition law and the economic principles underlying competition policy. It connects key influencers and stakeholders both nationally and internationally.

PCC Chairman Arsenio Balisacan presented the key features of the Philippine Competition Act (PCA) as well as the Commission's achievements and challenges from February to September 2016.

In the coming months, the Commission has prioritized the development of guidelines for the PCC's leniency program, forbearance, non-adversarial remedies and interface with regulators.



PCC Chairman Arsenio M. Balisacan (3rd from the right) with secondees to the Australian Competition and Consumer Commission (ACCC): (L-R) Ms. Phan Van Hang from the Vietnam Competition Authority (VCA), Atty. Charles David A. Icasiano and Atty. Marielle F. Delfin from the Philippine Competition Commission (PCC), Ms. Sri Isnani Husnayati from Komisi Pengawas Persaingan Usaha (KPPU, competition authority in Indonesia), and Mr. Le Thanh Son from VCA.

Photo credits: Atty. Delfin

EPDP organizes executive course on competition and regulation

PCC briefs energy sector officials on competition law

Atty. Johannes Benjamin R. Bernabe, Commissioner of the Philippine Competition Commission (PCC), presented the highlights of the Philippine Competition Act (PCA) during the Executive Course on Competition and Regulation in the Philippine Power Sector last September 16.

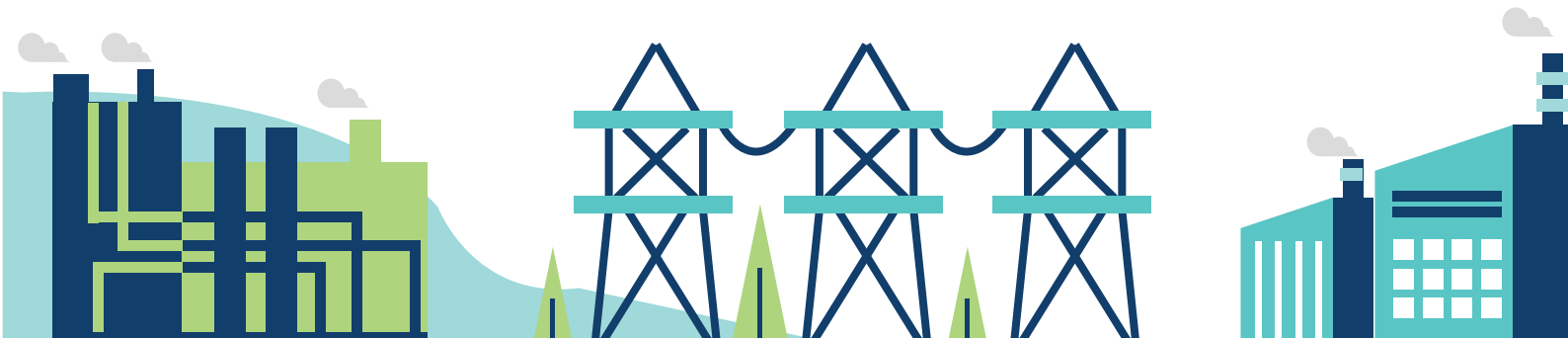
Commissioner Bernabe discussed the key provisions of the implementing rules and regulations (IRR) of the PCA. He emphasized the types of agreements that can be considered as anti-competitive, examples of prohibited acts, and those that will require review by the PCC.

Commissioner Bernabe presented the dynamics and relationship of the PCC with sector regulators. Citing the law, he said that “the Commission shall have original and primary jurisdiction in the enforcement and regulation of all competition-related issues.” He added, however, that the Commission and the sector regulators shall work

together to issue rules and regulations to promote competition, protect consumers, and prevent abuse of market power by dominant players within their respective sectors, where appropriate.

Organized by the Energy Policy and Development Program (EPDP), the course highlighted the roles that the government must assume in the energy sector’s development.

Other speakers included Dr. Raul V. Fabella, National Scientist and Professor Emeritus at the UP School of Economics, and Commissioner Gloria Victoria C. Yap-Taruc of the Energy Regulatory Commission (ERC). Also in attendance were PCC Chairman Arsenio Balisacan and Commissioner Stella Luz Quimbo; Department of Energy (DOE) Undersecretary Mylene Capongcol; ERC Commissioners Josefina Patricia Asirit and Geronimo Sta. Ana; former DOE Secretary Raphael Perpetuo Lotilla; and former National Economic and Development Authority (NEDA) Socioeconomic Planning Secretary and Director-General Emmanuel F. Esguerra.



Balisacan urges institutions to ease the way of doing competitive business

“To seize economic growth opportunities, institutions must ease the way of doing competitive business,” said Philippine Competition Commission (PCC) Chairman Arsenio M. Balisacan during the Euromoney Philippine Investments Forum held on September 6, 2016 in Taguig City.

As one of the fastest emerging economies in Asia, the Philippines can maximize economic growth opportunities through strengthening institutions that promote competition, infrastructure development, and quality human capital, the antitrust chief said.

“There is an explicit reference to enabling and sustaining the macroeconomic policies, including the fiscal, monetary, and trade policies, which helped the country’s economic growth in the last several years,” Balisacan said during the panel discussion, referring to the current administration’s 10-point socio-economic agenda.

While the 7-8% GDP growth target is quite realistic, Chairman Balisacan admitted that the country still faces some challenges in sustaining economic growth.

“The principal challenge for us and the most binding constraint in sustainable growth is infrastructure, especially transport, energy, and telecommunications,” he explained. Chairman Balisacan said that the current administration recognizes this constraint under its 10-point socio-economic agenda, adding that directly addressing the infrastructure challenge through continued public-private partnerships will pave the way for a “dynamic structural transformation of economy.”

Balisacan said that “having sufficient infrastructure in place is crucial in attracting investment, which would enable faster job creation.” But, to attract these investment as a major driver of growth, Balisacan added that the “government must overcome bureaucratic inertia.”

With over 500 business leaders and economic managers convening, the forum discussed the outlook of the country’s economy in the next six years and the economic game changers under President Rodrigo Duterte’s administration.

“.....
To seize economic growth opportunities, institutions must ease the way of doing competitive business. //
.....”



ASEAN competition agencies develop assessment toolkit on competition enforcement and advocacy



How do competition authorities balance enforcement and advocacy in implementing the competition law?

This was the driving question for participants at the 2nd Brainstorming Meeting on Monitoring the Effectiveness of Competition Regimes in ASEAN last October 25-26 in Jakarta, Indonesia.

Director Clarissa C. David of the Communication and Knowledge Management Office (CKMO) and Atty. Leni Papa, chief of staff to Chairman Arsenio M. Balisacan, represented the Philippine Competition Commission (PCC) at the workshop on developing an Assessment Toolkit on Competition Enforcement and Advocacy.

The workshop was a sequel to a similar gathering in Bangkok in May 2016 and the expected outcome was presented at the 18th ASEAN Experts Group on Competition (AEGC) Meeting in November 2016. It was facilitated by competition expert Alice Pham of Vietnam and Frank Tibitz, Sita Zimpel, and Ade Lusua of Deutsche Gesellschaft für Internationale Zusammenarbeit (Germany-GIZ).

The 19 delegates from nine ASEAN member-states deliberated on the draft toolkit, which was developed based on the set of

indicators identified during the pilot session in Thailand.

The four (4) categories of indicators to assess competition regimes include the legal and enforcement framework; institutional and cooperative arrangements; advocacy and awareness raising; and capacity development and resources.

The toolkit is set to be used as an internal monitoring instrument for the AEGC to assess the effectiveness of competition law and policy enforcement and advocacy in ASEAN. Competition authorities are sought to undertake a self-assessment of their competition law regimes every two years starting 2017 using the assessment toolkit.

Lawyers and economists of PCC boost capacity on cartel investigation

Ten lawyers and economists of the Philippine Competition Commission (PCC) were sent to Bali, Indonesia on October 17-21 to speed up its capacity-building in fighting cartels and businesses engaged in anti-competitive conduct in the Philippines.

In conjunction with the Department of Justice's Office for Competition (DOJ-OFC), the PCC is now at the forefront of pro-competition enforcement, according to Atty. Ferdinand Redulla, Assistant Director of the Competition Enforcement Office (CEO) of PCC.

"The Philippine Competition Commission is really intent on stopping and curtailing cartel conduct," he said. Atty. Redulla enumerated that PCC can order disgorgement, null contracts, and mete out fines and penalties for violations of the Philippine Competition Law, with administrative fines pegged at least P100 million for first offense.

"The fines are huge because they are really designed to deter anti-competitive acts, including abuse of dominant position conducts prescribed in the law," Atty. Redulla said.

The processes and challenges of detecting and investigating cartels in the Philippines were discussed in synergy with international competition experts from Indonesia, Australia, and New Zealand.

"They shared their real-life experiences as an agency in terms of how they were able to do it from start to finish. They were able to give us working templates that we can adopt and exchange in market studies," Atty. Redulla said.

The said international competition authorities, for example, cited cement industry cartels in other jurisdictions that were successfully investigated and prosecuted for possible abuse of dominant position around the world.

With support from the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA), the Competition Law Implementation Program (CLIP) provides specialized training for ASEAN member-states focusing on practical skills and intel exchange.

The PCC delegation was composed of economists Philip Libre, Angelo Santos, Shanti Aubren Prado, and lawyers Jessica Co, Melbourne Pana, Christian de los Santos, Alyssa Carmelli Castillo, Graciela Base, and Gian Camacho.



Philippine competition law milestones presented to the international community

The Philippine Competition Commission (PCC) presented the country's gains in competition policy at the 9th Seoul International Competition Forum last September 7-9.

Among the accomplishments that PCC Commissioner Johannes Bernabe reported include the number of mergers and acquisitions that the antitrust body has already reviewed, and the public consultations conducted by the Commission in aid of crafting the implementing rules and regulations (IRR) of the Philippine Competition Act (PCA), which was finalized and adopted in June 2016.

Bernabe said that "with the help of the International Competition Network's recommendation and best practices, PCC was able to come up with and apply detailed Merger Review Guidelines to ensure fair market competition."

Moreover, the PCC already started fleshing out the details of the National Competition Policy framework.

"In the meantime, we continue to beef up our capacity as the sole antitrust authority in the Philippines through trainings, seminars, and fora," Bernabe added.

International standard eyed for PCC's Leniency Program

In its continued commitment to strengthen the implementation of competition policy in the country, officials of the Philippine Competition Commission (PCC) attended a seminar on International Experience Regarding the Role of Leniency Programs in the Repression of Anti-competitive Conducts organized by the Asia-Pacific Economic Cooperation (APEC) last August 20-21, 2016 in Lima, Peru.

"As a newly-instituted antitrust authority, we are in the process of developing our Leniency Program. This seminar would aid us in laying down the framework and fleshing out the details of the PCC's Leniency Program," said PCC Commissioner El Cid Butuyan. He added that having an effective leniency program will protect both businesses and consumers against anti-competitive behaviors.

A Leniency Program grants an individual or corporation immunity from suit or deduction in penalties in exchange of voluntary disclosure of information about any illegal anti-competitive activity, as stated in Republic Act No. 10667 (also known as the Philippine Competition Act).

In the two-day workshop, Joseph Harrington, professor of Business Economics and Public Policy at Pennsylvania University, presented the importance of a leniency program, adding that it can help curb cartels. He said that a leniency program can deliver the best evidence in any investigation, which is "a cooperating cartel member."

William E. Kovacic, a Senior Fellow at George Washington University, supported this claim in his presentation, saying that leniency can "increase

the likelihood of detection" and "yield better proof."

The challenges in implementing a leniency program were also discussed in the workshop. Kovacic said that the effectiveness of such a program "depends on the strength of sanctions, legal standards, and willingness to prosecute" of a competition agency.

Antitrust authority representatives from Mexico, Chinese Taipei, and Peru also presented their experiences and challenges in their respective leniency programs.

Representatives from PCC who attended the seminar were Commissioner El Cid Butuyan and Competition Enforcement Office (CEO) Assistant Director Atty. Ferdinand Redulla.



2/F DAP Building, San Miguel Avenue,
Ortigas Center, Pasig City 1600

Tel./Fax: (632) 6312129
Email: queries@phcc.gov.ph



Philippine
Competition
Commission



[@CompetitionPH](https://twitter.com/CompetitionPH)



www.phcc.gov.ph