Organisation for Economic Co-operation and Development

DAF/COMP/GF/WD(2026)2

Unclassified

English - Or. English

4 November 2026

DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE

Global Forum on Competition

Assessing the impact of competition authorities' activities – Contribution from Canada

- Session IV -

11 December 2026

This contribution is submitted by Canada under Session IV of the Global Forum on Competition to be held to be held on 10-11 December 2026.

More documentation related to this discussion can be found at: oe.cd/gfc26.

Mr Antonio Capobianco [Antonio.Capobianco@oecd.org]

JT03597304

This document, as well as any data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

Canada

Assessing the Impact of Competition Authorities' Activities

1. Introduction

1. The Competition Bureau Canada (Bureau) is pleased to provide this submission on Assessing the Impact of Competition Authorities' Activities to the Organization for Economic Co-operation and Development (OECD)'s Global Forum on Competition.

2. The Bureau, headed by the Commissioner of Competition, is an independent law enforcement agency of the Government of Canada. Among other laws, it administers and enforces Canada's *Competition Act*. Its mandate is to protect and promote competition for the benefit of Canadian consumers and businesses.

3. This submission examines how the Bureau evaluates the impact of its programs on Canadian consumers, businesses, and the economy. It will focus on how the Bureau projects and reports on the annual and total consumer savings generated by its enforcement work (consumer savings). It will also discuss a recent example of how the Bureau assessed its advocacy work, other types of targeted assessment of enforcement work, and what the future may look like for this kind of work at the Bureau.

2. Impact Assessment as Part of the Government of Canada's Planning and Reporting cycle

4. Innovation, Science and Economic Development Canada (ISED) publishes the Bureau's consumer savings as part of its Departmental Results Report[1]. The results reports form an integral part of the Government's expenditure reporting cycle and demonstrate whether departments have met the goals and commitments set out in their Departmental Plans[2]. The Government of Canada publishes both plans and results reports on GC InfoBase. Within the Bureau, this work is undertaken by the Planning and Reporting Unit, a specialist team housed in the Competition Promotion Branch.

3. Assessing Enforcement: Overview of Program, Results and Indicators

5. In the departmental planning and reporting process described above, the Government sets out programs of work it intends to take on. The Bureau is responsible for the "Competition Law Enforcement and Promotion Program", as defined by ISED. The stated goal of the reporting process Program seeks to promote and increase compliance with the *Competition Act* to ensure that anti-competitive conduct does not substantially

[1] ISED is the federal department that works with Canadians in all areas of the economy and in all parts of the country to improve conditions for investment, enhance Canada's innovation performance, increase Canada's share of global trade and build a fair, efficient and competitive marketplace. The Bureau is part of the ISED portfolio.

[2] While it contains important assessment of the Bureau's impact, the Departmental Results Report is not a significant source of reporting on Bureau activities. Main sources include the Performance Measurement and Statistics Report and the Annual Report.

hinder growth and innovation in the Canadian economy. To assess the impact of its work the Bureau seeks to achieve two results, which it measures using three indicators. Currently these are as follows:

- RESULT #1: Anticompetitive conduct is detected and deterred

  INDICATOR A: Percentage of mergers reviewed within service standards

- RESULT #2: Canadian businesses and consumers benefit from a competitive marketplace

  INDICATOR B: Dollar value estimated of annual consumer savings from Bureau actions that stop anti-competitive and deceptive marketing activity

  INDICATOR C: Anticipated total consumer savings from Bureau actions that stop anti-competitive and deceptive marketing activity – over the duration of estimated harm

4. RESULT #1: Anticompetitive conduct is detected and deterred – Merger Review

6. Under the *Competition Act*, mergers of all sizes and in all sectors of the economy are subject to review by the Commissioner of Competition to determine whether they will likely result in a substantial lessening or prevention of competition. Often referred to as competition's first line of defence, merger review in Canada must, by law, be conducted very quickly. The *Competition Act* sets out strict timelines for review and challenge of both proposed and completed notifiable and non-notifiable mergers.

7. Accordingly, the Bureau's performance in this area is assessed by how often it meets service standards for the timeliness of its reviews. To effectively detect and deter anticompetitive conduct, merger reviews must be conducted quickly enough to allow the Bureau to challenge those it finds are anticompetitive[3].

5. RESULT #2: Canadian businesses and consumers benefit from a competitive marketplace – Consumer Savings

8. The Bureau calculates the estimated annual and total consumer savings generated by the enforcement actions carried out in each of its enforcement areas (Monopolistic Practices, Mergers, Cartels and Deceptive Marketing Practices[4]). These indicators seek to

[3] For Merger Notification Filings and Advanced Ruling Certificate requests the Bureau's service standard is to review non-complex mergers within 14 calendar days, and complex mergers within 45 calendar days. Where a supplementary information request is issued, the service standard is 30 calendar days from the day on which the Commissioner has received a complete response to the request from all recipients. Non-complex mergers are identified by the clear absence of competition issues, and include transactions where there is no or minimal overlap between parties, assuming properly defined product and geographic markets. Minimal overlap includes a combined post-merger market share of less than 10% in any relevant market. Some reviews are not subject to the service standard due to external factors such as concurrent review by other entities and those reviews are therefore not included in the calculation.

[4] Deceptive Marketing Practices are prohibited by the Act and therefore included in the calculation of the indicators for result #2.

quantify the benefit of greater competition for Canadian consumers and businesses because of the Bureau's work.

9. Using the approaches and general principles outlined in the OECD's 2014 *Guide for helping Competition authorities assess the expected impact of their activities* (Guide), the Bureau developed a methodology to do this. It starts with the annual volume of commerce of targets and merging parties of investigations or merger reviews during the previous fiscal year. These numbers are then used in calculations established for each type of conduct (e.g. bid-rigging, price fixing, mass-marketing fraud, misleading advertising, mergers with remedies, abuse of dominance, and price maintenance).

10. Where the Bureau has specific, case-related information about the expected price effects from anti-competitive harm or the expected duration of the conduct (in the absence of Bureau enforcement action), the Bureau will use it in the calculations described above. In situations where it doesn't, it relies on assumptions about these values supported by the Guide. Consistently using these well-established and supported methodologies allows the Bureau to assess the impact of its enforcement work over time in a resource-effective way.

6. Assessing Advocacy: Retail Grocery Market Study Follow Up

11. Recently, the Bureau has also publicly assessed the impact of a piece of its advocacy work. Following its 2023 retail grocery market study, *Canada Needs More Grocery Competition*, the Bureau committed to a three-year follow-up to evaluate whether governments and the industry had acted on its recommendations to improve competition in the grocery sector. This follow-up report was published in September 2026. It evaluated whether governments had implemented its policy recommendations, whether major grocers were changing potentially anti-competitive practices, and highlighted the Bureau's ongoing enforcement and advocacy efforts in the sector, including a further study of competition throughout Canada's food supply chain. The Bureau's market studies do not always make a formal commitment to assessing impact in this way. However, the Bureau routinely uses the expertise it develops as the result of a market study to stay engaged in the sector studied.

7. Challenges and Possible Solutions in Assessment

12. The main challenge the Bureau faces in assessing the impact of its work is that, particularly in the enforcement context, assessment requires resources that would otherwise be engaged in deterring or disrupting anticompetitive conduct. The Bureau's mandate to enforce and promote competition is more directly achieved by taking enforcement and promotion action, rather than studying its impact. However, looking at some of the smaller-scale impact assessments conducted at the Bureau may point to possible solutions to this challenge.

13. Teams across the Bureau's enforcement directorates already regularly engage in assessment of their impact beyond the consumer savings and merger service standards measures described above. This assessment tends to be more targeted and less visible to the public and includes things like monitoring civil consent agreements and criminal settlements for compliance. These orders come about as a result of the Bureau's work, so monitoring them is a way of assessing the Bureau's impact. Teams more focused on disrupting conduct will also regularly monitor target conduct and consumer feedback to see what impact their actions had.

14. Some of this work is carried out by specialist teams within enforcement directorates that would be well-suited to engaging in more comprehensive assessment. The Bureau's future work on assessing its impact will also undoubtedly benefit from the expertise and capabilities of its new Digital Enforcement and Intelligence Branch, which supports all the Bureau's enforcement and promotion work. For example, a Remedies Unit was established within the new branch to build expertise in remedy design, implementation and monitoring, positioning it well to conduct these assessments, particularly with respect to mergers.

8. Conclusion

15. Data and resource constraints can make comprehensive impact assessment challenging. However, the Bureau has adopted practical methodologies and targeted monitoring that balance accountability with its core enforcement mandate. The Bureau's follow-up work on the retail grocery market study highlights the value of assessing advocacy outcomes and policy influence beyond traditional enforcement measures. Looking ahead, specialist teams across the Bureau's enforcement directorates and the Digital Enforcement and Intelligence Branch are well positioned to strengthen the Bureau's ability to assess and demonstrate the impact of its competition promotion and enforcement activities.