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**Assessing and Communicating the Benefits of Competition Interventions – Summaries  
of Contributions**

12 June 2023

This document reproduces summaries of contributions submitted for Item 6 of the 75th meeting of Working Party 2 on 12 June 2023.

More documents related to this discussion can be found at  
<https://www.oecd.org/competition/assessing-and-communicating-the-benefits-of-competition-interventions.htm>

Federica MAIORANO  
Email : [Federica.MAIORANO@oecd.org](mailto:Federica.MAIORANO@oecd.org)

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## *Summaries of contributions*

This document contains summaries of the various written contributions received for the discussion on Assessing and Communicating the Benefits of Competition Interventions (75th Meeting of Working Party 2 on 12 June 2023). When the authors did not submit their own summary, the OECD Competition Division Secretariat summarised the contribution. Summaries by the OECD Secretariat are indicated by an \*.

## *Argentina*

The National Commission for the Defence of Competition (CNDC) in Argentina recognises the importance of transparency and self-assessment practices in promoting trust and accountability in public institutions.

The note touches on how the agency reports on all its activities and the way it uses various tools such as press releases, social media engagement, conferences, and publications to communicate its enforcement efforts.

The note also discusses how CNDC is working on creating an organised approach to evaluating the efficacy of its various types of interventions based on the OCDE methodology.

The agency's commitment to open government procedures, the publication of reports, and ongoing efforts to develop a systematic methodology for evaluating its interventions demonstrate its dedication in delivering concrete results.

## *Brazil*

The Brazilian antitrust authority, CADE, annually publishes a study measuring the benefits expected from its performance. Based on a methodology of the OECD, the publication aims to quantitatively estimate the outcomes of the authority's activities. Therefore, this document focuses on assessing the impact CADE's efforts in mergers and antitrust investigations had on the society.

The fifth edition of this publication was issued in March 2023, presenting the outcomes for the year 2022, which amounted to USD 2,387.68 million. From 2018 to 2022, estimates point to benefits ranging from USD 805.15 million (2020) to USD 6,906.72 (2019), totalling USD 14,932.10 million in four years. This figure is given by conservative parameters and does not consider the benefits derived from dynamic effects and advocacy efforts—topics assessed by CADE's Department of Economic Studies, which is developing a methodology to incorporate these in the future.

CADE is engaged in several other activities aimed to provide transparency about its work, to render accounts, and to promote a culture of competition. To mention, publishing research on competition policy, issuing decisions and technical opinions in merger reviews, investigating anticompetitive conduct, and promoting competition advocacy, for instance.

The authority's Communications Unit makes such documents and events available on CADE's website. The authority may present these documents in seminars to discuss their results. Website visitors, publication views, and event attendance can be easily measured, but there is no established methodology yet to assess the impact of these activities.

## *Bulgaria*

The assessment of the compliance of regulatory acts with competition rules, carried out within the framework of competition advocacy, aims to prevent the introduction of regulations that unjustifiably restrict competition, as well as to lead to the removal of existing restrictions on competition. This is the basis of the internal and informal Methodology for assessment of the effectiveness of the Commission on Protection of Competition (CPC) in the area of competition advocacy – what part of the recommendations have been taken into account and accordingly have led to the removal of the relevant anticompetitive regulations.

Time is needed in order to become clear whether the recommendations contained in competition advocacy opinions will be taken into account by the competent state authorities. With regard to this, it is necessary to foresee the following periods between the date of adoption of the opinions and the moment of evaluation of their effectiveness:

- for draft acts – 1 year;
- for acts in force – 2 years.

Each individual recommendation contained in a competition advocacy opinion should be categorized based on the following criteria:

- public importance – which market and what part of consumers it affects;
- size of the affected market;
- gravity of the restriction of competition.

As a result of this categorization, the recommendations should be categorized with 3, 2 or 1 points, with 3 points given to the most important recommendations.

Then a percentage ratio is calculated between the obtained sums of values for the recommendations taken into account in relation to the total number of recommendations.

The calculation of the effect of competition advocacy on the relevant market is possible when the recommendation is related to prices. It is based on the difference multiplied by the volume of the market between the price in the presence of the anticompetitive regulation and the price achieved as a result of the competition advocacy recommendation. However the calculation of this effect requires additional price data for each relevant market.

On the basis on the Methodology in the recent years the effectiveness of competition advocacy of the CPC is calculated internally and informally. The usual levels of the competition advocacy effectiveness are 30-31%.

The calculation of competition advocacy effectiveness can help to get a general view of an activity the results of which cannot be seen immediately. This in turn can contribute to improving of the competition advocacy opinions.

Indicator about the effectiveness of the competition enforcement is the information about the imposed and collected sanctions published in the annual report.

## *Canada*

At Canada's Competition Bureau, we are changing how we communicate. We are using plain language more and more. Although our work can be technical, the way we describe it doesn't have to be. We are building skills and systems to help share the benefits of competition in a way that everyone can understand.

Our paper focuses on how we communicate during competition interventions, and how we discuss competition more generally. We describe how we measure and communicate the benefits of competition, how communication fits into our regular planning and reporting cycle, and our plain language initiative.

The Bureau will continue to develop our plain language skills and our approach to communication every day. And we will continue to evaluate our progress. We are happy to collaborate with other agencies that are interested and active in plain language.

## *Chinese Taipei*

Regarding enforcement activities and interventions, the Chinese Taipei Fair Trade Commission (hereinafter referred to as the “CTFTC”) outlined its internal qualitative and quantitative assessment approaches to measure their effectiveness/benefits as well as its strategies to communicate such outcomes to the general public.

In addition to presenting its enforcement effectiveness through annual performance reports, the CTFTC outsourced surveys and studies such as “Effectiveness of Competition Advocacy,” “Ex-Post Review of the CTFTC’s Merger Decisions,” and “Application and Improvement of Competition Law Leniency Program in Cross-Border Cartel Cases.” Relevant suggestions provided by the surveys and studies have been gradually incorporating into the CTFTC’s related measures according to practical needs. Moreover, the CTFTC often utilizes external resources, such as expert opinions, to support its decisions of antitrust cases, and uses survey questionnaires to obtain the stakeholder satisfaction with their measures, in order to comprehensively enhance its law enforcement effectiveness.

Regarding advocacy activities, the CTFTC develops annual competition advocacy plans targeted at governmental agencies, business sectors, and the general public to create a culture of competition. Apart from traditional advocacy materials and communication channels, the CTFTC particularly values effective delivery of messages to the public through digital media by using precise and accessible language in response to the rise of e-reading in the digital era. When tackling issues requiring timely responses to the Legislative Yuan (the Congress), the CTFTC has been taking a two-pronged approach: effective communication and timely action.



## *Croatia*

Transparency of the work of a competition authority as public institution helps to clarify its mandate and competence to the public but at the same time it contributes to further promotion of competition. Effective enforcement of competition law and competition culture are inseparable interlinked because without constant competition advocacy efforts by competition authorities explaining benefits of competition to all stakeholders, there is no sufficient awareness and thus, not completely efficient enforcement. In order to achieve that, the competition authorities use different communication tools and competition advocacy activities such as communication strategies, regular informing of the public about its decisions and activities, public consultations, announcements or statements, articles in the media, publication of decisions and relevant strategic documents, issuing of legal opinions on the conformity of laws and other legislation with competition rules, educations and trainings, cooperation with different institutions, awareness raising campaign, publishing of market studies or results of sector inquiries, publications on different topics in competition law in the newsletter etc.

The Croatian Competition Agency (CCA) uses several communication tools important for transparency and for promotion of competition starting from annual reports on the activities of the CCA, the communication strategy, communication with media, publishing of all its decisions and press releases on the activities on the web site, E-Newsletter, expert legal opinions, sector inquiries, education, and cooperation with other institutions like trade and business association, regulators and universities.

Use of different communication tools together is effective. The use of only one or two communication tools would be insufficient but applying all of them continuously and with adjustments for specific stakeholders gives the best results. Many of the presented communication tools can also play relevant role as a source of information about impact assessment of the activities and work of competition authorities especially for competition authorities which do not have yet developed and used methodology for such assessment. Hence, there are many communication competition advocacy tools developed and used by competition authorities with some new ones emerging in the digitalization era like podcasts and on-line webinars.

## *France*

Assessing, and communicating the benefits of competition interventions by competition authorities are among the most effective tools available to the latter for ensuring a competitive environment. The French competition authorities, the General Directorate for Competition, consumer affairs and fraud control ("DGCCRF") alongside the Competition Authority have devoted substantial efforts in recent years to promote competition.

To promote a competition culture, the French competition authorities are implementing assessment and communication strategies to measure the effectiveness of their sanctions in terms of dissuasion. This has the purpose to raise public awareness about competition issues, incentivize firms' compliance with competition law, as well as influence related public debates.

While the French competition authorities have been a source of impetus regarding the qualitative and quantitative assessment methods of their interventions, they still improve their communication about the benefits of competition interventions and competition more generally. By targeting economic actors, institutions, as well as a very general public audience, authorities improve agents' awareness about wrong behaviours as well as existing procedures for violation reports.

## *Greece*

This Note overviews the assessment of the anticipated benefits resulting from the Hellenic Competition Commission (HCC) interventions for consumers. In this context, it primarily describes the methodology for the assessment of the overall impact of HCC decisions on the economy in terms of estimated consumer surplus.

The Note discusses the Hellenic Competition Commission's use of the methodology published by the OECD in 2014 and the authority's continuous efforts to quantify, in a simple and concise manner, the anticipated benefits resulting from its interventions for consumers. The HCC conducts, to the extent possible, given data availability, assessments of the overall impact of its decisions on the economy in terms of estimated consumer surplus, based on the OECD methodology. By evaluating the benefits of competition interventions, the HCC strengthens its credibility and advocates for the advantages of competition. The HCC provides in-depth information on its activities that go beyond mere statistics to the public, outlining not only the number of interventions or fines imposed by the Authority, but also highlighting the outcome and benefits resulting from such competition interventions. The Authority employs various methodologies to assess market outcomes, consumer welfare, changes in market behaviour, and competitive dynamics. This comprehensive evaluation enables the HCC to assess the effectiveness and success of its actions in promoting fair competition and protecting consumer interests.

The Note further highlights the new communication strategies that the Hellenic Competition Commission has developed within the set of its targeted advocacy initiatives, to promote a culture of competition in its attempt to raise the public's awareness with regards to the social benefits competition offers to the economy.

The HCC develops its communication policy by identifying objectives, addressing recurring issues, and advocacy opportunities during law enforcement. Effective communication has become a priority for the HCC over the recent years. The Authority recognizes the importance of communicating the positive outcomes of its interventions and conveying to the public the benefits of fair competition in the market.

The HCC's communication policy aims to raise awareness of competition law, demonstrate accountability and promote compliance. It emphasizes on identifying and engaging relevant stakeholders, developing a stakeholder strategy, and collaborating with other government bodies. The main stakeholders include citizens, businesses, contracting authorities, professionals, and policymakers.

The HCC employs various communication tools and infrastructure to effectively pursue its objectives, including a livestreaming studio, social media platforms, a web application, audio-visual materials, electronic survey tools, press monitoring services, collaborations with institutions, and various initiatives, to engage stakeholders, disseminate information, gather insights, address misinformation, foster collaboration, and promote understanding of competition law. By integrating digital communication, public and international relations, the HCC aims to streamline its communication processes, foster stronger relationships with domestic and international partners, and effectively convey its policies to a broader audience.

Through its efforts and commitment to effectively assess impact and communicate the benefits of competition interventions, the HCC contributes to the broader goal of promoting a culture of competition in Greece and to foster a competitive environment that benefits consumers, businesses, and the economy overall.

## Hungary

Both general reporting and *ex-ante* impact assessments are relevant when it comes to agency accountability.

### General reporting

The Hungarian Competition Authority (Gazdasági Versenyhivatal – GVH) is required by law to report to Parliament each year on its operation and on the state of competition. Annual reports contain information on cases, advocacy, international affairs, and budget. Often, they include proposals to the government with regard to policies influencing competition.

### Assessment of benefits

Although it is not mandatory, the GVH performs *ex-ante* impact assessments, aimed at quantifying the benefits of competition law enforcement, to demonstrate its use. These assessments are inspired by international best practices, and pursue capturing consumer savings from merger control, cartel enforcement and other antitrust cases.

Consumer saving is conceptualised as avoided consumer harm which would have been realised should the GVH did not intervene. The calculation of those consumer savings is highly simplified. It relies on data that are available for the GVH and on conservative assumptions. It ignores indirect effects, such as deterrence, and (much of) non-price effects.

The assessment is transparent. Disaggregated results are not made public, but the methodology is explained in detail, and the first assessment was reviewed by independent academics.

The assessment and its presentation remained the same over time, despite refinements.

This type of assessment fits for purpose. However, it is essential to recognise and respect its inherent constraints, limiting the use of its results in other contexts.

The GVH is experimenting to apply similar methodology to other activities, namely advocacy proposals and consumer protection cases, which did not prove to be straightforward. One major reason is that these areas are more heterogenous, making the case for a less standardised approach.

For various reasons, the GVH has not performed other types of impact assessment, such as *ex-post* evaluations, the measurement of the broader effects of competition law enforcement or the quantification of the degree and benefit of deterrence.

## *Israel*

The paper discusses the media strategy of the Israel Competition Authority (ICA) and its challenges in effectively communicating with different target audiences. The ICA aims to promote compliance with competition law and faces difficulties in simplifying complex concepts and dispelling misconceptions. To make information more accessible, the ICA utilizes various media channels, including press releases, publications, interviews, social media, and podcasts. Two media campaigns are highlighted: one targeting trade associations to promote compliance with price list regulations, and another addressing "gun-jumping" and illegally consummated mergers. The ICA's media strategy plays a crucial role in ensuring compliance with competition law.

## *Italy*

The Autorità Garante della Concorrenza e del Mercato (thereafter the “AGCM” or “Authority”) recognises the importance of impact assessment of its decisions in order to value its intervention, increase public awareness, delineate future activities. Therefore, the AGCM has been carrying out an impact analysis of expected customer benefits from antitrust interventions since 2011, initially for internal use only.

In 2021 the Authority started to regularly publish the results of its impact assessment in the context of its annual report, which it presents to the Parliament and publishes online. While the methodology used is essentially the one developed by the OECD in 2014, the AGCM has been working to adapt it to a wider range of competition decisions such as commitments and agreements other than cartels. In addition, since 2016 the Authority undertakes an impact assessment of its consumer protection decisions, developing a methodology that is robust and manageable at the same time.

Furthermore, since 2013 the AGCM carries out the annual ex-post assessment of its advocacy interventions by regularly monitoring compliance and, in 2019, it conducted an in-depth impact ex-post assessment of its merger remedy decisions.

This contribution briefly describes the AGCM experience in assessing and communicating the benefits of antitrust interventions to public and private stakeholders, and highlights some challenges and possible further developments, in particular with respect to investigations that, while not leading to the assessment of an infringement, nevertheless put an end to the conduct (e.g., following a commitment decision or a merger withdrawal).

In more general terms, the Authority would also welcome any refinement of the OECD methodology and additional empirical evidence justifying the adoption of standard assumptions for the quantification of the direct price impact of interventions and their deterrence effects.

## *Kazakhstan*

It is crucial to recognise that the world has entered a new era of governance, wherein public administration institutions and tools are evolving, adapting to modern realities, and placing citizen interests at the forefront.

When shaping an economic development model based on a market economy, with the goal of achieving sustainable economic growth and maintaining stable and low inflation, the government should not only react to crisis situations but also proactively listen and act in the best interest of its citizens through multi-stakeholder discussions to find optimal solutions.

The Agency for Protection and Development of Competition of the Republic of Kazakhstan (Agency) regularly communicates its activities and services in the field of competition to the public. It actively involves representatives from the business and public sectors, as well as experts, in discussions regarding barriers and challenging issues.

To establish an effective dialogue with the public and the business community and engage them in discussions on the decisions made by the antimonopoly authority, the Agency has established public platforms in key areas of its operations: the Public Council and the Barriers Council. These Councils comprise representatives from businesses, associations, and other interested parties. The Barriers Council is led by a representative from the business community.

## *Latvia*

The CC has developed its own methodology to calculate the public benefit that is mainly based on recommendations<sup>1</sup> by the Organisation for Economic Co-operation and Development (OECD), adapted to the specific features of the Latvian economy and supplemented by the recommendations of the European Commission and the practical findings of other competition authorities of the Member States of the European Union. The public benefit is rather quantitative assessment. Only the direct price impact of the CC interventions is determined as there is no clear guidance on how to quantify the deterrence effect and dynamic non-price effects such as innovation, quality, choice, and productivity.

The public benefit assessment is formed by three main blocks – merger control, prohibited agreements and abuse of dominance cases. When specific information collected in investigation process is available, that allows calculation to specific case be more precise, this information is used to assess the likely benefits. However, in most cases such information is not available, then following default assumptions are used:

	<b>Merger control</b>	<b>Prohibited agreements</b>	<b>Abuse of dominance<sup>2</sup></b>
Affected turnover <sup>3</sup>	Turnover of all companies in the affected market(s) in the previous year	Turnover of the companies under investigation in the affected market(s) in the previous year or the sum of public procurement(s) under investigation	Turnover of the companies under investigation in the affected market(s) in the previous year
Avoided price increase	3%	10%	5%
Expected duration of the price effect	2 years	1 year	2 years

Note: The benefit of future years is discounted using social discount rate 5%.

In addition, the soft enforcement activities (negotiation procedures and issued warnings, market inquiries, proposed changes in regulatory acts, etc.) of the CC are also considered. The avoided price increase in these cases are calculated using symbolic rate of 0.5%. However, in practice only some of the issued warnings are included in the public benefit assessment as for other categories it is hard or even impossible to properly quantify the positive or preventative effect.

The methodology to assess the public benefit was established in 2016. The newest version was developed in in the beginning of 2023, and it will affect calculation starting this year. In merger block the CC used to include only the turnover of parties involved but the 2023 version will include total turnover of all companies in the affected market following the recommendations of OECD and example of the European Commission and other competition authorities in the European Union. Previously used avoided price increase rate for mergers was 2% but from now on the CC decided to use 3% price increase rate that was recommend by OECD and is the lower bound price increase rate used by European Commission.

Also, in addition to all mergers that were blocked and approved with remedies, as of this year the calculation will include phase II abandonments if there is no evidence the merger

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<sup>1</sup> <https://www.oecd.org/daf/competition/Guide-competition-impact-assessmentEN.pdf>



was withdrawn for other, clearly identifiable reasons than the potential competition concerns raised by the CC.

The CC have performed some ex-post evaluations in past but due to limited resources these exercises are performed rarely.

To increase awareness of the benefits of competition the CC prepares easy to read expert articles that are shared through mass media<sup>4</sup>, prepares press releases<sup>5</sup>, podcasts on public benefit<sup>6</sup>, infographics on other materials.

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<sup>4</sup> <https://www.kp.gov.lv/lv/jaunums/konkurences-padomes-raditais-sabiedribas-ieguvums-turpina-pieaugt>

<sup>5</sup> <https://www.kp.gov.lv/en/article/work-cc-creates-public-benefit-almost-27-times-higher-budget-institution>

<sup>6</sup> [https://soundcloud.com/user-257897224-255730817/podkasts-par-konkurenci-9-sabiedribas-ieguvums?si=e24055eb38ee4a2cb5c6277d5cbce3dc&utm\\_source=clipboard&utm\\_medium=text&utm\\_campaign=social\\_sharing](https://soundcloud.com/user-257897224-255730817/podkasts-par-konkurenci-9-sabiedribas-ieguvums?si=e24055eb38ee4a2cb5c6277d5cbce3dc&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing)

## *Lithuania*

This Note explains how the Lithuanian Competition Council sets and measures the achievement of its main activity objective – to bring maximum benefits to consumers. Our yearly commitment is that 1 euro allocated to the competition authority’s activities from the national budget would bring at least 5 EUR expected benefit to consumers. We calculate the expected average direct benefits to consumers accrued by the Competition Council’s activities, which help to stop anti-competitive actions or prevent restrictions of competition. Such benefits over the period 2020–2022 amounted to EUR 18.4 million. The average annual competition authority’s budget for the same period was EUR 2.7 million. So, the average direct benefit to consumers exceeded the annual budget by 6.9 times. It means that we have exceeded our commitment, as 1 euro allocated to our activities from the national budget brought 6.9 EUR of expected benefits to consumers. Such benefits of competition interventions are being yearly communicated to the national Parliament and the Government as well as to the general public. Despite the fact that certain actions of the Competition Council do not generate measurable direct benefits to consumers, they are no less important.

## *Mexico*

### **Federal Economic Competition Commission (COFECE)**

COFECE uses its resources effectively, efficiently, and in a timely manner. This the result of a strategic planning scheme under which the Commission works and that establishes objectives, actions, and outcomes that are periodically evaluated, and made public.

A continuous cycle of planning, evaluation, and accountability in place results in the production of different documents that, on one side, guide the authority's operation and on the other, assess its performance.

This contribution presents the tools that COFECE has to plan, evaluate its results and assess the impact of its interventions, as well as those to comply with its obligation to inform about its work to the public, and the strategy to communicate the benefits of competition and its interventions.

### **Federal Telecommunications Institute (IFT)**

The IFT is the Mexican national competition authority and regulator for the Telecommunications and Broadcasting (T&B) sectors. The IFT regularly assesses, monitors, and publishes reports on the competition evolution of these sectors and on its actions to promote competition.

This contribution presents the legal framework to report, monitor and assess competition policy interventions and activities; the communication tools and strategies the IFT has used; and the economic assessment and communication strategy of a case study: the Walt Disney and Twenty First Century Fox acquisition.

Given its dual mandate, the IFT's competition interventions include those established in the competition law and in the regulatory law. Hence, the IFT uses several tools to estimate the potential benefits of its decisions on indicators that directly benefit consumers (i.e., prices, coverage of services, new services available, etc.) and on indicators regarding the competitive dynamics in the T&B sectors (IHH, number of participants, market shares, etc.).

The IFT's communication activities and strategies comply with its statutory duties, improve its accountability, and inform the public on the expected impacts of its decisions.

## Norway

This written submission to the Working Party 2 Roundtable on ‘Assessment and communication of the benefits of competition interventions’ from Norway describes how the Norwegian Competition Authority (NCA) assesses and communicates the benefits of enforcement and competition interventions.

The NCA periodically evaluates the impact of its enforcement and advocacy activities to prioritize and target its work according to its mission. The evaluation is done based on general surveys and self-initiated surveys, both qualitative and quantitative. These surveys measure how knowledge of the NCA and the Competition Act develops in addition to the indirect effects of the NCAs interventions. The NCA also measures visibility through news media and editorial mentions, website traffic data, social media traffic, podcast downloads, and newsletter consumption. The results are communicated to a wide range of stakeholders using the annual report and social media channels.

Moreover, the contribution presents the NCA's communications strategy and approach and how the NCA has changed its advocacy and communications strategy and priorities following the results of its evaluations to increase awareness and compliance towards its stakeholders.

The NCA considers high visibility as crucial to increase awareness and knowledge of the Competition act, with the overall goal of preventing competition crime and facilitating the regulatory conditions for increased competition. Reaching the NCAs heterogeneous stakeholders requires a targeted communication strategy. The NCA uses survey results to prioritize different visibility and communication initiatives and communicate on a wide range of platforms to reach specific stakeholders. Examples are presentations and webinars aimed at trade organizations and op-eds in mainstream news media with both consumer and specialist targeted op-eds, on current and high-profile issues.

In the last few years, the NCA has intensified efforts to establish contact and cooperation with trade organizations and small and medium sized businesses. This is a response to survey results indicating that small and medium sized businesses have less knowledge of and familiarity with the Competition Act than larger businesses. Some of these respondents have even been under the impression that competition rules only apply to larger businesses. The NCA has produced a series of videos that explain the competition rules in simple, direct terms and started a series of short internal courses called "clear language" to make the NCAs work more understandable. These courses are in response to a need identified by evaluation and observations of the NCAs external communications and the Norwegian language act, which requires simple and understandable language usage from public institutions.

The NCA engages in advocacy through regulations by responding to public consultations on various topics and addressing the competition perspective of the proposed law or regulation. The NCA's recommendations in public consultations are made public on its website, summarized in a press release and sent out to subscribers and news desks. The NCA actively uses these public hearing responses as a platform to publish a viewpoint in current issues.

Overall, the NCA aims to communicate with its stakeholders on a variety of different platforms and has seen clear results from this wide approach. The NCA believes that this strategy has contributed to the increase of knowledge of the Competition Act, as well as an increase in tip-offs.

## *Portugal*

Promoting competition in the Portuguese economy is one of the key elements of the mission of the Autoridade da Concorrência – Portuguese Competition Authority (AdC).<sup>7</sup>

In light of this, and recognizing that effective communication of the benefits of competition is essential for competition authorities, one of the AdC’s strategic and operational objectives of the AdC is to strengthen the communication of the benefits and rules of competition to stakeholders.<sup>8</sup>

The AdC has indicated in its priorities for 2023 that it will intensify initiatives to advocate and communicate the benefits of competition to stakeholders, including companies, associations, regulators and students. In particular, the AdC launched a wide-reaching initiative “20 years, 20 cities” and will continue its outreach initiatives in priority sectors, namely with the “Fighting Bid-Rigging in Public Procurement” initiative, the Best Practices Guide for Business Associations, the Best Practices Guide on Anticompetitive Agreements in the Labor Markets and the Best Practices Guide on gun-jumping.<sup>9</sup>

In this contribution, we explore how the AdC seeks to communicate effectively the benefits of competition, discussing examples of the AdC’s advocacy outreach initiatives (section 2), reviewing other communication tools used by the AdC (section 3), looking at how competition is perceived in Portugal (section 4) and concluding with final remarks (section 5).

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<sup>7</sup> The mission and goals of the AdC are available at <https://www.concorrenca.pt/en/adc-mission-and-goals>.

<sup>8</sup> See page 11 of the AdC Activity Plan for 2023, available at <https://www.concorrenca.pt/sites/default/files/Plano%20de%20Atividades%20AdC%202023.pdf>.

<sup>9</sup> See page 4 of the AdC priorities for 2023, available at <https://www.concorrenca.pt/sites/default/files/Competition%20Policy%20Priorities%20for%202023.pdf>.

## *Philippines*

Since its establishment in 2016, the PCC (or the “Commission”) has reviewed at least **232** merger and acquisition cases<sup>10</sup> involving various sectors, the top five (5) of which being the following: Manufacturing (51); Financial and Insurance Activities (41); Real Estate Activities (33); Electricity (27); and Transportation and Storage (19). The PCC has received over 90 enforcement-related complaints and referrals submitted for review or investigation – of which 55 had undergone investigation, and 8 ripening into full-blown administrative cases filed with the Commission.

The Commission keeps track of the foregoing statistics and publishes the same in its Annual Report. The said report also contains the following information: priority sectors that the Commission focused on regarding its review, monitoring and investigations that year; recently issued market studies and issues papers by the Economics Office; performance evaluation of the activities of the Merger and Acquisitions Office and Competition Enforcement Office; as well as new issuances on relevant rules, guidelines, and other notices. Pursuant to law, the PCC submits this Annual Report to the Office of the President, the Congress, and the National Archives. Moreover, the charter of the PCC itself requires it to publish on the official website its Final Decisions, Orders and Rulings, among others. These reporting and publication requirements bolster transparency and accountability. They serve as mechanisms by which other government bodies and the general public could assess the performance of the Commission.

As a relatively new institution, however, the PCC has yet to conduct quantitative or empirical assessments of impacts that are attributable to its interventions. Ex-ante quantitative assessments undertaken during the course of merger or enforcement review are kept internal. Some of these assessments are made public only after the conclusion of the relevant case and if found to be pivotal to its disposition.

Unlike mature competition regimes in advanced jurisdictions, PCC’s current communications strategy is still centered on raising stakeholder awareness on the agency’s key mandates and the prohibitions under the PCA with a view to boosting compliance. The PCC regularly conducts seminars, workshops, road shows, and fora across the country to raise overall awareness. In 2018, the Commission began conducting its National Awareness Surveys on Competition to determine the level of knowledge among private firms, government agencies, and households on the competition authority and antitrust law.

In furtherance of its communication strategy and advocacy efforts, the PCC also issues advisory opinions on proposed legislation for the regulation of commerce, trade, or industry, and conducts assessment of economic and administrative regulations that may affect relevant market competition.

While much has been done, the PCC still got a long way to go in communicating to the public and other stakeholders the relevance and importance of competition in everyday life.

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<sup>10</sup> with a total transaction value of PhP 4,858,179,091,026.

## *Romania*

In its annual activity report, the Romanian Competition Council includes a chapter on consumer benefits derived from competition policy. The estimates regarding consumer benefits are extremely conservative, because they only take into account the first-round effects on price, applying the methodology of the EU Directorate-General for Competition (DG COMP) and only for cases of anti-competitive practices related to cartel behaviour or abuse of dominant market positions, which were completed with the imposition of sanctions.

Estimating the benefits of competition policy has both an advocacy role (for the state and consumers) and a dissuasive effect at the level of businesses, becoming aware that competition policy effects are a subject of concern for both consumers and public policymakers. The Romanian Competition Council does not carry out each year ex-post analyses to estimate the benefits of the competition policy, however, in 2017, on the occasion of its 20th anniversary, a detailed study was carried out in partnership with the Bucharest University of Economic Studies.

## *Singapore*

The quantification of benefits is a yearly exercise carried out by CCCS to estimate the consumer benefits that have arisen as a result of CCCS's interventions in key enforcement areas such as anti-competitive agreements, abuse of dominance and mergers that substantially lessen competition. The exercise covers interventions such as the issuance of infringement decisions, acceptance of commitments for investigations or notifications and withdrawal or modification of the transaction or conduct after competitions concerns are raised by CCCS. The exercise is also carried out for market studies where CCCS's recommendations or interventions have led to a change in market structure or behaviour. Plans are underway to extend the exercise to other forms of work such as government advisories. The quantification of benefits accrued to consumers as a result of CCCS's interventions is essential and it contributes to measuring progress towards achieving the desired outcomes, specifically: (1) efficient markets where suppliers compete on merit and consumers are able to make well-informed choices, and (2) a conducive regulatory ecosystem that facilitates open and contestable markets, and safeguards consumers' interests. Through the quantification of benefits, CCCS is able to evaluate the impact of its interventions on the relevant affected markets, and advocate the value of its work to internal stakeholders.

Aside from the quantification of benefits, on the broader level, one of the key strategic thrusts of CCCS is to widen and deepen stakeholder engagements to foster a culture of competition and fair trading practices in Singapore. Hence, an important component of the work of CCCS is the engagement of stakeholders such as businesses and trade associations, other government agencies, practitioners and academia, media and the general public to raise awareness on the benefits of competition. Through a biennial stakeholder perception survey, the key findings of which are made public, CCCS gains insights into how it can refine its advocacy efforts and develop a targeted approach in reaching out to the various stakeholder groups. CCCS adopts a multi-faceted approach to raise awareness and understanding of the benefits of competition, and to encourage greater compliance amongst businesses including organising regular outreach sessions and dialogues, collaborating with stakeholders on events, and the use of a range of engagement platforms and tools including website and social media updates, quarterly newsletters, infographics, manga comic book series, and short animated videos.



## *Slovenia*

The present contribution presents an overview of measures applied by the Slovenian Competition Protection Agency (hereinafter: Agency) to communicate the outcomes and benefits in the context of public enforcement of competition interventions in Slovenia in light of formal and informal examples.

More specifically, the first section provides an overview of the formal measures and obligations, laid down in legislative acts entailing provisions on informing the public and concerned stakeholders on results of competition intervention by the Agency. Furthermore, the Agency fulfills its requirements in different ways, the central part of formal information to the public represent the annual report and satisfaction survey that the Agency expanded to gain insight of interested stakeholders into functioning and satisfaction with the services of the Agency. Further measures to make the Agency's work more publicly recognized include publishing of different acts, judgements and documents of the Agency and also publishing of different news that explain decisions and actions.

The second part focuses on informal measures and actions taken by the Agency to increase the awareness of the Agency's competencies and functions among the broader audience. In this field there were some measures introduced to make the competencies more accessible to the public as well as instruments and possible consequences of non-compliance with competition law. These measures include publishing of leaflets, booklets and comic book to draw public attention to the work of the competition regulator, inform the stakeholders about its work and familiarize consumers and other involved subjects with the rights that they have in connection with competition law infringements.

The final part seeks to illuminate the swift and responsive means of informing the public, media and the stakeholders about Agency's decisions, inspections etc. where the Agency has to react immediately and comment on contemporary actions. This includes press releases, Twitter account and similar tools to enhance the presence of the Agency in the media landscape.

## *Spain*

This contribution by the Spanish National Markets and Competition Commission<sup>11</sup> (CNMC) addresses the topic of the Roundtable on “Assessment and communication of benefits of competition interventions” to be hosted by the OECD in June 2023. It presents the CNMC’s related experience in the areas of competition enforcement and advocacy.

From the enforcement perspective, annual assessments have been conducted since 2016 to quantify direct savings generated by the prosecution of anti-competitive infringements and merger control interventions. The methodology is based on the OECD recommendations and is in line with those used by the European Commission (EC) and national competition authorities with more experience in estimating the impact of their enforcement activities.

The impact methodology assumes that each intervention prevents direct adverse effects on consumers in the form of higher prices resulting from anti-competitive infringements (all decisions of the competition authority for infringements of articles 1, 2 and 3 of the Spanish Competition Act that ended with a prohibition with fines or with commitments) and problematic mergers (cases in which the CNMC blocked the mergers or cleared them with remedies).

Estimates of consumer savings are based on information contained in the case files and on reference values selected according to the economic literature and the choices of more experienced competition authorities. Therefore, it is not necessary to wait a long time for enough data to be collected after the intervention.

Total annual savings for consumers interventions between 2012 and 2022 produced by the CNMC’s enforcement range from 203.2 million euros in 2020 to 7,270.2 million euros in 2015, with an annual average of 2,152.3 million euros. In 2022, the last year of the series, total savings amounted to 3,830.4 million euros. The estimated savings vary from year to year but confirm that the CNMC’s antitrust activity is clearly beneficial for consumers.

From the advocacy perspective, the CNMC, in line with the evaluation objective included in its 2021-26 Strategic Plan submitted in 2019 a project to the European Commission's 2017-2020 Structural Reform Support Program to assess the degree of follow-up of its recommendations on competition advocacy and market unity. The project, recently awarded by Concurrences as the winner of [the Antitrust Writing Awards 2023 \(Soft Laws – General Antitrust category\)](#), has been funded by the European Union through the Technical Support Instrument and implemented by two external consultancy firms (KPMG and VVA), in cooperation with the European Commission's Directorate-General for Structural Reforms Support (DG REFORM).

The analysis showed that more than 60% of CNMC’s recommendations over the period 2013-2019 have been followed. Also, the project estimated, for a set of 12 selected cases, that compliance with CNMC’s recommendations would trigger a direct monetary impact of between 2,000 and 2,300 million euros, by way of lower prices, shorter waiting times, savings for public administrations and higher turnover for firms. The project constituted an exercise of transparency, impact assessment and accountability that will build in the credibility of the CNMC. The project has helped to build a stronger case for pro-

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<sup>11</sup> This contribution has been prepared by the staff of the CNMC and shall not be regarded as the official position of the CNMC unless it refers to CNMC approved documents.

competitive reforms in Spain, as it shows direct and potential impact of its recommendations.

Moreover, the project will also have a future impact. First, it will enable the CNMC to keep track of compliance with its proposals, by continuing the project's database. Second, it will improve the effectiveness of its work, by identifying lagging sectors and promising areas for intervention. Finally, the project has served to establish an impact assessment methodology that the CNMC will use in the future to measure the effectiveness of its actions, incorporate good practice, and increase the degree of compliance with future recommendations.

## *Türkiye*

In the contribution for the roundtable about impact evaluation and communication two main titles are covered. In the context of impact analysis, information about the calculation methods used by Turkish Competition Authority (TCA) up to date, whether there has been a change in this methodology and the ways how we share it with public is covered.

As detailed in the contribution Turkish Competition Authority (TCA) started to count the economic impact of its activities in 2017 and repeated the analysis in two years periods. In this context, TCA used a similar methodology to other competition authorities, assuming that consumer benefit of the decision is equal to the negative impact of antitrust violation. TCA's assessment covers only three types of antitrust infringements, cartels, abuse of dominance and mergers, until the last analysis published in 2023. In the last analysis TCA has widen the scope of evaluation and also started to evaluate retail price management (RPM) cases. TCA uses three basic data for its calculation: turnover affected by the decision, estimated price increase that is prevented by the TCA's decision and the time period in which the price increase would take effect if the infringement was not prevented. TCA make its calculations under two different assumptions: conservative scenario and the OECD method.

On the other hand, for the contribution about communication part TCA's advocacy and communication methods covered . As detailed in the contribution TCA also has been working to improve the awareness of competition law and share its knowledge and experience. For that purpose, TCA organize joint activities with business associations, provide two-week internship programs for university students, and increases training programs for the professional staff. Besides, TCA uses social media actively as a part of its communication strategy since it has realized that the social media is the most effective communication tool for TCA depending upon its recent experiences.

## *Ukraine*

### **1. On the assessment of the AMCU's activities**

The AMCU uses a comparative analysis to conduct a quantitative assessment of our activities. The qualitative assessment is carried out by calculating the economic impact of the measures taken using the methodology based on the «Guide for assessing the impact of competition authorities' activities» OECD 2014.

It would be also appropriate to note the AMCU's own methodological approaches, which for one reason or another are not included in the OECD methodology:

- assessment of the economic impact of exposing bid rigging in the amount of 10% of the expected/actual procurement value;
- assessment of the economic impact of measures aimed at stopping anticompetitive actions of the authorities;
- the economic impact is to be considered in the reporting year only after confirmation of the cessation of the violation (or after the commencement of the fulfillment of obligations in the case of concentrations), regardless of the status of the court appeal or payment of a fine;

An example of the AMCU's own approaches is the provision of comments to a draft regulatory act of a state or local government body regarding provisions that have a potential anticompetitive effect.

### **2. On informing about the AMCU's activities**

The need for a significant revision and improvement of the communication strategy was caused by the presence of signs that indicated an insufficient level of understanding of the principles of the AMCU's work and its tasks by the business community and society.

The public perception of the AMCU's work was assessed based on the content of public inquiries, messages, comments and questions from citizens during events, TV and radio broadcasts and on social media. Separately, we studied the information field in terms of the press' attention to the AMCU's decisions and position.

Based on the analysis of the above points, we have seen significant potential for improvement by modernizing communication tools and, above all, its content.

### **3. Measures to improve communication.**

Certainly, social media is important communication tool, although currently the most effective tool for disseminating information for the AMCU is targeted email newsletters.

In order to improve communication of the AMCU, we created six separate information channels for the AMCU's regional offices. We formed a separate database for each regional office to send news via email, which included addresses of local authorities, specialized associations and local media.

After the first e-mailed regional newsletters, we achieved the desired result: the local press became interested in the decisions of the regional offices and began to actively quote and discuss them.

**Conclusion.** Thus, despite the limited number of resources, the AMCU used all available opportunities to become as clear and predictable as possible for the business community, government and society. The AMCU's communication strategy aimed at enhancing openness and transparency in the AMCU's activities has yielded positive results.

## *United Kingdom*

This submission summarises the Competition and Market Authority (CMA)'s approach to assessing and communicating benefits of competition interventions including mergers, markets, consumer law and competition law enforcement work.

The first part of the submission presents the CMA's approach to assessing the benefits of competition interventions. The impact of the CMA's case work is estimated by reference to the direct financial impact of removing price, quality or other negative effects, factoring in affected turnover and expected length of time the detriment would have expected to prevail absent the CMA's intervention. Beyond assessing these direct impacts, the CMA also conducts ex-post evaluations for a small subset of cases which helps assess the effects of past interventions, drawing lessons and implications to inform future decision making.

The second part of the submission presents the approach to communicating the impact of the CMA's work. Reflecting the breadth of its case load, across different sectors and industries, the CMA utilises a range of communication tools and approaches to communicate the impact of its work, and to amplify messages and findings. This includes extensive stakeholder engagement, campaigns work, publications and use of different communications tools and channels.