



OECD PEER REVIEWS OF COMPETITION LAW AND POLICY: A FRAMEWORK TO ASSESS INSTITUTIONAL CAPACITY

Third Arab Competition Forum

24 May 2022



Outline

- What is it about?
- What to look for?
- How to get there?



What is it about?

- Substantive review of laws and policies based international best practices.
- A process that gets to the heart of ways in which individual countries deal with competition and regulatory issues, from the soundness of competition laws to the structure and effectiveness of competition institutions.
- Help a country to reform and improve its competition framework.
- Useful basis for:
 - revising laws,
 - changing procedures,
 - strengthening institutions in the country of focus.
- A valuable tool to document progress in a country over time.



What to look for?



Context and foundation of the competition policy regime

Institutional set-up

Competition advocacy and cooperation



Content and scope of the competition law

Enforcement of the law



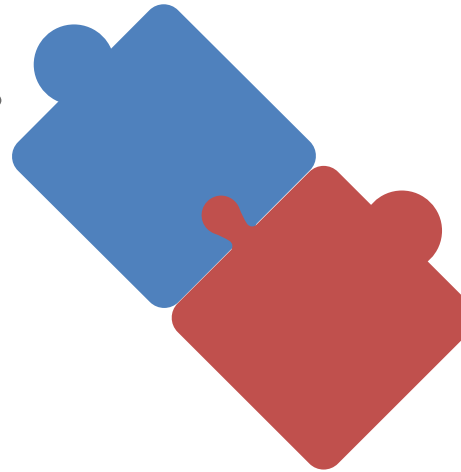
What to look for?



Context and foundation of the competition policy regime



- General context
- Economic performance
- Amendments and major reforms over time



Content and scope of the competition law



- Legal framework in force
- Policy objectives
- Scope of application:
 - Subjective scope
 - Exemptions and authorisations



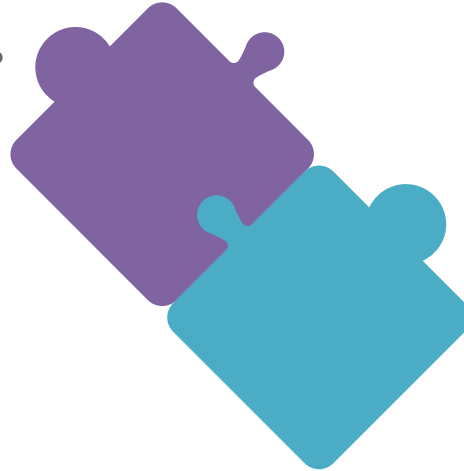
What to look for?



Institutional set-up



- Organisation
 - Set-up of the agency;
 - Decision-making;
 - Mandate and relationship with other government organizations.
- Judicial review
- Human and financial resources
- Prioritisation and evaluation



Enforcement of the law



- Horizontal agreements
- Vertical agreements
- Abuse of dominance
- Mergers
- Enforcement powers
- Internal processes
- Private enforcement



What to look for?



Competition advocacy and cooperation

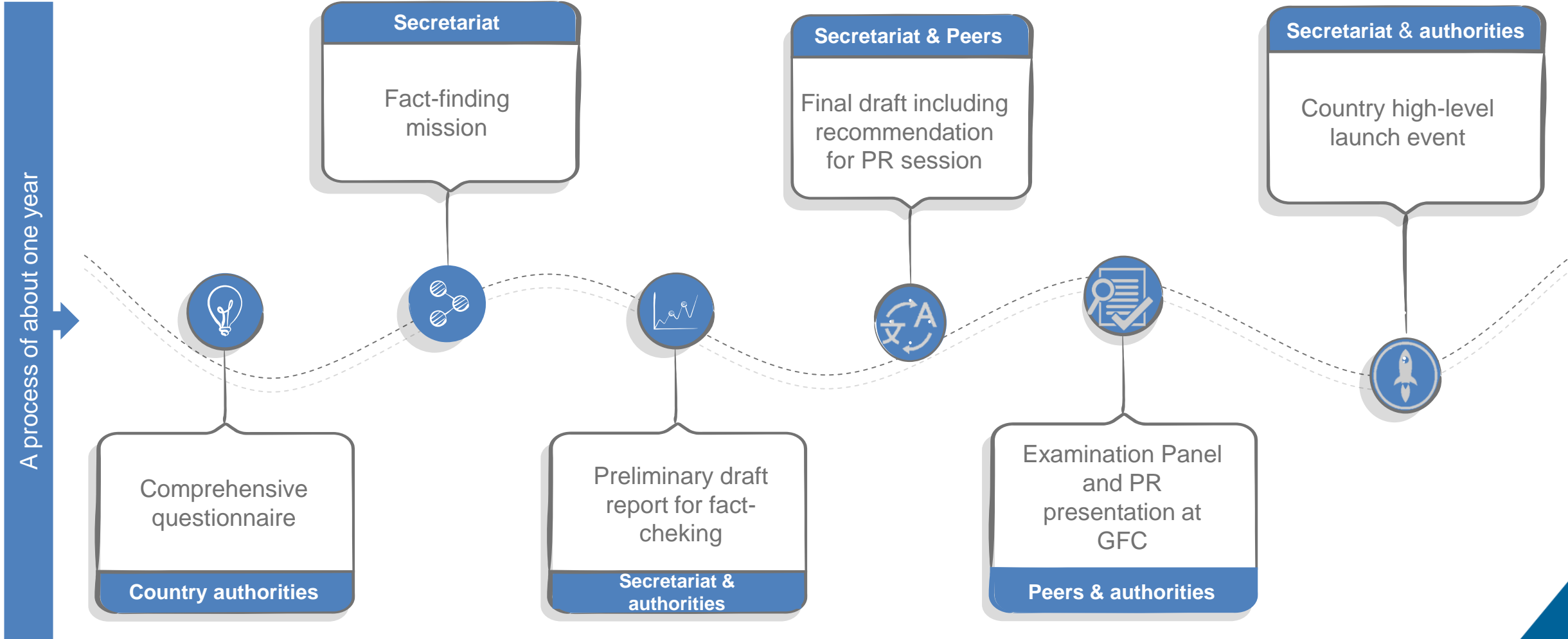


- Advocacy competences
- Advocacy mechanisms:
 - Advocacy opinions;
 - Legislation review;
 - Market studies;
 - Advocacy actions & events.
- National cooperation
- International cooperation





How to get there?





How to get there?

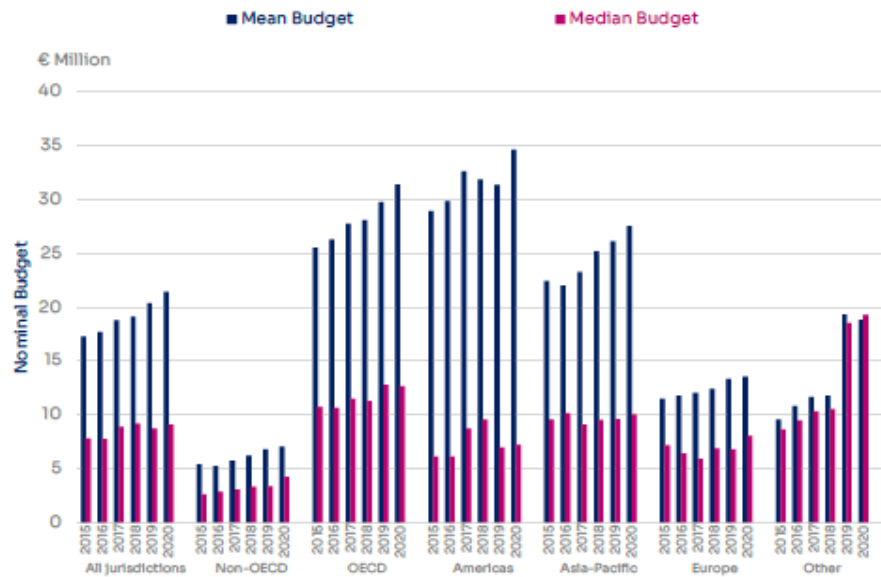
- Report by the secretariat:
 - Leverages OECD standards and member countries best practices.
 - Based on extensive fact gathering and research.
 - Makes use of a unique and comprehensive dataset: OECD COMPSTATS Database that covers key trends in 73 jurisdictions representing 91% of world GDP in terms of:
 - Competition authority resources,
 - Cartel enforcement,
 - Abuse of dominance cases,
 - Merger review and
 - Advocacy.



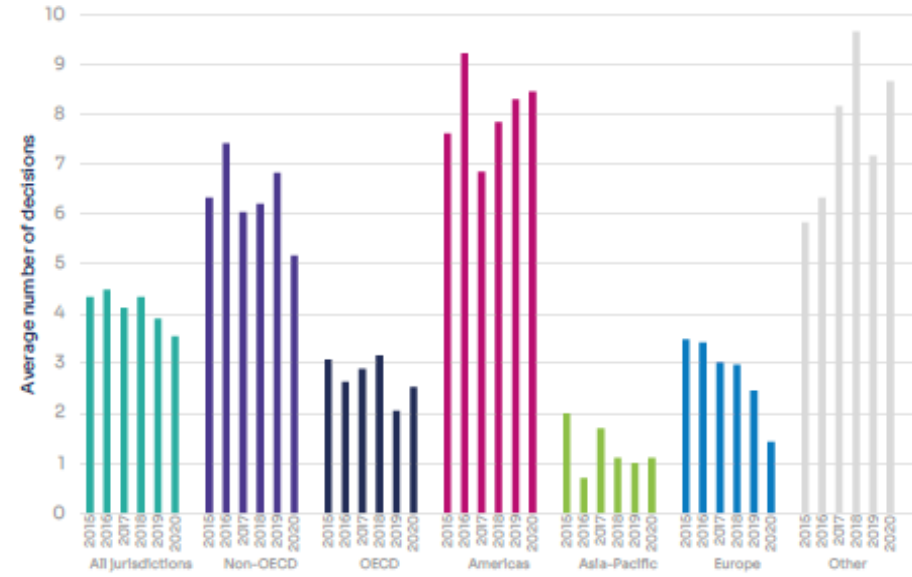
How to get there?

- COMPSTATS has the advantage of facilitating a multilevel benchmarking exercise on request:
 - Compared to international/regional trends

Average (mean and median) nominal budget per agency, 2015-2020



Average number of abuse of dominance decisions, 2015-2020

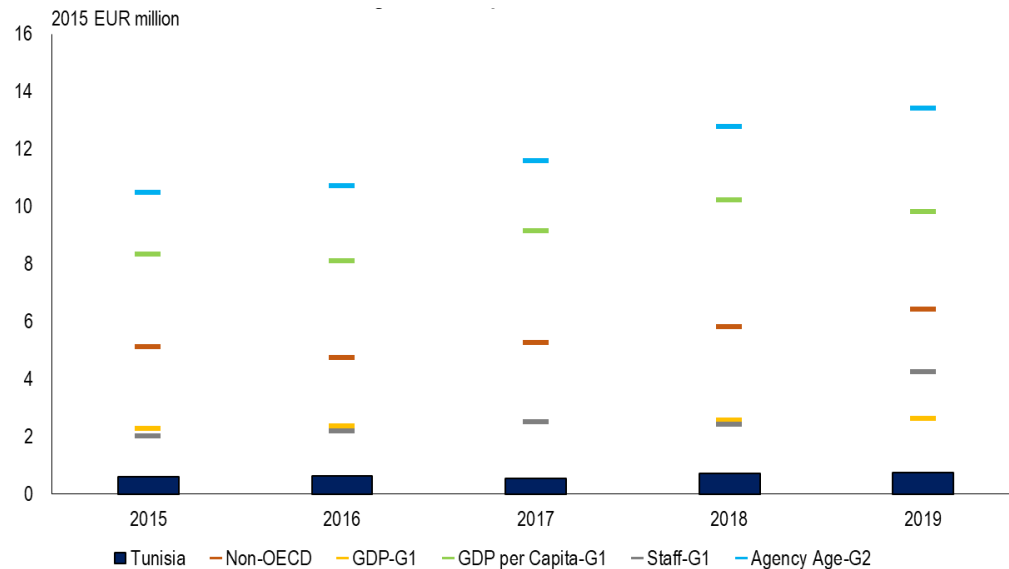




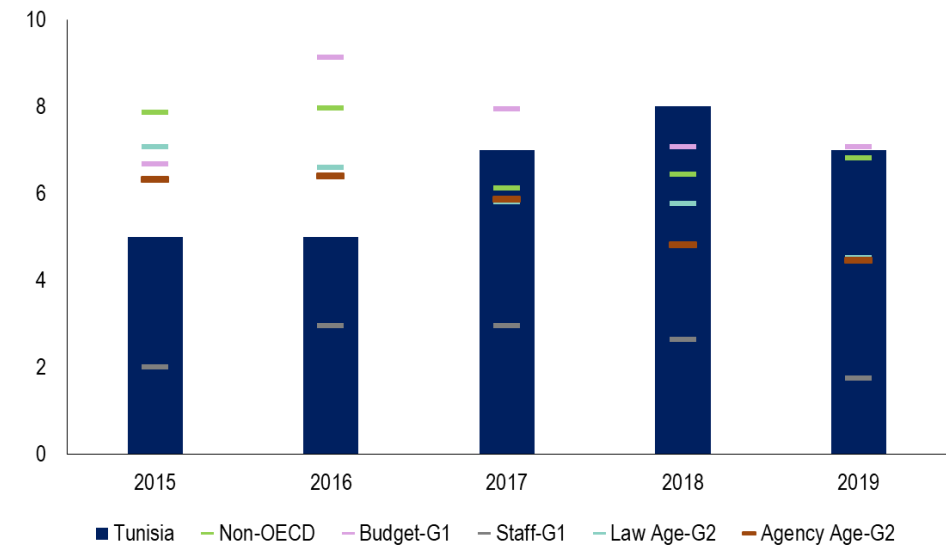
How to get there?

- COMPSTATS has the advantage of facilitating a multilevel benchmarking exercise on request:
 - Compared to tailor-made trends

Budget for competition in Tunisia and selected peers, 2015-2019



Abuse of dominance decisions in Tunisia and selected peers 2015-2019





More information & documents

The screenshot shows the OECD website's Competition page. At the top, the OECD logo is displayed with the tagline "BETTER POLICIES FOR BETTER LIVES". A search bar is located in the top right corner. The navigation menu includes "OECD Home", "About", "Countries", "Topics", and "Français". The breadcrumb trail reads "OECD Home > Directorate for Financial and Enterprise Affairs > Competition".

Competition

Find

- » [Best practice roundtables](#)
- » [Competition assessment toolkit](#)
- » [Guidelines for fighting bid rigging](#)
- » [Country reviews](#)
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[Latest Documents](#)

What's new

- » **Review of procurement rules and practices of PEMEX in Mexico**
Mexico City, 11/01/2017 - This report analyses procurement rules and regulations in Mexico's state-owned petroleum company (PEMEX) and makes policy recommendations to promote competition and fight bid rigging in accordance with international best practices.
» [Read more](#)
- » The resolution of competition cases by specialised and generalist courts: Stocktaking of international experiences
- » Market Examinations in Mexico: A manual by the OECD Secretariat

Well-designed competition law, effective enforcement and competition-based economic reform promote growth and employment. The OECD actively encourages governments to tackle anti-competitive practices and fosters market-oriented reform throughout the world.

[Reference guide on ex-post evaluation of competition enforcement decisions](#)

[Challenges of international co-operation in competition law enforcement](#)

Competition Assessment Review of...

in tenders for public works and increasing transparency.

www.oecd.org/daf/competition



Thank you!

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