

# **ICN Framework for Merger Review Cooperation**

**-Survey Results and Possible Improvements-**

# Outline of the ICN Merger Cooperation Framework

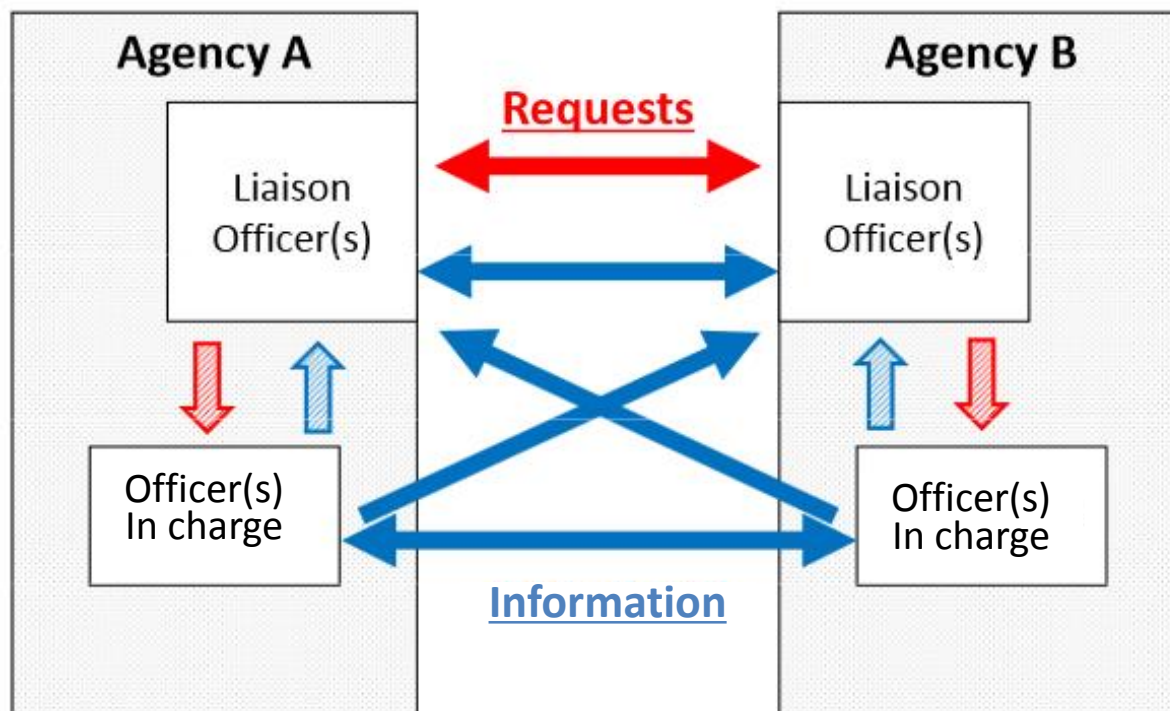
1. Registration with [icn@jftc.go.jp](mailto:icn@jftc.go.jp) and getting the Contact list



2. Finding the Liaison Officer in the Contact List  
(59 competition authorities have been registered)



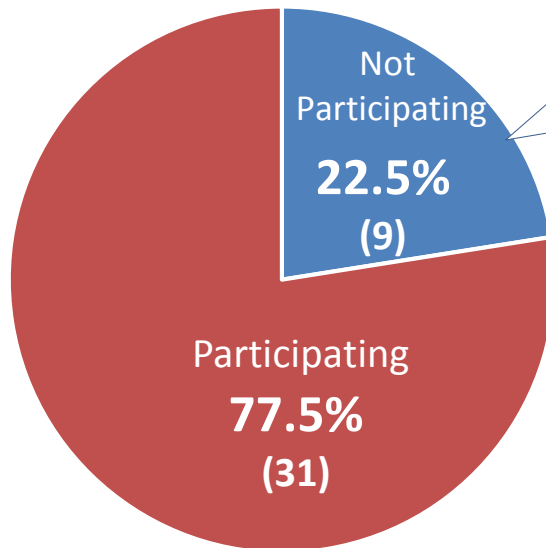
3. Request information



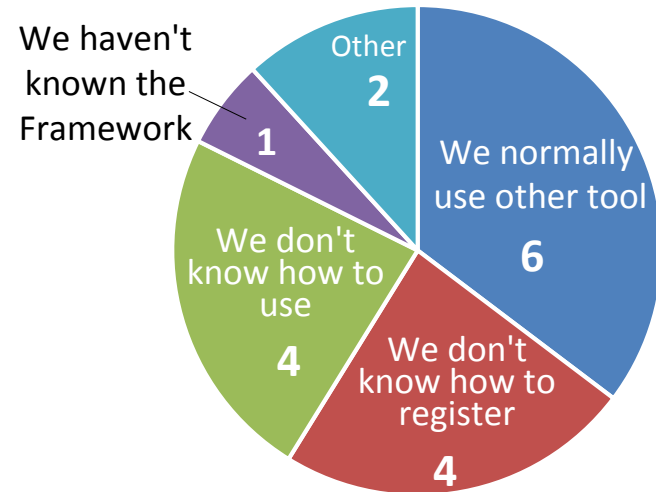
## Outlines of the Results of Survey (1)

- ◆ Survey questionnaire was sent in September 2018
- ◆ Response Rate: 51.3% (40 / 78 authorities)

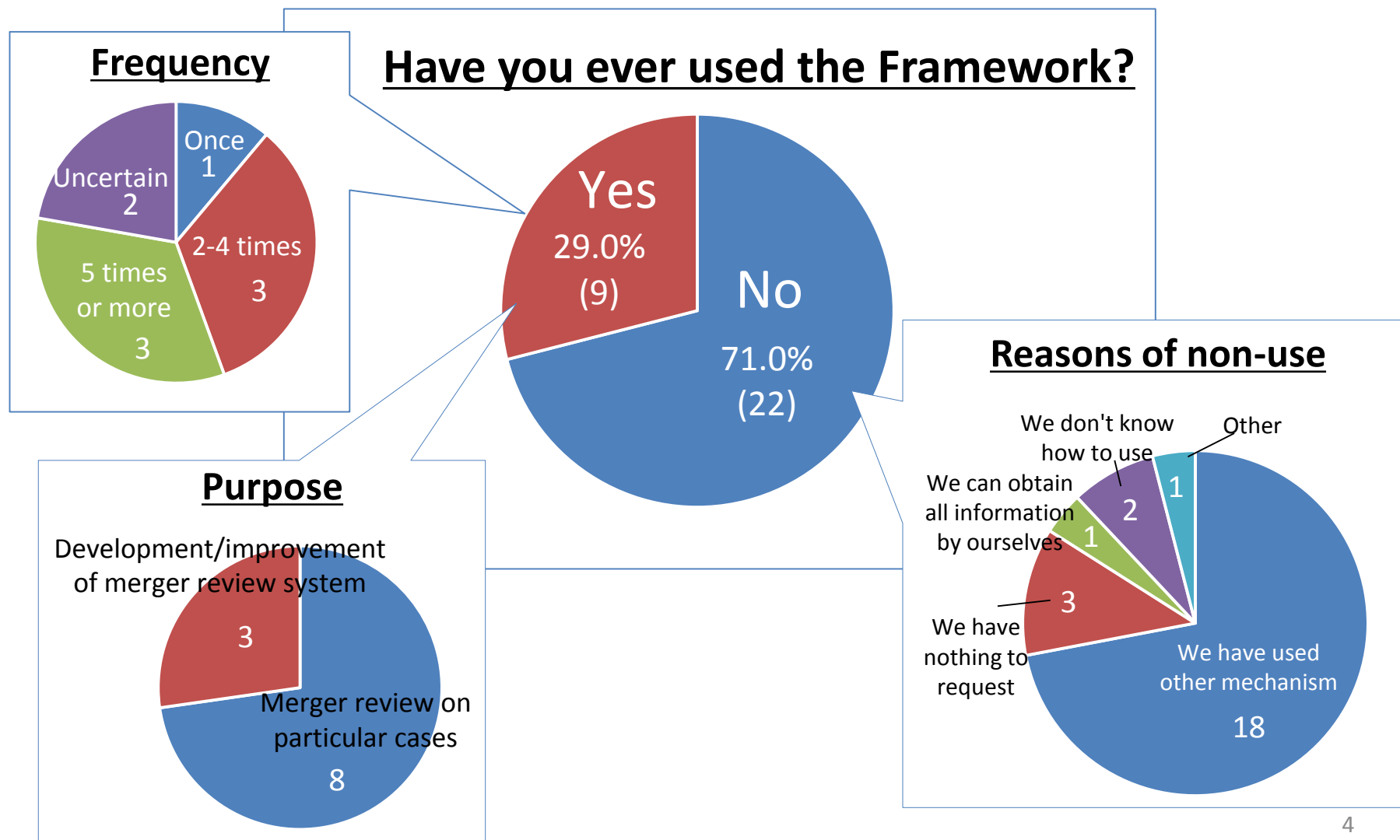
### Participation in the Framework



### Reasons of non-participation

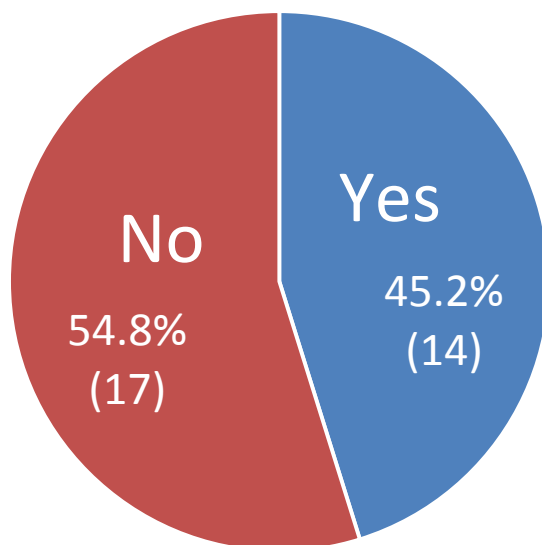


## Outlines of the Results of Survey (2)

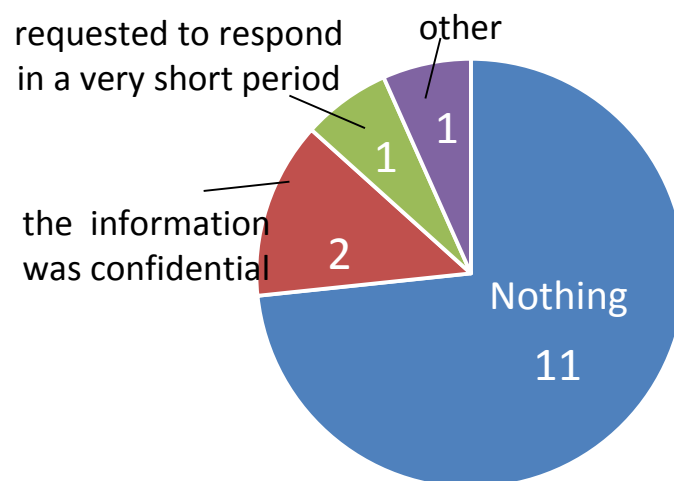


## Outlines of the Results of Survey (3)

**Has another agency requested to cooperate under the Framework?**



**Difficulties for answer**



## Outlines of the Results of Survey (4)

### Experiences of using the Framework

- The Framework has been used for;
  - enforcement cooperation for merger review on particular cases
  - gathering past case examples on novel issues
  - reference for development/improvement of merger review systems  
[Canada, Kenya, Japan, anonymous authorities.]
- In enforcement cooperation, the authorities have exchanged information such as market definition, theories of harms, remedies, etc. [Kenya, anonymous authorities]
- In addition, it is useful to use it for gathering information of other jurisdiction's system for law amendment, etc. [Kenya, etc.]

## Improvement of the Framework

<u>Suggestions from the survey</u>	<u>Possible improvements</u>
✓ Promote understanding of how to use the Framework (73% authorities)	Further promotion such as creating and distributing a Flyer
✓ Increase the number of competition authorities participating in the Framework (37.5% authorities)	
✓ Provide a list describing the category of information which can be exchanged through the Framework (70% authorities )	Create and provide a Information Category List and a Information Request Form
✓ Provide a form which can be used for initial contact with other authorities (42.5% authorities )	
✓ Include in the contact list whether the agency has an online public register of the mergers under review and include a link	Include link to public case information in the contact list

### Other

- ✓ Use direct contact details of case team or relevant division for merger review in the contact list
- ✓ Review framework in light of recent MWG work to consider whether new language or new terms are appropriate for it