



Competition Bureau
Canada

Bureau de la concurrence
Canada

A horizontal, blurred streak of light in shades of red, orange, and yellow, positioned in the middle of the page.

2019-20 Annual Plan

Safeguarding the Future of Competition

Canada 

This publication is not a legal document. It is intended to provide general information and is provided for convenience. To learn more, please refer to the full text of the Acts or contact the Competition Bureau.

For information on the Competition Bureau's activities, please contact:

Information Centre
Competition Bureau
50 Victoria Street
Gatineau QC K1A 0C9

Tel.: 819-997-4282
Toll free: 1-800-348-5358
TTY (for hearing impaired): 1-866-694-8389
Fax: 819-997-0324
Website: www.competitionbureau.gc.ca

This publication can be made available in alternative formats upon request. Contact the Competition Bureau's Information Centre at the numbers listed above.

This publication is also available online in HTML at:

<http://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/04480.html>

Permission to reproduce

Except as otherwise specifically noted, the information in this publication may be reproduced, in part or in whole and by any means, without charge or further permission from the Competition Bureau provided due diligence is exercised in ensuring the accuracy of the information reproduced; that the Competition Bureau is identified as the source institution; and that the reproduction is not represented as an official version of the information reproduced, nor as having been made in affiliation with, or with the endorsement of the Competition Bureau. For permission to reproduce the information in this publication for commercial redistribution, please Apply for Crown Copyright Clearance or write to:

Communications and Marketing Branch

Innovation, Science and Economic Development Canada
C.D. Howe Building
235 Queen Street
Ottawa, ON Canada
K1A 0H5
Email: ISED@Canada.ca

Cat. No. Iu50-5E-PDF
ISSN 2367-9670

2019-07-25

Message from the Commissioner



As the new Commissioner of Canada's Competition Bureau, I am pleased to present our 2019-20 Annual Plan. This plan is especially important for the Bureau, as it establishes our priorities for the upcoming fiscal year, as well as a solid foundation to build upon during my five-year term.

Canada – along with many of its key global partners – is currently reviewing the role of competition law and policy in the digital economy. In this context, the Bureau will continue to provide valuable thought leadership and an authoritative voice on competition and issues that intersect with it, such as big data and privacy.

Our vision is for the Bureau to be a world-leading competition agency, particularly in today's digital economy. I picture an innovative, nimble and adaptive organization, confident in the face of rapid technological change. I envision a workplace that utilizes every opportunity to leverage our positive culture, and offers the highest standards for an inclusive, healthy, respectful, and supportive environment.

To realize this vision, I will ensure that the Bureau vigorously enforces and promotes competition where it matters most to Canadians, in areas such as telecommunications, health and biosciences, and infrastructure. We will strengthen our domestic partnerships to maximize the impact of our work. Moreover, we will deepen relations with our key global partners in order to focus our international collaboration activities on areas that will yield the greatest benefits to Canadians.

Canada's digital economy is at a critical juncture, and it needs consumer trust to keep on growing. Over the coming year, the Bureau will seek out and investigate deceptive marketing and anti-competitive practices, so that Canadians can enjoy greater trust in the online marketplace. We will provide timely and accurate information to help consumers make informed choices, for example, by investigating misleading pricing practices.

We are also looking to the future, anticipating and investigating emerging issues in today's rapidly changing marketplace. Recently, we hired a new Chief Digital Enforcement Officer to help us keep pace with evolving technologies and business practices.

The pace of digital disruption is accelerating, and the Bureau will be addressing many novel challenges in the months and years ahead. Accordingly, we will develop a four-year plan to guide the remainder of my term.

This plan will focus on providing our employees with the cutting-edge tools and training they need to better detect, investigate and challenge potentially anti-competitive conduct, review mergers and promote competitive markets. I will also ensure that we modernize our processes and policies to make the Bureau more efficient.

Our future is bright, and we will continue to deliver strong results for Canadian consumers and businesses in the year ahead.

A handwritten signature in black ink, appearing to read 'Matthew Boswell', with a stylized flourish at the end.

Matthew Boswell
Commissioner of Competition

WHO WE ARE

OUR RESPONSIBILITIES

The Competition Bureau is an independent law enforcement agency that administers and enforces the *Competition Act*, the *Consumer Packaging and Labelling Act* (except as it relates to food), the *Textile Labelling Act* and the *Precious Metals Marking Act* (collectively referred to as the Acts).

OUR VISION

To be a world-leading competition agency in today's rapidly advancing digital economy; one that is open, transparent and collaborative, and that vigorously enforces and promotes competition to provide Canadians with the benefits of a competitive and innovative marketplace.

OUR MISSION

To promote and protect competition for the benefit of Canadians, the Bureau will administer and enforce the Acts with fairness and predictability, to:

- Prevent and deter anti-competitive behaviour and deceptive marketing practices
- Review mergers to ensure they do not harm competition
- Empower Canadian consumers and businesses
- Promote competitive markets across Canada

OUR STRUCTURE

Our organization is headquartered in Gatineau, Quebec, and has regional offices in Montreal, Toronto, and Vancouver.

Branches

Cartels and Deceptive Marketing Practices

- Cartels Directorate
- Deceptive Marketing Practices Directorate

Mergers and Monopolistic Practices

- Mergers Directorate
- Monopolistic Practices Directorate

Competition Promotion

- Compliance Unit
- Economic Analysis Directorate
- International Affairs Directorate
- Policy, Planning and Advocacy Directorate
- Public Affairs and Outreach Directorate

Corporate Services

- Enforcement Services Directorate
- Finance, Administration and Information Management Directorate
- Talent Management and Development Directorate

OUR PRIORITIES AT A GLANCE

1 Prioritize high-impact and consumer-focused enforcement cases

- Focus on key areas important to all Canadians including the digital economy, telecommunications, health and bio-sciences and infrastructure.

2 Promote pro-competitive public policy and regulatory outcomes

- Strengthen our role as the face and voice of competition in Canada to increase our positive influence and ensure Canadian consumers and businesses prosper in a competitive and innovative marketplace.
- Build and strengthen strategic relationships with domestic and international partners to advance competition policy, promote convergence and support enforcement.
- Pursue policy and advocacy work focused on competition in the data-driven economy.

3 Invest in our people

- Support an agile, equipped and inclusive workforce by focusing on critical skills development and ensuring our employees have the right tools to keep pace with the evolving workplace, economy and legal landscape.
- Modernize our processes and policies to increase efficiencies across the organization.

Prioritize High-Impact and Consumer-Focused Enforcement Cases

Outcome:

- Canadians confidently participate in the digital economy and are protected from anti-competitive and deceptive conduct.
- Canadians have:
 - Improved choice and lower prices for mobile products and Internet services.
 - Competitive pricing and offerings for medication and increased trust in health-related products and their marketing claims.
- Companies compete for infrastructure contracts on a level playing field.

The Bureau fights anti-competitive conduct and ensures truth in advertising. We do this by administering and enforcing the *Competition Act* and labelling statutes.¹ We also review mergers to ensure markets in Canada continue to benefit from competition. Credible and effective enforcement protects and enhances competition to ensure prosperity in an increasingly digital and innovative marketplace.

Supporting a Digital Economy that Works for Canadians

Today's digital world changes rapidly. Fuelled by hyper-connectivity, the digital economy is changing the way that businesses transact and how Canadians purchase goods and services. This creates benefits and efficiencies that drive innovation and economic growth, offering Canadians more choice, different services to meet their unique needs, and the ability to access these services anywhere, anytime. Through enforcement, we work to safeguard competitive and innovative marketplaces, which are key to the continued growth of technology and the digital economy.

Ensuring the Truth in Advertising

Deceptive marketing practices can cheat Canadians out of their hard-earned money. These practices also make it difficult for businesses to compete on a level-playing field. To make sure the market works well for all Canadians, we will continue to take action against deceptive conduct online, including:

- Fake consumer reviews and testimonials.
- Misleading terms and conditions.
- Subscription traps linked to offers of free or “low cost” trials of products and services.
- Advertised prices that are unattainable.

¹ The Consumer Packaging and Labelling Act, the Textile Labelling Act and the Precious Metals Marking Act

Focusing on Telecommunications and Increased Choice for Mobile and Internet Services

Telecommunication companies provide key mobile and Internet services that allow Canadians to communicate and stay connected. Given the central role of these services in the economy, we will focus our enforcement and compliance in this sector to encourage competition between service providers. Competition allows for lower prices, increased choice, and improved service standards overall. In the past year, we commenced a formal inquiry into allegedly false or misleading representations, made by *Bell Canada Inc.*, in connection with the promotion of residential services, home phone, Internet, and television sold separately or in bundles. This year, the Bureau will continue to advance its investigation into these marketing practices. Ensuring truth in advertising and sales practices is a priority for the Bureau and we will not hesitate to take action if there is evidence that the *Competition Act* has been contravened.

Supporting Canadian Healthcare

Fostering innovation and competition in the health and biosciences sector is crucial, as it enables increased choice and lower prices for products related to well-being. This year, we will continue to ensure the health and biosciences sector remains competitive for Canadians and we will not hesitate to take action. Our goal is to push for:

- Competitive pricing and offerings for medication essential to Canadians' health and well-being.
- Effective compliance programs that increase businesses' understanding of their responsibilities under the *Acts*.
- Truth in the advertising of health and performance products and services.
- Targeted outreach to key stakeholders in the pharmaceutical industry to underscore the importance of competition.

Safeguarding Investments in Infrastructure

When bid-rigging happens in the infrastructure sector, the consequences can be significant. Bid-rigging is an illegal practice where competing parties collude to choose the winner of a bidding process. The rigged price is often higher than what might have resulted from a competitive bidding process. In turn, free-market competition is stifled and taxpayers pay more for contracts.

The Bureau works to safeguard government and taxpayer investments in infrastructure. We will continue to protect government spending by acting on tips made to the **Federal Contracting Fraud Tip Line**, building on our relationships with public procurement authorities, and leveraging the Bureau's updated **Immunity And Leniency Programs**.

Promote Pro-Competitive Public Policy and Regulatory Outcomes

Outcome:

- Canadians benefit from lower prices, greater choice and enhanced levels of innovation through regulatory frameworks that support competition and innovation in sectors across Canada, including telecommunications.
- Canadians are protected from anti-competitive or deceptive conduct that crosses our international borders.
- The Canadian marketplace thrives as a result of:
 - An open dialogue on the challenges and opportunities of the digital economy in competition enforcement and promotion.
 - Advancing research on the links between gender and competition.

Making Competition a Priority – At Home and Abroad

Strong partnerships enhance the Bureau's ability to deliver results for Canadians. By investing in relationships with competition agencies and other law enforcement bodies, we will continue to protect Canada's competitive marketplace, address cross-border anti-competitive activity, and promote the convergence on competition policies internationally. We will continue to play leadership roles in international fora like the Organisation for Economic Development (OECD), International Consumer Protection and Enforcement Network (ICPEN), and International Competition Network (ICN), and contribute to the discussion on competition in the digital economy at the 2019 G7 Summit. This will allow us to stay up to speed, sharpen our tools, and improve cooperation on the issues that matter to Canadian consumers and businesses.

Bolstering the Voice of Competition in Canada

Competition is an integral part of industries and sectors across Canada. This year, we will continue to encourage an open dialogue, strengthen our relationships with domestic partners and develop new ones. Through collaboration, we will maximize the effective use of our resources, share information and best practices, and improve our ability to promote and enforce competition.

Forward-Thinking Advocacy Work

As Canada's competition expert, the Bureau provides forward-thinking advice to government, regulators, and other decision-makers on matters that involve competition. In the past year, the Bureau has advocated for greater competition in the taxi, FinTech, telecommunications, and liquor industries. We do this to underline the benefits that competition brings to consumers and businesses alike: lower prices, greater choice, and increased levels of innovation.

In the next year, the Bureau will continue to make targeted submissions to governments, regulators, and policy-makers in areas that matter to Canadians. We will work to ensure that marketplace regulation is used only where market forces may not achieve legitimate policy objectives and, even then, only to the extent necessary to address those objectives. This work helps ensure that Canadians prosper in an innovative and competitive economy.

Getting the Facts on Telecommunications and Broadband Internet

This year, the Bureau will publish its Broadband Market Study report. For the past year, the Bureau has been examining competition and consumer habits in purchasing Internet services, with a goal of better understanding the dynamics of the broadband internet services industry in Canada.

The Bureau will also continue to act as a strong voice for competition in telecommunications hearings at the CRTC. Earlier this year, we filed our first submission in the CRTC's ongoing review of Canada's wireless industry, and expect to provide further advice as the proceeding continues. Given the key role that telecommunications services play in the social and economic activities of all Canadians, the Bureau will participate, as appropriate, in other CRTC proceedings where competition is an important factor.

Keeping Up with Big Data

Our world has become increasingly interconnected and reliant on digital technologies. This has fueled the growth of big data, which is collected through the everyday use of innovative technologies. While this interconnectedness is beneficial to Canadians, questions about security, ownership, and privacy arise. These questions can all intersect with competition. Earlier this year, we explored the implications of data-driven technology when we hosted our first data forum. We invited international and domestic stakeholders to discuss and explore approaches to competition policy in the digital era, focusing on platforms, privacy, and data portability. Creating an open dialogue on these issues will allow us to better collaborate on potential solutions for the benefits of Canadian consumers and businesses.

Gender and Competition

The Bureau will continue to be a global champion for competition and gender research. We have been working with the OECD, and initial research demonstrates that there are potential impacts for enforcement, advocacy and compliance work. This year, we will continue to collaborate with the OECD to better understand the relationship between gender and competition. We will consider how applying a gender lens can enhance competition agencies' daily work, with the goal of improving outcomes for consumers and businesses.

Invest in Our People

Outcome:

- Our workforce is provided with:
 - Opportunities for growth and development as they create their career path.
 - Policies and procedures to build efficient, consistent, and up-to-date practices across the Bureau.
- A positive, healthy, and inclusive workplace where our team feels engaged, empowered, and valued.

Modernizing Our Enforcement Tools

Our strength is in our people. Our team drives our ability to safeguard competition in Canada. This year, we will ensure our people are equipped with tools to help them perform at their best, provide them with opportunities to develop their skills and expertise, and reinforce an inclusive, collaborative work environment.

Over the course of 2019-20, we will refine our policies and procedures by reviewing and identifying efficiencies within our current systems and establishing resources to better support our people in their day-to-day work. We have also recently hired a Chief Digital Enforcement Officer, who will provide advice and expertise on a wide range of matters, including tools and skills development, in order to strengthen our investigations in the digital economy.

Positive and Inclusive Culture is the Heart of Success

Fostering a healthy, inclusive workplace that champions core values like transparency, civility, and respect will continue to be a priority for the Bureau, now, and in the future. To support our teams, we will continue our wellness campaigns and civility in the workplace programs. We will also continue our work to address the issues raised in the Public Service Employee Survey, building on the successes we had in the past year. By continuously striving to make the Bureau an employer of choice, we will attract the best talent and strengthen our effectiveness as an organization.