



Competition Bureau
Canada

Bureau de la concurrence
Canada

Canada

Building a more competitive Canada

2021-22 Annual Report

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Message from the Commissioner



The COVID-19 pandemic continues to have a lasting impact on Canada's economy. As we continue to economically recover, competition has never been more important. Citizens want a strong economy—and a fair one. That's why we must do all we can as a country to build a **more competitive Canada**: one that benefits all consumers and businesses.

As Canada's competition watchdog, the Competition Bureau enforces Canada's competition law and promotes the role of competition in Canada's economy. In 2021, the Government of Canada increased the Competition Bureau's budget by \$96 million over the next five years, and \$27.5 million ongoing thereafter. These funds enhance our ability to enforce the law and advocate for more competition. They help ensure we have the right tools to deal with Canada's competition challenges now and in the future.

This annual report showcases the progress we made on these goals in the 2021–2022 fiscal year, a period set in the context of Canada's economic recovery from the COVID-19 pandemic. This includes our focus on issues and markets that matter to Canadians: the digital economy, telecommunications, health care and infrastructure.

On the **enforcement** side, we took action against more than a dozen businesses to stop potentially deceptive marketing practices. We reached an agreement with Keurig Canada Inc. to resolve concerns over false and misleading environmental claims. We continued to target anti-competitive activity and deceptive claims related to the pandemic. Our bid-rigging investigations in the public and private sectors protected the integrity of a competitive marketplace. Our merger reviews preserved competition in the oil and gas, waste, pulp and paper and agricultural industries. We also took action to strengthen competition in pharmaceuticals and telecommunications.

On the **promotion** side, we continued to champion the adoption of policies aimed at strengthening competition and building a culture of competition in Canada. We made a [submission](#) to Senator Howard Wetston on Canada's competition policy framework, calling for modernization of Canada's competition policy, including a comprehensive review of the *Competition Act*. We continued to partner both domestically and internationally to promote the role of competition in a vibrant economy. The Bureau hosted an international Competition and Growth Summit, bringing together thought leaders to discuss the pivotal role competitive markets play in fostering inclusive economic growth. We wrapped up our term as President of the International Consumer Protection and Enforcement Network—a group tackling key issues in the digital economy. We also continued our work with the Organisation for Economic Co-operation and Development to advance our understanding of gender-inclusive competition policy.

Lastly, we established the Digital Enforcement and Intelligence Branch (CANARI) within the Bureau. This centre of expertise will boost our intelligence gathering efforts and support our existing branches on digital business practices.

Everything we do serves to empower consumers and strengthen Canada's economy, so it can be as vibrant, innovative, and productive as possible. This annual report showcases the decisive steps we continue to take toward greater competition.

A handwritten signature in blue ink, appearing to read 'Matthew Boswell'.

Matthew Boswell
Commissioner of Competition

About the Competition Bureau

The Competition Bureau (the “Bureau”) is an independent law enforcement agency that protects and promotes competition for the benefit of Canadian consumers and businesses. It is headquartered in the National Capital Region with regional offices in Montreal, Toronto and Vancouver.

Gatineau



Montreal



Toronto



Vancouver



Responsibilities

Headed by the Commissioner of Competition, the Bureau 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).

Vision

Our [Strategic Vision for 2020–2024](#): “To be a world-leading competition agency, one that is at the forefront of the digital economy and champions a culture of competition for Canada.”

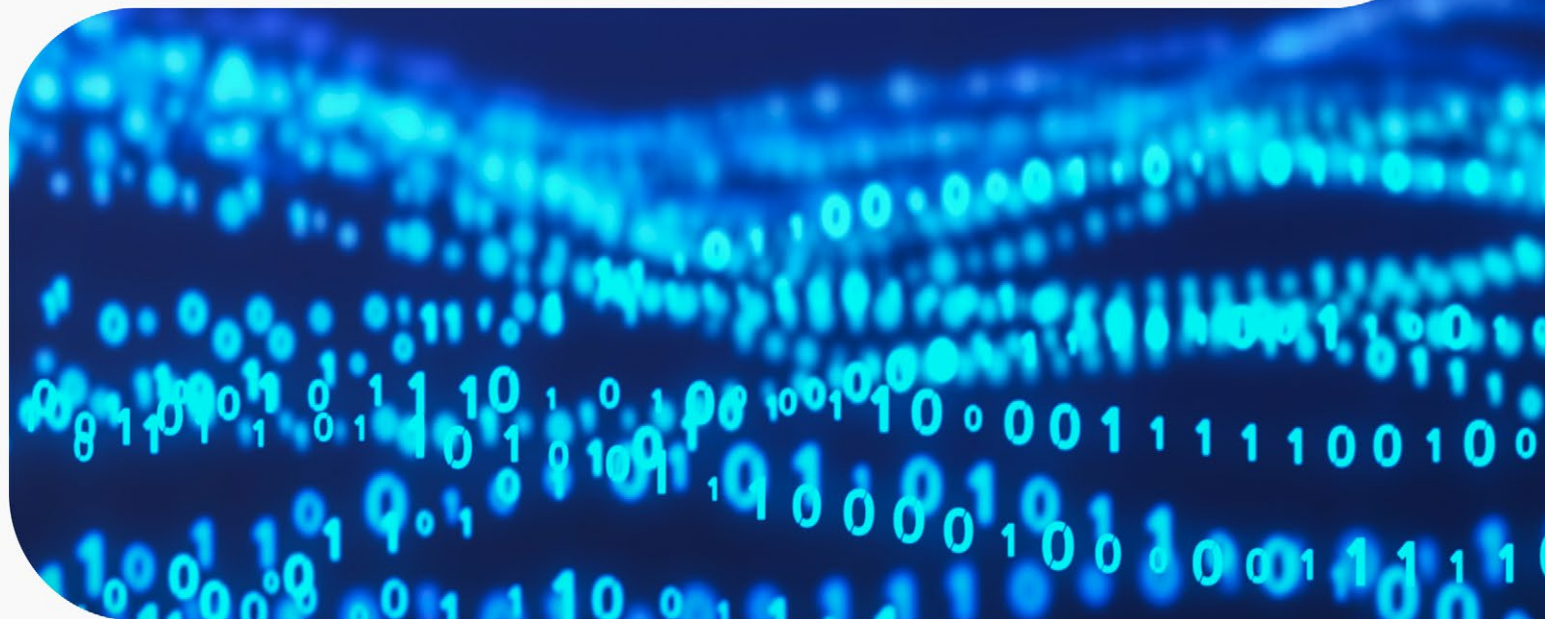
Budget and people

During the 2021–22 fiscal year, the Bureau had an annual operating budget of \$59.5M and a staff of 399 full-time employees.

Why competition matters

A healthy, competitive economy increases productivity and benefits all citizens. Those powerful benefits include:

- Better prices, product choices and information to make informed decisions;
- Strengthened ability of businesses to adapt and compete globally;
- Stimulating growth to give small- and medium-sized businesses the opportunity to compete and win in marketplaces at home and abroad; and
- Balanced interests of consumers and producers in growing a vibrant, fair economy.



Protecting Canadians through enforcement action

Competition matters to all Canadians. But achieving and maintaining it takes strong enforcement and the ability to take meaningful legal action against anti-competitive and other unlawful behaviour in the marketplace. In 2021–22, the Bureau continued to use all enforcement tools at our disposal to address anti-competitive activity, as well as to examine mergers and take action against deceptive practices. We also continued to advance our proactive enforcement by expanding our intelligence-gathering efforts, examining trends in the marketplace and leveraging new technologies.

Enforcement action in key sectors

Enforcement action in the digital economy

Safeguarding competitive markets in the digital economy is a priority for the Bureau. This year, our enforcement efforts were plentiful in this area. We advanced our investigation of whether Google is engaging in certain practices that harm competition in the online display advertising industry in Canada. This industry includes many technology products coordinated to display advertisements to users when they visit websites or use apps. In October 2021, [the Bureau obtained a court order](#) requiring Google to produce information relevant to our investigation. This investigation is ongoing: there's no conclusion of wrongdoing at the time of publication.

In another case, the Bureau investigated the competitive impact of an exclusivity policy imposed by Turo Inc. on its car-sharing digital platform. This policy prohibited users who rent out their cars (known as hosts) from also listing the same cars on competing car-sharing platforms. When we began our investigation in the Summer of 2021, the policy applied to hosts in all countries where Turo operated.

After the Bureau raised concerns over the exclusivity policy, Turo changed its terms of service to indicate that the exclusivity policy no longer applies in Canada.

Taking aim at greenwashing and environmental claims

Amid growing concerns about climate change, Canadians are looking for “green” products and services that are less harmful to the environment. Meeting that demand has come with an increase in false or misleading environmental ads or claims, also known as [greenwashing](#). Companies may make false or misleading claims that they're reducing greenhouse gas emissions. Or that their products are made from recycled materials or have energy-saving benefits. They may use false or misleading images to portray their products and services as having less of a negative environmental impact than they really do. These practices mislead consumers, preventing them from making informed purchasing decisions. Greenwashing also harms businesses who truthfully offer products that have measurably less environmental impact, hampering their ability to compete.

The Bureau takes environmental claims seriously and will take action in accordance with the laws we enforce. For example, in January 2022 the Bureau reached an [agreement](#) with Keurig Canada Inc. to resolve concerns over false or misleading environmental claims made to consumers about the recyclability of its single-use Keurig® K-Cup® pods. The Bureau's investigation concluded that the company's claims about the recyclability of its single-use beverage pods were false or misleading in locations where they were not accepted for recycling. Consumers were falsely led to believe they would be able to recycle these branded pods anywhere in Canada. As part of the settlement, Keurig Canada agreed to publish corrective notices about the recyclability of its product, change its recyclable claims and the packaging of the K-Cup pods, pay a \$3 million penalty and donate \$800,000 to a Canadian charity focused on environmental causes. They also agreed to pay an additional \$85,000 for the costs of the Bureau's investigation.

Addressing unsubstantiated weight-loss claims

Consumers are often enticed by companies offering products that claim they will help shed pounds and burn fat without a change in diet or exercise. Unfortunately, any promise of miraculous weight loss is simply untrue. In January 2022, the Competition Bureau obtained a court order to [advance an ongoing](#)



[investigation into weight loss claims](#) made by NuvoCare Health Sciences Inc. (NuvoCare) about certain natural health products. Those products include WeightOFF Max!, Forskolin+ and Forskolin Nx. The Bureau continued to investigate the marketing practices of NuvoCare under the deceptive marketing practices provisions of the *Competition Act*. After an in-depth review, the Bureau ultimately concluded that NuvoCare made marketing claims that gave the false or misleading impression that their products have been proven to cause weight loss. We will continue to take swift action against businesses that try to take advantage of Canadians by making unsubstantiated claims about health and medical products.

Protecting businesses and consumers from fraud

Fraud has a devastating impact, whether it's a business or a consumer who falls victim. The Competition Bureau is determined to crack down on those who use deceptive marketing to cheat Canadians out of their hard-earned money. We [took action in June 2021 against Mr. Terry Croteau of Ontario](#), alleging the use of deceptive telemarketing and false or misleading statements to get Canadian businesses to sign up for listings in online directories. Mr. Croteau was charged under the deceptive marketing provisions of the *Competition Act* for making false or misleading statements to promote the business listings, including failing to disclose the price and terms and conditions applicable to the services. He was also charged under the *Criminal Code* with fraud over \$5,000 for soliciting businesses via telemarketing, mail and fax messages, and for uttering a forged document: namely a letter claiming to be from a collection agency. The investigation benefitted from the work of the Toronto Strategic Partnership. It coordinates enforcement activities and information-sharing regarding fraudulent, deceptive and misleading practices across multiple jurisdictions. It includes law enforcement units, such as the Toronto Police Service, the Canadian Anti-Fraud Centre, the US Federal Trade Commission and the Ontario Provincial Police.

Cracking down on bid rigging

Bid rigging is an illegal practice that occurs when two or more persons agree that, in response to a call for bids or tenders, one or more of them will: not submit a bid; withdraw a bid; or submit a bid arrived at by agreement. Cracking down on bid rigging is a top priority for the Bureau, because it harms consumers and taxpayers, robbing them of the benefits of the competitive pricing process. Without Bureau action, citizens may be forced to bear the cost of higher prices. The Bureau used all the tools at its disposal this year to investigate these kinds of allegations and to address bid rigging. In January 2022, construction company [CPL Interiors Ltd.](#) was fined \$761,967 after pleading guilty in the Ontario Superior Court for its role in a criminal bid-rigging conspiracy. The bid-rigging scheme victimized condominium corporations in the Greater Toronto Area. This guilty plea follows the laying of [multiple criminal charges](#) against CPL Interiors as well as three other companies and their owners in March 2021. The Bureau alleges that the accused conspired to commit fraud and rig bids for refurbishment contracts issued by private condominium corporations in the GTA between 2009 and 2014. Court proceedings are ongoing against the remaining accused.

On the lookout for bid rigging in the public sector

In June 2021, the [Bureau laid criminal charges](#) against a fifth person in connection with a conspiracy to rig bids for City of Gatineau infrastructure contracts. They were charged under the *Criminal Code* with conspiracy to rig bids, conspiracy to commit fraud, and fraud over \$5,000. This follows criminal charges that were first laid against four individuals in [June 2018](#). The Competition Bureau found evidence that these engineering firms secretly fixed bid prices and strategically divided contracts awarded by the City of Gatineau among themselves. All four of those accused have since pleaded guilty for their respective roles in the scheme. The Bureau will continue to crack down on all those who participate in criminal agreements with their competitors.

Strengthening competition in the pharmaceutical sector

We advanced meaningful work this year to ensure competitive marketplaces in the pharmaceutical sector. We proactively monitored patent litigation settlement agreements between branded and generic pharmaceutical manufacturers for agreements that could give rise to anti-competitive effects. We also actively monitored the pharmaceutical sector, working closely with our stakeholders. For example, we strengthened our [collaboration with Health Canada](#) on key issues in the pharmaceutical industry. Moving forward, we'll continue to collaborate with Health Canada's Health Products and Food Branch (HPFB) to address issues such as refusals to supply samples of brand-name drugs to generic manufacturers. The Bureau will also continue to report to the HPFB when aspects of the regulatory framework for pharmaceuticals may affect competition. In turn, HPFB will provide feedback to the Bureau on competition-related issues affecting Canadians' access to medicines.



Merger reviews

Under the *Competition Act*, the Bureau has a mandate to review mergers to determine whether they're likely to result in a substantial lessening or prevention of competition. While many mergers don't raise competition concerns, some may harm competition through higher prices, reduced output, reduced quality of goods or services, or less innovation.

Fighting for competition in telecom

This year, in the wake of the proposed acquisition of Shaw Communications Inc. by Rogers Communications Inc., the Bureau obtained court orders to advance our review of the proposed merger. We continued to investigate whether the proposed transaction was likely to result in a substantial lessening or prevention of competition for services provided by the companies, including mobile wireless, wireline and broadcasting services. To assist in gathering facts about the proposed acquisition, we issued a [request for information](#). This request—which highlights the areas of interest to the Bureau—invited market participants and Canadians to submit relevant information to help with the investigation. After an in-depth review, the Bureau ultimately filed a challenge with the Competition Tribunal in May 2022 to block Rogers' acquisition of Shaw. The Bureau's challenge is an effort to protect Canadians from higher prices, poorer service quality and fewer choices, particularly in wireless services.

Safeguarding competition for oil and gas waste services

In June 2021, the Bureau [sought to block](#) Secure Energy Services Inc.'s proposed acquisition of Tervita Corporation to protect competition for oil and gas waste services. Secure and Tervita are the two largest suppliers of oil and gas waste services in the Western Canadian Sedimentary Basin (WCSB) and compete with one another for customers. In many areas, they're the only suppliers of these services. The Bureau's review of their proposed merger concluded it would likely result in a substantial decrease in competition in services provided at waste disposal facilities in the WCSB.

To safeguard competition, the Bureau [sought an order](#) from the Competition Tribunal to temporarily prevent this merger from closing until the Commissioner's application for an injunction (which sought to prevent closing until the Tribunal issued a decision on the merits of the case) could be heard. We also sought an order for an interim injunction (to maintain the status quo until the matter is heard

and a decision is rendered by the court). The Tribunal initially ruled that it could not grant either order. The Bureau appealed the decision. In February 2022, the Federal Court of Appeal said the [Tribunal can prevent a merger from closing](#) until an application for an injunction can be heard in full. This confirmed the Bureau's access to a powerful tool to preserve competition. While this transaction has now closed, the Bureau's challenge of the merger remains before the Tribunal, and is scheduled to be heard in May 2022.

Oil recycling and industrial waste under control in Western Canada

To protect competition for customers of industrial waste services (IWS) and oil recycling services (ORS), the Bureau challenged [GFL Environmental Inc.'s purchase of Terrapure Environmental Inc.](#) Prior to the acquisition, Terrapure was GFL's closest competitor in many IWS and ORS markets within Western Canada. Our review found the elimination of this rivalry would likely result in increased prices, as well as reduced service quality for customers. We also concluded the acquisition would likely result in a substantial lessening in the provision of ORS in eight regions across British Columbia, Alberta and Saskatchewan. In November 2021, the Bureau [filed an application](#) with the Competition Tribunal for an order requiring GFL to sell any assets necessary to remedy this situation. The Bureau ultimately [reached an agreement](#) with GFL to resolve the Bureau's litigation and competition concerns through a consent agreement in April 2022.



Protecting competition in the agricultural sector

As a vital part of the economy, the agricultural sector needs competition to thrive. To ensure this, the Bureau conducted an [extensive inquiry](#) about alleged exclusionary conduct towards the Farmers Business Network. We monitored the crop input industry for anti-competitive conduct that sought to restrict new entrants and had the potential to substantially lessen or prevent competition.

The Bureau also continued to review proposed mergers in the agricultural sector. In July 2021, the Bureau reached an agreement with Federated Co-operatives Limited (FCL) and Blair's Family of Companies (Blair's) to resolve concerns related to their [proposed joint venture](#) announced earlier in the year. Our review concluded that the proposed transaction would likely substantially lessen competition in the retailing of crop inputs (e.g., fertilizer, crop protection products and seeds), resulting in higher prices and lower service quality for local growers. To resolve our concerns, the agreement required the sale of Blair's retail location in Lipton, Sask., as well as two nearby anhydrous ammonia facilities, to a buyer that was acceptable to the Bureau. In January 2021, [the Bureau approved ProSoils Inc.](#) as the buyer of the facility, preserving competition for the sale of crop inputs in the Lipton area.

Maintaining competition in the retail gasoline industry

In October 2021, an agreement was reached with MacEwen Petroleum Inc., related to their [proposed acquisition of 51 Quickie convenience stores](#); 22 of which included gas stations in Ontario and Quebec. The Bureau's review concluded that the proposed transaction would likely substantially lessen competition in the supply of gasoline to retail customers in Kemptville, Ontario. MacEwen addressed the Bureau's concerns by agreeing to sell the Quickie gas station in Kemptville. In November, the Bureau [approved the sale](#) of this gas station to Centex Petroleum.



Preserving competition in the pulp and paper industry

In November 2021, an agreement was reached to address competition concerns with [the merger of two of Canada's largest pulp and paper manufacturers](#) - Karta Halten B.V. (Paper Excellence) and Domtar Corp. The Bureau's review concluded that the proposed transaction would likely lessen competition substantially for the purchase of wood fibre – a key input in the manufacture of pulp – from the Thompson/Okanagan region of British Columbia. As part of the agreement, Paper Excellence was required to sell Domtar Corp's pulp mill in Kamloops, British Columbia (the Kamloops Mill). The Bureau ultimately approved Kruger Specialty Papers Holding L.P., an affiliate of Kruger Inc., as the purchaser of the Kamloops mill. The Bureau is satisfied that the sale of the Kamloops mill will resolve the competitive issues arising from the proposed transaction.

Ensuring price assessments remain competitive

In December 2021, the Bureau announced that it had [reached an agreement with S&P Global Inc.](#) to resolve competition concerns related to its proposed acquisition of IHS Markit Ltd (IHSM). Both companies operate price reporting agencies that supply price assessments for certain commodities, such as oil, coal and liquified petroleum gases (e.g., propane). Our review of the proposed merger concluded that the elimination of head-to-head competition between the companies would leave few effective competitors. This would likely result in a substantial lessening of competition for price assessments in the energy, coal and petroleum sectors. To address the Bureau's concerns, S&P Global agreed to sell certain assets to News Corporation, which was approved by the Bureau as an acceptable purchaser of the assets.

Proactive enforcement through intelligence-gathering

The Bureau continued to leverage dedicated intelligence units to expand our intelligence-gathering techniques and proactive enforcement. These units have better positioned us to support competitive outcomes in sectors that matter to Canadians.

Making full use of our intelligence units

We leveraged our Merger Intelligence and Notification Unit to step up our intelligence-gathering efforts to detect non-notifiable mergers that could raise competition concerns. Our intelligence gathering captured transactions where there was no indication that the merging parties intended to voluntarily engage with us before closing. These efforts help us act on certain non-notifiable mergers that may be likely to substantially prevent or lessen competition to the detriment of Canadian businesses and consumers.

Steps to detect and deter anti-competitive behaviour

We also leveraged our Monopolistic Practices Intelligence Unit to examine and analyze trends in the marketplace and to detect and deter anti-competitive behaviour early on. This unit has enhanced our ability to:

- centralize the gathering of preliminary information;
- make decisions on complaints at an early stage;
- triage resources to advance priority matters; and
- conduct proactive intelligence gathering in key sectors.

On the proactive enforcement front, this unit has also supported outreach presentations to external stakeholders on compliance with the *Competition Act*. Members of the unit are also undertaking intelligence-gathering exercises in a number of potential at-risk sectors to identify and potentially further investigate anti-competitive conduct.

Supporting consumers and businesses to drive economic recovery

Encouraging economic growth through competition

In 2021–2022, the Bureau made it a priority to encourage policymakers and regulators to adopt pro-competitive policies that drive Canada's economic growth. To help achieve this, we hosted [The Competition and Growth Summit](#). This was a series of virtual events about the role of competition in driving economic growth in the wake of the COVID-19 pandemic. It brought together leading thinkers from government, academia and business, as well as the heads of independent competition authorities from Canada, the United States, the United Kingdom, Australia and New Zealand. The Summit featured keynote addresses from Canada's Minister of Innovation, Science and Industry, François-Philippe Champagne, as well as U.S. Senator Amy Klobuchar. Over three days, panelists discussed the role competitive markets can play in fostering inclusive economic growth, how governments can enable greater competition through pro-competitive laws and policies, and how competition agencies can use tools at their disposal to protect and promote competition. Hundreds of participants from over 20 countries joined the virtual conference, showing the global importance of these issues. Diverse perspectives and bold ideas were exchanged, with a broad consensus emerging around one central point: *Now, more than ever, competition matters.*

The Competition and Growth Summit

#CompetitionMatters

Protecting consumers from deceptive marketing claims throughout the COVID-19 pandemic

The Bureau made it a priority to continue targeting anti-competitive activity and deceptive claims related to the pandemic. We took action against numerous companies to protect consumers from being misled during this challenging time. For example, this year the Bureau [obtained a court order](#) to investigate potentially false or misleading claims made by Canada Tax Reviews when promoting services to Canadians wanting to apply for government benefit programs implemented in response to the pandemic. These programs include the Canada Emergency Response Benefit and the Canada Recovery Benefit. There's no conclusion of wrongdoing at this time. The Bureau will continue to do all in its power to protect consumers from deceptive marketing practices related to the pandemic.

Providing clarity on collaborations between competitors

Canadian firms face increasing pressure to adopt flexible business strategies to remain competitive in an economy that's changing constantly. Firms often look to combine capabilities and resources to lower their costs of production, enhance product quality and reduce the time needed to bring new products to market. Such pro-competitive collaborations—even when they involve competitors—can often benefit Canadians, by allowing firms to make more efficient use of resources and increase the pace of innovation. At the same time, certain competitor collaborations may result in significant harm to competition.

To ensure firms have clarity on when these collaborations may engage the *Competition Act*, the Bureau published the final version of its revised [Competitor Collaboration Guidelines](#). These updates will help the business and legal communities understand how to identify and avoid the types of collaboration that can harm competition. The Bureau will continue to review and update its guidelines in light of experience, changing circumstances and court decisions.



Promoting competition in Canada

Competition is an essential part of a thriving economy. As Canada's competition authority, we regularly advocate for increased competition in sectors that matter most to Canadians. This year is no exception. We encouraged policymakers and regulators to adopt pro-competitive policies that drive Canada's economic growth—crucial in the wake of the global pandemic. We also deepened our international and domestic relationships to protect and promote competition in the marketplace, and to advance work on gender considerations in competition policy.

Fostering a culture of competition

Supporting digital healthcare through pro-competitive policies

Pro-competitive policies in the health care sector can encourage innovation by health care providers and businesses. They can lead to more choice, improved quality, and greater access to products and services for Canadians. The pandemic has highlighted just how instrumental digital solutions are in meeting the health care needs of Canadians and, in 2020–2021, the Bureau launched its [market study](#) into the impact of digital solutions in Canada's health care sector. In 2021–22, we issued a [market study notice](#), advanced the study and deepened our understanding of the competitive dynamics of digitization in the health care sector. It has three study topics: data and information; products and services; and health care providers. The topics and questions were developed based on feedback received from stakeholders and citizens as part of the Bureau's 2020 public consultation and digital health services survey. Ultimately, the study will help us make recommendations to decision-makers on how to support digital health care in Canada through pro-competitive rules and policies.

Unlocking the power of health data

Digital Health Care Market Study

Part 1

Speaking up for competition

As a tireless advocate for competition, we engage regularly in public-speaking opportunities to talk about the benefits that all citizens can reap from having a highly competitive marketplace. In April 2021, our Commissioner [addressed](#) the Canadian Bar Association's Competition Law Spring Online Symposium, where he highlighted the importance of fostering inclusive growth through competition. He emphasized the importance of having an inclusivity lens: not only for promotional efforts, but also when choosing cases in competition enforcement work. Competition is a key driver of economic growth, making the need for inclusivity even more important, because all Canadian consumers and businesses deserve to benefit from it.

In October 2021, the Commissioner of Competition returned to address the Canadian Bar Association's [Fall Symposium](#), where he championed the power of competition in building a more prosperous Canada. He emphasized the importance of competition—including the need for modernization of competition laws in Canada—as the country pivots from pandemic crisis management to economic recovery.

Advocating for the modernization of competition policy

As the digital economy continues to grow, it's essential that our policies and procedures grow with it. The Bureau made this clear in our February 2022 submission, responding to Senator Howard Wetston's invitation to comment on Canada's competition policy framework. Our submission, "[Examining the Canadian Competition Act in the Digital Era](#)," offered recommendations and analysis in support of ongoing dialogue about modernizing and strengthening Canadian competition policy, from the perspective of Canada's competition enforcement agency. The submission recommended updating the *Competition Act* so that all citizens and businesses in Canada can prosper in a competitive and innovative marketplace, and have an equitable opportunity to participate in the Canadian economy. Modernizing the *Competition Act* is no small undertaking and deserves proper debate from a wide range of voices. Thus, we remain focused and motivated as Canada's competition authority to advocate on how to best achieve these goals.

Making the switch: Putting competition to work for consumers

Competition works best when consumers make it work harder for their money. This means having the freedom to shop around and weigh all options to find the best value and best deals. Smart businesses who want to retain and attract customers respect this and respond accordingly. Research conducted for the Bureau found that Canadians could be saving hundreds of dollars each year by changing their service providers for things such as their cell phone, internet, TV, banking and insurance. Switching service providers or renegotiating contracts makes providers compete for consumers' business. This, in turn, can lower their monthly bills and help them get better products and services. In February 2022, the Bureau launched its second annual "[Switch Week](#)" campaign, aimed at spreading awareness of how Canadian consumers can make competition work for them. Throughout Switch Week, we issued practical tips and tools to Canadians on social and news media. This included publishing a [Switch Week Toolkit](#) to help Canadian consumers keep track of the end dates to their service provider contracts.



STOP
OVERPAYING

START
SWITCHING

Addressing the "Right to Repair" movement

Consumers across the country have made it clear that they want more autonomy over their own devices. This has been seen through numerous "Right to Repair" campaigns, which call on federal lawmakers to give Canadians more control in how they maintain and repair the electronic equipment they buy, and what products and services they may interoperate with. To do this, legislative and regulatory amendments are being considered to make it easier for repairers (other than those who are part of the manufacturer's repair network) to repair devices. The Bureau understands the benefits of competition. That's why, during the review period, we submitted our observations to two public consultations advocating for the rights of Canadians in this important area. Specifically, we participated in the consultation on [a modern copyright framework](#) and the consultation on [value retention processes](#).



Collaboration, Outreach and Support

To foster a highly competitive and innovative marketplace, it's vital that the Bureau engage in ongoing collaborative efforts with domestic and international partners. Strong, mutually beneficial partnerships help advance shared competition goals and build awareness on key issues, while also taking action against unlawful practices. This year, we continued to strengthen and build our relationships to deliver on our mandate.

Improving competition in digital markets

The need to address the challenges of digital markets and big tech is one of the most important issues facing governments and competition authorities around the world. In November 2021, [the Bureau joined its counterparts from the G7 and guest nations in an Enforcers Summit](#) to discuss opportunities for

international cooperation to improve competition in digital markets. Hosted by the U.K. Competition and Markets Authority, the Summit provided a unique opportunity for the Bureau to engage in discussions with international agencies about common areas of interest and potential collaboration on issues related to digital markets. The Bureau will continue to collaborate with our international partners, as protecting and promoting competition in digital markets is vital for Canadian consumers and businesses.

Serving as President of the International Consumer Protection and Enforcement Network

As an international leader in building relationships with our foreign counterparts, the Bureau held a one-year Presidency of the International Consumer Protection and Enforcement Network from July 2020–2021. During that time, we led the network of consumer protection and law enforcement authorities from over 65 countries, representing approximately five billion consumers worldwide. As President, we chaired the development, adoption and implementation of the [ICPEN Strategy Plan 2021–2024](#), which will guide the Network for the next four years. We also co-led a Working Group on Enforcement in the Digital Economy and a Working Group on Artificial Intelligence.

In June 2021, in our final days as ICPEN President, we hosted a virtual conference addressing issues related to our work. Over the course of three days, conference attendees worked together to share and exchange ideas, views and strategies with the goal of improving the Network's ability to protect consumers on the global scale. The major themes discussed included: artificial intelligence; online consumer behaviour; digital platforms; misleading environmental claims; and enforcement during COVID-19. More than 300 participants from over 45 countries attended the sessions. With our tenure concluded as President, the Bureau continues to actively participate within the network to achieve results for the benefit of Canadian consumers.



Collaborating beyond borders

In February 2022, the Bureau joined competition authorities from the United States, Australia, New Zealand, and the United Kingdom in a new [international working group](#) focused on sharing information to identify and prevent potentially anti-competitive conduct in the global supply and distribution of goods. In light of pandemic-related disruptions to global markets, the five competition authorities will share information on potentially anti-competitive conduct affecting global and domestic supply chains. The purpose of the working group is to help identify attempts by businesses to use supply chain disruptions as a cover for price-fixing or other collusive activities that involve competitors cooperating instead of competing with each other. The Bureau will continue to work closely with its international counterparts and will take decisive action against any conduct that's in violation of the *Competition Act*.

Advancing gender-inclusive competition policy

This year, the Bureau continued ongoing work with the Organisation for Economic Co-operation and Development (OECD) to advance our understanding of gender-inclusive competition policy. The OECD received a grant from the Government of Canada to support further research on the intersection between gender and competition. In particular, the OECD has explored how a gender lens might help deliver a more effective competition policy by identifying additional relevant features of the market, and the behaviour of consumers and businesses. The OECD is also exploring ways in which competition policy can help address gender inequality. Seven research projects have identified several implications for our work. The final research papers were presented at a virtual public conference in October 2021. The OECD is now developing a toolkit that should help competition authorities apply a gender lens to their work.

Expanding our reach

Spreading awareness about impersonation scams

Financial losses due to scams and fraud increased in 2021 by a shocking 130% year-over-year. The prevalence of this issue is why the Bureau joined forces with the Canadian Anti-Fraud Centre and the Royal Canadian Mounted Police in March 2022 to lead the 18th annual [Fraud Prevention Month](#). The goal of this campaign is to help Canadians recognize, reject and report fraud. Increasingly—and especially over the past two years during the global pandemic—online services and devices have become ubiquitous. But that growth has been met with a similar surge in fraudsters using impersonation tactics to pose as a trusted source to steal money or personal information. That's why the Fraud Prevention Month 2022 campaign focused on impersonation scams. We posted a series of fraud prevention awareness material on social media. The Bureau will continue raising awareness about online fraud to protect our communities and prevent scammers from robbing Canadians of their hard-earned money.



Being a world-leader in antitrust compliance initiatives

During the review period, the Bureau launched and continued initiatives to help businesses comply with competition law and safeguard against the risks of anti-competitive conduct in their operations. We continued to work with procurement officials across all levels of government to raise general awareness of the *Competition Act* and to promote our [compliance bulletin](#), which provides guidance to businesses on how to set up credible, effective compliance programs. These compliance programs help businesses detect and correct unlawful conduct quickly before it damages their company. We also launched a podcast on competition issues and developed training videos to help procurement agencies spot and report bid rigging. In recognition of these initiatives, the Bureau won the Concurrences [2021 Antitrust Compliance Award](#) in the Agency Initiatives category for “*Best Antitrust Compliance Initiatives*.” We will continue our efforts to be a world-leading agency for compliance initiatives.

Warning consumers about fake online reviews

Whether it's to help book a vacation, to buy an audiobook or to hire a contractor, consumers count on reliable online reviews to help make buying decisions. These reviews help both consumers and businesses. They provide shoppers with a wealth of unbiased product information and they reward businesses that provide great products or services. Unfortunately, sometimes that glowing review you just read was posted by an employee of the company or by someone hired to post it—not a real customer. This practice is sometimes done by a company trying to boost their own rating or lower their competitors' ratings. Many Canadians fall victim to this deceptive marketing practice. In March 2022, the Bureau released a [consumer alert](#), highlighting quick tips on how to recognize fake reviews to help them detect and avoid this type of scam.

Investing in our organization

Investing in our people is critical to our performance as an organization. To ensure our team's ongoing success during the review period, we supported continuous learning and development while encouraging a culture of well-being, diversity and inclusiveness. We also created a centre of expertise on digital business practices and technologies, which will provide intelligence expertise for all directorates at the Bureau to better deliver on our work in the digital era.

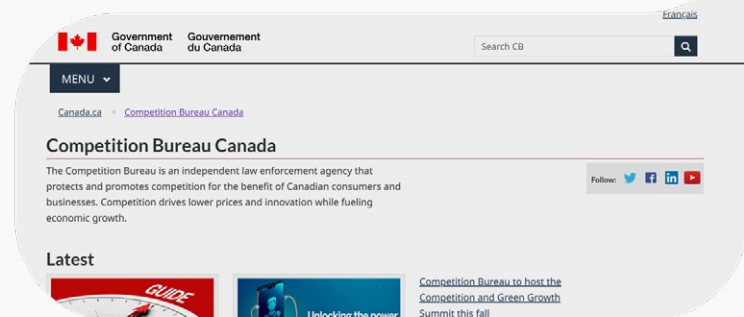
Introducing CANARI

In our 2020–2024 Strategic Vision, the Bureau made it a priority to advance proactive enforcement by expanding our intelligence capabilities and ability to detect potentially problematic conduct in the digital economy. We also made it a priority to be a world leader in our use of new tools and technologies, such as data analytics, to benefit our enforcement and advocacy work. This year, in accordance with these priorities, we established a new Digital Enforcement and Intelligence Branch (CANARI), which strengthens the Competition Bureau's ability to protect and promote competition across Canada. CANARI stands for Competition through Analytics, Research and Intelligence, and it will be the Bureau's high-tech version of the "canary in a coal mine." The new branch will strengthen our ability to protect and promote competition across Canada.

CANARI will be a team of competition specialists, intelligence experts and data scientists. The new Branch will function as a centre of expertise on digital business practices and technologies and market intelligence and provide specialized skills to all directorates of the Competition Bureau. CANARI will act as an early-warning system for potential competition issues at all stages—from initial market intelligence to post-investigation remedies monitoring. CANARI's work will play an important role in making innovation central to the Bureau's work.

Building a more accessible website

To build a culture of competition in Canada, it's essential that all Canadians can equally access and understand the resources and news we publish online. While everyone experiences web content differently, it's important that everyone can understand the content as it's intended. For this reason, we updated our [website](#) with a more user-friendly design. This improves the way users search and navigate within the site, and ensures online information is relevant, accurate and timely. Key improvements include website restructuring and content reorganization. The Bureau remains committed to using plain language to ensure the information we share is accessible and easy to understand.



Welcoming our new Chief Economist

In December 2021, the Bureau welcomed Dr. Lilla D. Csorgo as the Competition Bureau's new [T.D. MacDonald Chair in Industrial Economics](#). Dr. Csorgo's role as Chief Economist is to provide advice to the Commissioner on economic matters relating to the Bureau's investigations and litigation, as well as on

competition policy matters. The Bureau's work will benefit from her wealth of knowledge and experience. In her extensive career, Dr. Csorgo has been Head of Economics with the Hong Kong Competition Commission, Chief Economist at the New Zealand Commerce Commission, and Economist Member with the Canadian Competition Tribunal.

Keeping diversity and inclusion at the forefront

Diversity is a fact, but inclusion is a choice. At the Bureau, we consciously choose to create a diverse, inclusive workplace where our staff feel equally involved and valued. Our Diversity and Inclusiveness working group leads this charge. They strive to integrate diversity and inclusion lenses into decision-making, business processes and daily work activities at the Bureau. During the review period, the group continued to promote the "Your Voice" platform to ensure all our employees have a way to share their experiences with racism and discrimination, and to discuss ways we can improve. The group also built on the safe space discussions taking place on the "Your Voice" platform. We also launched our "Reflection Corner" initiative: a hosted, safe space discussion series on a range of important topics, including accessibility, racism, and indigenous matters. This initiative is focused on ensuring our employees can share their lived experiences and perspectives without fear of reprisal or judgment. The goal is open, curious and respectful discussion where employees can critically self-reflect and confront tough realities relating to diversity, inclusion and anti-discrimination.

Ensuring representation across our organization

We also made it a priority to increase representation across our organization to better reflect and benefit from the diversity of Canada's population. To achieve this, we reviewed our staffing actions with a Diversity & Inclusiveness lens. This includes consulting on and considering our gaps when filling positions, as well as reviewing every step in the hiring process to identify barriers. Moving forward, we will continue to strengthen our team by recruiting people with a range of unique perspectives. This will help us enhance performance, boost innovation and better serve Canadians.

Enhancing our Gender-based Analysis Plus (GBA+)

We gathered a group of Gender-based Analysis Plus (GBA+) representatives across various work streams at the Bureau to enhance our application of GBA+. Our GBA+ representatives led Branch consultations to seek ideas and perspectives on GBA+ at the Bureau. Next, we received feedback from staff on what's needed to apply GBA+ to their work. Feedback from the consultation process is being used to develop resources for Bureau staff. This will give staff practical tools to get a more nuanced understanding of how gender, race and other identity factors intersect with the Bureau's work. We are also developing our GBA+ group as a community of practise to provide input on integrating GBA+ into various work products and processes at the Bureau. We will continue to enhance our application of GBA+, because ensuring inclusive outcomes for Canadians is of paramount importance.

Annex A

Financial snapshot

The Bureau's budget for 2021-22 was \$59.5M, including \$18.4M from user fees¹ and a \$2.8M material expense relating to employee benefits and accommodation.

Figure 1:

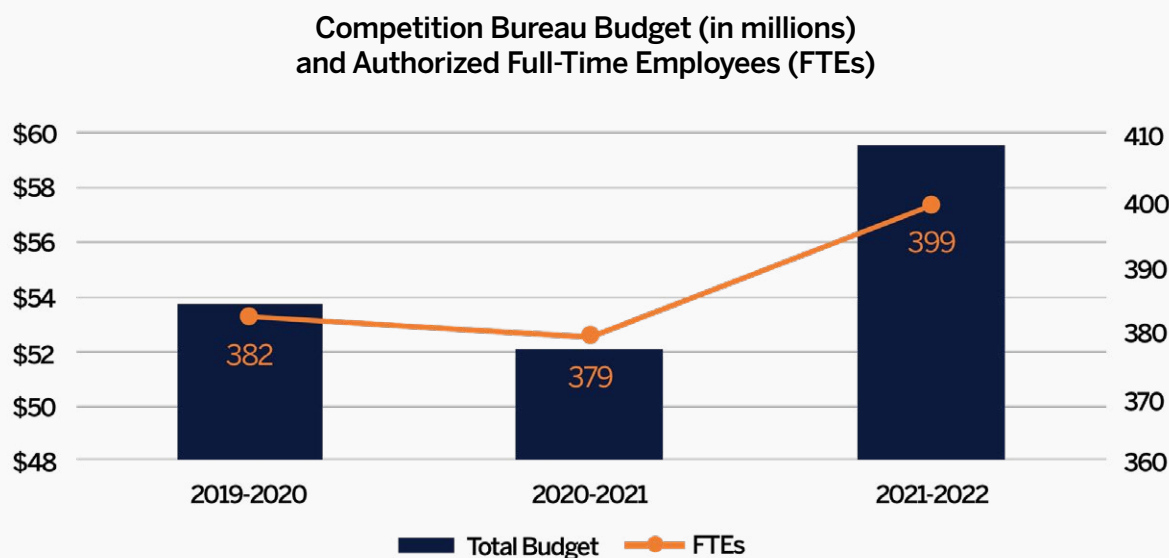
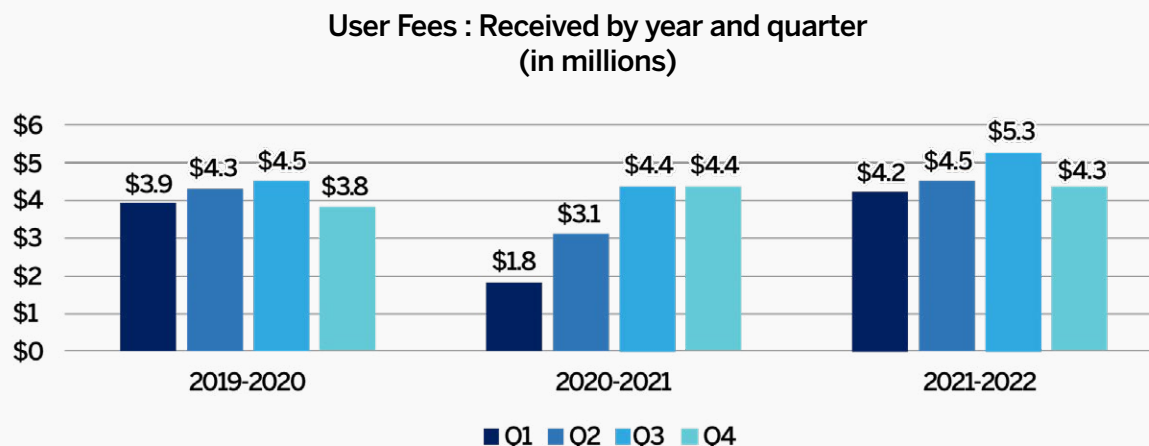


Figure 2:



¹ The Bureau collected \$18.4 in user fees (including \$18.4 from pre-merger notification and advance ruling certificates, and \$22K in written opinions.)