



Competition Bureau
Canada

Bureau de la concurrence
Canada

A new era for competition

Driving affordability and economic growth

2022–23 Annual Report

Canada

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Cat. No. Iu50E-PDF
ISSN 2561-4673
Date: 2022-11-08

Aussi offert en français sous le titre

Une nouvelle ère pour la concurrence : Favoriser l'abordabilité et la croissance économique – Rapport annuel 2022-2023.

Message from the Commissioner



This year we saw the beginning of a new era for competition in Canada. As we dealt with cost of living increases like we hadn't seen in decades, more and more Canadians began recognizing the important role of competition in our economy and speaking up for more of it. That's why, in 2022-2023, the Competition Bureau has done everything it can to build a more competitive Canada, one that benefits all consumers and businesses.

Our achievements showcased in this annual report are consistent with 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.

On the enforcement side, we continued to take action in sectors of the economy that are important to Canadians, such as digital services, health, telecommunications, construction and infrastructure. We also cracked down on numerous businesses to stop potentially deceptive marketing practices. Our bid-rigging investigations in the public and private sectors protected the integrity of a competitive marketplace, and our merger reviews preserved competition in several industries.

On the promotion side, we continued to advocate for a culture of competition in Canada. We actively participated in the Government of Canada's review of the *Competition Act* and made a [submission](#) offering more than 50 recommendations to strengthen laws and improve competition policy in Canada. We hosted the [Competition and Green Growth Summit](#) which saw international competition experts, regulators, businesses, nongovernmental organizations, lawyers and academics come together to discuss the interaction between competition policy and sustainability goals. We also released three reports emerging from our [Digital Health Care Market Study](#) and launched our [market study of grocery store competition](#) in Canada.

The year truly showcased the importance of increased competition in Canada. Competition is a key pillar of our economy, and we must take action to ensure that our competition law and policy are fit for purpose in the modern economy. We will continue to work hard to drive affordability and economic growth for the benefit of all Canadians.

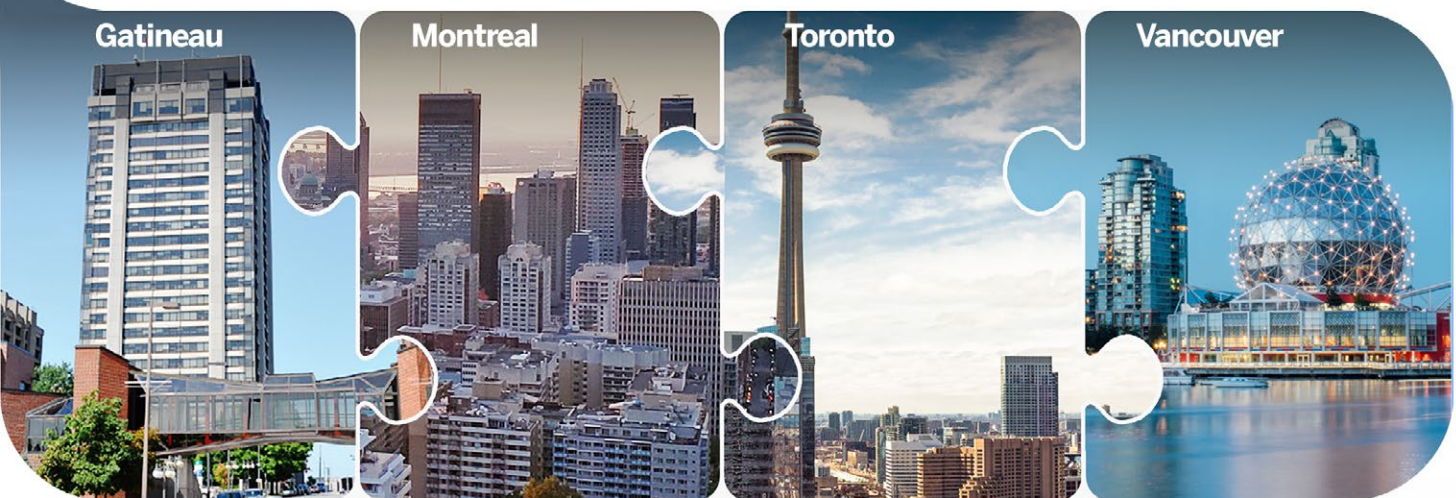
Matthew Boswell

A handwritten signature in blue ink, appearing to read 'Matthew Boswell', written over a light blue horizontal line.

Commissioner of Competition

About the Competition Bureau

The Competition 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.



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*.

Budget and people

During the 2022–23 fiscal year, the Bureau had an annual operating budget of \$67.5 million and a staff of 414 full-time employees.

Vision and priorities

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.”

Our annual priorities, as seen in our [2022-2023 Annual Plan: Competition, recovery and growth](#):

- Protecting Canadians through enforcement action
 - use all of the tools at our disposal to address anticompetitive activity
 - advance proactive enforcement by expanding our intelligence generating efforts and examining trends in the marketplace
- Promoting competition in Canada
 - encourage policy-makers and regulators to adopt procompetitive policies
 - advocate for increased competition in sectors that matter to Canadians
 - continue to deepen international and domestic relationships
 - expand our outreach and promotion efforts to reach a broader, more diverse audience
- Investing in our organization
 - continue to place employee health and safety at the forefront
 - achieve greater diversity, inclusion and accessibility across our organization
 - continue to ensure our capabilities and skills keep pace with new business practices and technology
 - continue to modernize our systems and procedures to align with the digital age

Bureau by the numbers

Mergers

- 202** merger reviews commenced
- 208** merger reviews concluded
- 98.5%** of noncomplex mergers reviewed within the service standard
- 92%** of complex mergers reviewed within the service standard

Non merger enforcement

- 57** investigations commenced
 - 30** relating to cartels
 - 13** relating to deceptive marketing practices
 - 14** relating to monopolistic practices
- 47** investigations closed
 - 21** relating to cartels
 - 12** relating to deceptive marketing practices
 - 14** relating to monopolistic practices

Enforcement outcomes (mergers and non merger)

- 8** consent agreements
- 13** alternative case resolutions
- 2** guilty pleas

Complaints and requests for information

- 6,552** complaints received
- 2,163** questions received
- 1,275** tips received through the federal contracting fraud tip line

Outreach

- 458,997** web visits
- 73** publications
- 104** presentations and speeches

Advocacy

- 1** market study completed
- 5** appearances before parliamentary committees
- 19** representations before regulatory bodies

Protecting Canadians through enforcement action

Enforcement action in key sectors

Stronger than yesterday: Amendments to the *Competition Act*

In June 2022, [important amendments to the *Competition Act* became law](#), helping strengthen the Bureau's ability to protect Canadians from anticompetitive activities. These amendments:

- increase maximum fines and penalties for those who break the law;
- prohibit wage-fixing and no-poach agreements between employers;
- clarify that drip pricing (offering a product or service at a price that is unattainable because consumers must also pay additional charges or fees) is a deceptive marketing practice;
- allow private access to the Competition Tribunal for those impacted by abuse of dominance; and
- enable more effective enforcement in today's digital economy.

The amendments come into effect immediately, with the exception of the changes to the criminal conspiracy provision, which increase potential fines and prohibit wage-fixing and no-poach agreements. These changes came into effect in June 2023. To assist Canadians in understanding the new amendments and their impact, the Bureau released our [Guide to the 2022 amendments to the *Competition Act*](#) and hosted public online information sessions for stakeholders. These amendments are an important step in helping to modernize Canada's competition law and building a more competitive Canadian economy.

Opening the door to more competitive car-sharing in Canada

Safeguarding competitive markets in the digital economy is a priority for the Bureau. In May 2022, we announced that, [following our investigation, Turo Inc. amended their terms of service in Canada](#) to remove an exclusivity policy imposed 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. This is good news for competition in the car-sharing space and in digital markets where anticompetitive conduct can lock in a company's strong market position and prevent innovative alternatives from entering or growing in the market.



Taking action against deceptive telemarketing

The Bureau is determined to pursue those who use deceptive marketing to cheat Canadians out of their hard-earned money. In October 2022, Terry Croteau pled guilty in the Ontario Superior Court of Justice to fraud over \$5,000, using a forged document, and deceptive telemarketing. In 2021, a Bureau

investigation led to multiple criminal charges under the *Competition Act* and the *Criminal Code* against Mr. Croteau, alleging the use of deceptive telemarketing and false or misleading statements to get Canadian businesses to sign up for listings in online directories. The Bureau will continue to use all the tools at our disposal to take action against deceptive marketing practices.

Staying vigilant in the health care sector

Promoting and protecting competition and innovation in the Canadian health care sector is a key priority for the Bureau. In March 2023, the Bureau reached [an agreement with Isologic Innovative Radiopharmaceuticals Inc.](#) to address competition concerns with its contracting practices in the radiopharmaceutical industry. The Bureau's investigation found that these practices affected customers, such as hospitals and clinics, who rely on radiopharmaceuticals to conduct single photon emission computed technology (SPECT) scans, and required certain customers to exclusively purchase some products directly from Isologic. This practice was found to contravene the abuse of dominance provisions of the *Competition Act*. To resolve the Bureau's concerns, Isologic agreed to enter into a consent agreement. Under the terms of the agreement, Isologic will remove certain terms in its contracts with some customers, including legal exclusivity clauses. Isologic will also include a term in any multi-year contracts with these customers, permitting them to terminate the contract prior to its expiration.



Keeping a watchful eye on competition in the pharmaceutical industry

The Bureau advanced significant work this year to ensure competitiveness within the pharmaceutical sector. In May 2022, we [closed two investigations](#) into potentially anticompetitive patent litigation settlement agreements involving pharmaceutical drugs. These investigations were launched as a result of the Bureau's proactive monitoring of agreements between branded and generic drug manufacturers. Evidence gathered during these investigations suggested that the agreements under review did not contravene the *Competition Act*, but the Bureau remains of the view that these types of agreements do have the potential to result in significant economic harm. We will continue proactive enforcement efforts in this area to protect competition and innovation. The Bureau has called for legislative changes to ensure that the Bureau is aware of, and can protect Canadians from, these types of potentially anticompetitive settlement agreements.

Taking action against misleading weight-loss claims

In April 2022, the Bureau reached an agreement to [resolve concerns in NuvoCare Health Sciences Inc.'s misleading weight-loss claims](#) case. A Bureau investigation concluded that NuvoCare Health Sciences Inc. and its founder, Ryan Foley, made claims that gave the misleading and false impression that their products had been proven to cause weight-loss. We found that their claims were not supported by proper or adequate testing. The Bureau resolved our concerns through a [consent agreement](#) that will prevent both Mr. Foley and NuvoCare from making false, misleading, or unsupported marketing claims to Canadians. In addition, both Mr. Foley and NuvoCare agreed to pay \$100,000 in total penalties, change

or remove all weight-loss claims made about their products, and establish and maintain a corporate compliance program. The Bureau will continue to take swift action against businesses that make unsubstantiated claims about health and medical products.

Dropping the hammer on bid-rigging

Rigging bids on public contracts is a serious crime that raises costs for governments and amounts to a theft of taxpayer dollars. Cracking down on bid-rigging is a top priority for the Bureau, which is why we pursue individuals and companies who commit these crimes. For example, in October 2022, [a fifth engineering executive pled guilty](#) in the Bureau's Gatineau bid-rigging case after the Bureau uncovered evidence of bid-rigging on a total of 21 contracts awarded by the City of Gatineau between 2004 and 2008. This conduct defrauded the municipality out of an estimated \$1.8 million. Francois Paulhus, a former executive of engineering firm Genivar (now WSP Canada) pled guilty in the Court of Quebec to conspiring to rig bids for the City of Gatineau infrastructure contracts and was sentenced to pay a \$25,000 fine, plus a 15% surcharge on that amount. Mr. Paulhus is the fifth and final executive to be sentenced in this case. To note, Mr. Paulhus has since appealed the sentence.

In another case, [a seventh bid-rigging settlement](#) was reached in relation to a bid-rigging scheme that targeted municipal infrastructure contracts in other parts of Quebec. Engineering firm, BPR-Infrastructure Inc. (BPR), was ordered to pay \$485,000 for its participation in bid-rigging related to consulting engineering services in Quebec City and Montreal between 2002 and 2011. This settlement takes into account the fact that BPR had previously reimbursed overpayments related to the bid-rigging to the Government of Quebec's Voluntary Reimbursement Program. This is the seventh settlement resulting from the Bureau's ongoing investigation, which saw BPR and six other engineering firms ordered to pay a total of \$12,535,000 for their respective roles in the bid-rigging scheme.

Lastly, in December 2022, five individuals were [charged](#) following a Bureau investigation into an alleged conspiracy to divide up contracts awarded by the Manitoba Housing and Renewal Corporation. The charges allege that between approximately December 2011 and February 2016, these contractors manipulated at least 89 contracts, collectively valued at approximately \$4.5 million, for refurbishment services for social housing units. Manipulating contracts to suppress competition is a serious crime and results in higher costs for construction projects and is especially concerning when it comes to affordable housing.



Merger reviews

Answering the call for Canadians

In May 2022, the Bureau announced it would [challenge the proposed \\$26 billion merger of Rogers Communications and Shaw Communications](#) and seek a full block of the transaction. In the Bureau's application to the Competition Tribunal, we alleged that removing Shaw as a competitor would threaten

to undo the significant progress it had made in introducing more competition in an already concentrated wireless services market, where Bell Canada, Telus Corporation, and Rogers serve approximately 87% of the market. Our investigation determined that, since entering the market in 2016, Shaw had provided services to over two million customers and was Rogers' closest competitor, driving down prices and making wireless data more accessible to consumers.

During the investigation, the Bureau conducted a comprehensive review of the evidence collected, including over 100 meetings with stakeholders, the review of over three million records, as well as 7,800 submissions from the public. Following this in-depth investigation, the Bureau's position was that the transaction would likely harm millions of Canadian consumers in Alberta and British Columbia, through higher prices, lower-quality services, and lost innovation. As a result, the Commissioner filed an application asking the Competition Tribunal to block the merger. The hearing took place over five weeks in November and December 2022. The Tribunal subsequently released a decision dismissing the Commissioner's application. The Commissioner then appealed the Tribunal's decision, but the Federal Court of Appeal ultimately [dismissed that appeal](#). Despite this result, the Bureau remains committed to vigorously protecting and promoting competition for Canadians in telecom markets.

Fuelling competitive markets in the gasoline industry

The rising price of gasoline is concerning for all Canadians, which is why the Bureau works hard to preserve competition in these markets. The Bureau obtained consent agreements with Parkland Corporation and Federated Cooperatives Limited (FCL), respectively, in relation to their [acquisition of Husky Energy's retail gas stations](#). After Parkland and FCL announced their separate purchase agreements to acquire collectively 337 Husky stations throughout central and western Canada, the Bureau conducted a thorough investigation and determined that both proposed transactions would likely result in a substantial lessening of competition in a number of local markets. Ultimately, the consent agreements addressed the Bureau's concerns regarding the potential loss of competition for the retail supply of gasoline in those local markets in central and western Canada.



In another case, the Bureau reached an [agreement with Alimentation Couche-Tard Inc. and its affiliates](#) in relation to their proposed acquisition of Wilson Fuel Company, known as Wilsons. Wilsons operates and supplies Esso, Wilsons Gas Stops and Go! Store retail gas locations in the Maritimes. After the Bureau's investigation, we concluded that the proposed transaction would likely substantially lessen or prevent competition in the supply of retail gasoline in a number of markets in the Maritimes. As part of the agreement, Couche-Tard agreed to sell 46 Wilsons sites and supply agreements and one Couche-Tard gas station to a buyer, or buyers, approved by the Commissioner.

The Bureau will remain vigilant and will continue to take action to address competition concerns in the Canadian gasoline industry.

Preserving competition in Canada's admixture systems market

The Bureau entered into a [consent agreement](#) with Sika AG to [address competition concerns with its acquisition](#) of MBCC Group. Following an in-depth investigation, we concluded that the acquisition would provide Sika AG with increased market power in Canada in the supply of admixture, which could lead to increased prices and decreases in other non-price aspects of competition. As part of the agreement, Sika AG agreed to sell certain MBCC Group assets to a single independent purchaser approved by the Commissioner of Competition. In this matter, the Bureau worked closely with its international counterparts from the European Commission, the United Kingdom Competition and Markets Authority, the United States Department of Justice, the New Zealand Commerce Commission, and the Australian Competition and Consumer Commission.

Safeguarding competition for industrial waste and oil recycling services in Western Canada

In April 2022, the Bureau announced that we had [reached an agreement with GFL Environmental Inc.](#) to resolve litigation related to its acquisition of Terrapure Environmental Ltd. The Bureau challenged the acquisition before the Competition Tribunal in November 2021 after concluding that it had likely substantially lessened competition in the markets for industrial waste services and oil recycling services in western Canada. To resolve the Bureau's concerns, the [consent agreement](#) requires GFL to divest seven facilities that provide industrial waste or oil recycling services in Western Canada. This agreement is necessary to preserve competition and Canadian businesses will benefit as a result.

Unfolding new opportunities in the pulp and paper industry

In December 2022, the Bureau entered into a [consent agreement](#) with Domtar Corporation to [address competition concerns regarding their acquisition](#) of Resolute Forest Products Inc. After an in-depth review, we concluded that the proposed transaction would likely provide Domtar with sole-buyer power, enabling them to pay lower than competitive prices to suppliers of northern bleached softwood kraft pulp in Central and Eastern Canada, and in the purchasing of wood fibre from private lands in northwestern Ontario. To resolve these concerns, Domtar agreed to sell its Dryden pulp mill and Thunder Bay pulp and paper mill to two independent purchasers approved by the Commissioner.

Preserving competition in supply of pharmacy products and services

Competition was preserved in rural Saskatchewan when the Bureau reached an [agreement with Neighbourly Pharmacy Inc. relating to their acquisition](#) of Rubicon Pharmacies. The Bureau determined that this transaction was likely to result in a loss of competition for retail pharmacy services in Kamsack and Shaunavon, SK, as Neighbourly would own both pharmacies in each location. To resolve the Bureau's concerns, Neighbourly agreed to sell one of the two pharmacies in each town to encourage and maintain competition in rural Canada.



Protecting competition along the pipelines

In July 2022, the Bureau registered a [consent agreement](#) with the Competition Tribunal addressing our concerns with [the proposed joint venture between Pembina Pipeline Corporation \(Pembina\) and KKR's](#)

[Global Infrastructure Funds \(KKR\)](#). In particular, the Bureau had concerns with the acquisition of a 50% interest in the Key Access Pipeline System (KAPS) project resulting from the associated purchase of the remaining portion of Energy Transfer Canada ULC not already held by KKR's Global Infrastructure Funds. Following the investigation, the Bureau concluded that the proposed joint venture would likely substantially lessen competition in Northern Alberta for the transportation of natural gas liquids. To remedy these concerns, the consent agreement requires Pembina and KKR to sell Energy Transfer Canada ULC's interest in the KAPS to a third party. This agreement will help protect competition in pipeline transportation for natural gas liquids in Alberta and keep prices lower for consumers and businesses down the line.

Competition takes to the skies

In May 2022, the Minister of Transportation commenced a public interest review of the proposed merger between WestJet Airlines. and Sunwing Airlines. In response to the review, the Bureau delivered a detailed [report](#) to the Minister. The report concluded that the proposed acquisition would likely eliminate competition between the two airlines and tour operators in certain areas, and that prices would likely increase due to fewer choices and a decrease in services for Canadians. The Bureau will continue to advocate for Canadians to ensure that travelers reap the benefits of competition.



Promoting competition in Canada

Advocating for a culture of competition

Modernizing Canada's competition laws

Competition is key to driving affordability and economic growth. A competitive economy increases productivity and benefits all citizens. In short, Canada needs more competition. And Canadians need a modern and effective competition law to support that.

The *Competition Act* - the toolkit the Bureau uses to protect and promote Competition in Canada - has not been fully updated since the 1980s. That may be about to change. In early 2023, the Government of Canada launched a [consultation on the future of competition policy](#) in Canada. Given the Bureau's experience administering and enforcing the *Act*, we [submitted our recommendations](#) to strengthen our laws and improve competition law in Canada. Our submission included more than 50 recommendations, including:

- retooling the *Act*'s merger review framework to address issues with market concentration and harm to the public interest in competition;
- giving the Bureau formal information-gathering powers for market studies; and
- streamlining investigative and judicial processes to make them more timely and efficient.

Through these recommendations, the Bureau is committed to making competition work better for all Canadians. We must continue to take action to ensure that our competition law and policy are fit for the modern economy.

Growing competition in the green economy

Canada and other countries are taking big steps toward a greener economy. Environmental and sustainability measures are playing a bigger role in how businesses compete to attract customers and investors. Consumers are also changing how they shop based on what they know about the environment. This led the Bureau to host a [Competition and Green Growth Summit](#) which saw international competition experts, regulators, businesses, nongovernmental organizations, lawyers, and academics come together to discuss the interaction between competition policy and sustainability goals. The summit attracted almost 400 people from more than 30 countries either virtually or in person. There were many [takeaways from the summit](#), and participants agreed that competitive markets are key to helping support a greener economy. The valuable insights from the Summit will help the Bureau continue its work on how competition interacts with green growth.

**Competition
and Green
Growth Summit**

Supporting digital health care

Procompetitive 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. This is why the Bureau launched a market study of Canada's health care sector. The objective of the study was to examine how to support digital health care in Canada through pro-competitive policies. This year, we released a total of three reports emerging from the study:

- [Unlocking the Power of Health Care Data](#) was published in June 2022 and made major recommendations to Canadian policy-makers on ways to make it easier to access and share personal health information—securely and efficiently—to benefit competition.
- [Improving Health Care Through Procompetitive Procurement Policy](#) was published in October 2022 and included recommendations for federal, provincial and territorial governments to modernize public procurement processes used to acquire digital health care products and services.
- [Empowering Health Care Providers in the Digital Era](#) was published in November 2022 and provided recommendations on how to improve the ways health care providers work within Canada's public health system.

Advocating for competition in the grocery sector

With inflation on the rise, Canadian consumers have seen their purchasing power decline, and this is especially true when buying groceries. In fact, grocery prices in Canada have increased at the fastest rate in 40 years. This is why, in October 2022, the Bureau launched a [market study](#) of grocery store competition in Canada. The goal of the market study is to examine various issues, and recommend measures that governments can take to help improve competition in the sector. The study will allow the Bureau to highlight opportunities for change that can make it easier for new businesses to compete and innovate.



Planting the seeds for competition

This year, the Bureau took an active role in the legislative review of the *Cannabis Act*. We shared our [submission](#) with Health Canada's expert panel in the spring of 2023. The focus of our submission is specifically on the potential impacts of the *Cannabis Act* on competition and innovation within the cannabis industry. Our submission examines issues such as packaging and labelling, potency limits, and regulatory fees from a competition perspective. The Bureau believes that stronger competition in the cannabis industry would help foster innovation and benefit consumers by providing them with increased choice and quality. Importantly, these benefits would serve to further displace illicit market activity and bolster the legal cannabis industry.

Engaging with senators and members of Parliament

Advocating for competition is a top priority of the Bureau, which is why we value the opportunity to have open and transparent discussions with Canadian parliamentary committees. This year, the Bureau made a total of five appearances before parliamentary committees:

- in May 2022, we appeared before the Standing Senate Committee on Banking, Commerce and the Economy (BANC) regarding *Competition Act* amendments included in Bill C-19;
- in June 2022, we appeared before the Standing Committee on Industry and Technology (INDU) with respect to their study of Small and Medium Enterprises;
- in November 2022, we appeared before BANC once more on the state of the Canadian economy and inflation;
- in January 2023, we appeared before INDU again, this time, concerning the proposed acquisition of Shaw by Rogers; and
- in March 2023, we appeared before the Standing Committee on Agriculture and Agri-Food (AGRI) regarding their study of food-price inflation.

Reducing red tape for small businesses

In July 2022, the Bureau sent a [letter to the Deputy Minister's Office of Red Tape Reduction and Small Business](#) for the Ontario Provincial Government. In the letter, we encouraged reducing regulatory red tape and promoting procompetitive policies. We provided our Competition Assessment Toolkit for consideration in helping Ontario's red tape reduction efforts and to assist policy-makers in assessing the competition impact of their regulations. Our toolkit helps policymakers across Canada assess the impact of new and existing policies on competition and innovation in the marketplace. We will continue to provide our Toolkit to regulators because more competition empowers consumers and drives businesses to become more productive, improve product quality, and decrease prices.

Clarifying section 48 of the *Competition Act*

Section 48 of the *Competition Act* is a criminal provision that prohibits anyone from reaching agreements that unreasonably limit certain types of opportunities for players in professional sport leagues. After the Minister of Innovation, Science and Economic Development announced a review of the *Competition Act*, the Bureau took a closer look at this provision and raised its concern over the lack of definitions for ambiguous terms. Given that this provision is written in a way that presents significant challenges to its enforcement, the Bureau will not take action under this section as it is currently written. We have brought forth these issues as part of the Government of Canada's ongoing review of the *Competition Act*.

Expanding our Reach

Fostering competition through collaboration

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, on the international front, we continued our regular cooperation with our enforcement partners. This includes an international working group, consisting of Canada, the United States, Australia, New Zealand, and the United Kingdom, focused on sharing information to identify and prevent potentially anti-competitive conduct in the global supply and distribution of goods. On the domestic front, we continued to work cooperatively with our counterparts at the Public Prosecution Services of Canada and other domestic agencies.

Tricks of the trade: What's in a fraudster's toolbox?

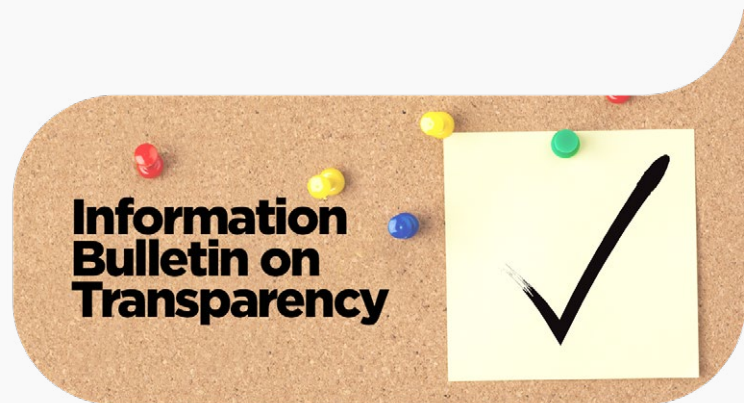
The beginning of March 2023 marked the launch of the 19th edition of Fraud Prevention Month (FPM). The Bureau, the Royal Canadian Mounted Police, and the Canadian Anti-Fraud Centre co-chaired FPM 2023. This year's campaign concentrated on educating Canadians about the "fraudster's toolbox" in the digital economy – the most common tricks, tools and tactics used by scammers to deceive victims and commit fraud. As part of FPM, we released a [consumer alert on the topic of cryptocurrency investment frauds](#) targeting Canadian consumers and businesses.

Adding more tools to our toolbox

In June 2022, the Competition Bureau launched its [Collusion Risk Assessment Tool](#) for procurement agents. This innovative new tool is a free, interactive online resource available to both public and private sector procurement officers and purchasing agents. It can be used as part of their day-to-day due diligence efforts to protect and promote competitive bidding processes. Procurement agents can use the tool by completing the 10-minute questionnaire about a call for bids that they are planning. The tool will then produce a collusion risk score based on the specifics of the project, and will offer tailored best practices to mitigate those risks. Procurement agents thus gain an early warning about potential risks of bid-rigging, as well as mitigation strategies that can be taken to minimize those risks and help ensure a fair, competitive process from the start.

Ensuring transparency in competition

In October 2022, the Bureau published its new [Information Bulletin on Transparency](#). This resource explains the approach the Bureau takes in communicating with different groups during its investigations. This new plain-language bulletin reflects the Bureau's ongoing commitment to transparency.



Protecting competition for workers

In January 2023, the Bureau [invited interested parties to provide comments](#) on our new proposed [Enforcement guidance on wage-fixing and no-poaching agreements](#), following the Government of Canada's June 2022 amendment to the *Competition Act*. Beginning June 23, 2023, it is an offence for unaffiliated employers to agree to fix, maintain, decrease, or control wages or other terms of employment, or to not solicit or hire each other's employees.

Tuning in to competition

In December 2022, the Bureau joined forces with the Retail Council of Canada to record a [four-episode series](#) on the "Voice of Retail Podcast". The series was created to help retailers understand the laws governing and protecting them in Canada. The episodes provide an overview of the Bureau's work and mandate as well as a deeper dive into our work investigating deceptive marketing practices, collusion, and abuse of dominance.

Investing in our organization

Expanding our digital footprint

In 2022-23, the Bureau continued to grow its newest branch, the Digital Enforcement and Intelligence Branch. The Branch functions as a centre of expertise on digital business practices and technologies and provides specialized skills, including a centralized intelligence function. This new branch acts as an early-warning system for potential competition issues at all stages, from initial intelligence to post-investigation. The Branch provides strategic advice to teams working on both civil and criminal files, acting as an internal think-tank on how businesses are using data and technology, providing proactive intelligence, analyzing the effectiveness of remedies, and how businesses may exploit consumer behaviour. This plays an important role in making innovation central to the Bureau's work.

Strengthening our team

In January 2023, the Bureau announced that [Donald B. Houston](#) would be bringing his extensive experience and expertise in Canadian competition law and litigation to the Competition Bureau. Mr. Houston is on a two-year term as Senior General Counsel with Competition Bureau Legal Services and Legal Advisor to the Commissioner of Competition. The Bureau is excited to further build on our legal team's already solid foundation and increase our litigation capacity by welcoming Mr. Houston to the team.

In March 2023, the Bureau announced the appointment of [Dr. Markus von Wartburg](#) as its new Chief Economist and T.D. MacDonald Chair in Industrial Economics. Dr. von Wartburg is on a one-year term and will provide advice and guidance on economic matters relating to the Bureau's investigations, litigation, and advocacy work, as well as competition policy matters. He specializes in applying econometric methods and microeconomic theory to complex issues in competition, media and telecommunications, finance, commercial litigation and intellectual property. The Bureau will benefit greatly from Dr. von Wartburg's knowledge, expertise, and experience.

Keeping inclusiveness at the forefront

In May 2022, the Bureau made changes to our public-facing forms to be more inclusive. For example, we removed the salutations drop-down menu, which offered only gendered options like Mr., Mrs., or Ms. These actions have helped to make the Bureau a leader in terms of inclusivity within the federal government and have allowed us to be better aligned with our international partners.

Breaking down language barriers

It is a priority for the Bureau to ensure we are effectively communicating with Canadians. In November 2022, the Bureau launched a plain-language campaign to encourage and help employees to write more clearly, avoid jargon, and maintain simplicity in communication. The Bureau launched an internal portal for employees to learn more about the initiative, as well as access to plain language resources. In addition, we created an editorial board and are developing a specialized Style Guide for plain language.

Getting into the Learning Zone

The Bureau is committed to supporting the continuous learning and development of our employees, while encouraging a culture of well-being. In March 2023, the Bureau's Learning Unit launched a Learning Zone – a one-stop source for our employees' learning and development needs. It provides access to courses, resources, and tools. It was designed to further support employees and assist the Bureau in developing and managing our growing workforce.



Annex A

Financial snapshot

These tables provide an overview of our financial information for the 2022–23 fiscal year.

Total expenditures by branch

Branch	% of total budget	Expenditures by branch (in \$CAD)
Mergers and Monopolistic Practices Branch Includes: Mergers Directorate; Monopolistic Practices Directorate	30.31	19,780,337.52
Cartels and Deceptive Marketing Practices Branch Includes: Cartels Directorate; Deceptive Marketing Practices Directorate	28.14	18,365,583.16
Corporate Services Branch Includes: Enforcement Services Directorate; Finance and Administration Directorate; Talent Management and Development Directorate	17.54	11,448,802.33
Competition Promotion Branch Includes: Economic Analysis Directorate; Compliance Unit; International Affairs Directorate; Policy, Planning and Advocacy Directorate; Public Affairs and Outreach Directorate	12.43	8,111,391.24
Legal Services	6.78	4,426,240.55
Digital Enforcement and Intelligence Branch Includes: Intelligence Directorate; Digital Enforcement Directorate	3.15	2,055,952.67
Office of the Commissioner	1.64	1,069,848.92
Total	100.00	65,258,156.39

Total operating expenditures

Category	% of total budget	Operating expenditures (in \$CAD)
Salaries	64.95	42,389,972.85
Professional and special services	24.46	15,967,992.88
All other expenditures	4.88	3,185,786.45
Rentals	2.19	1,430,818.86
Transportation and communication	1.08	707,377.87
Other machinery acquisition	0.95	625,303.22
Information	0.71	468,420.66
Repairs and maintenance	0.33	219,624.76
Materials and supplies	0.26	173,690.45
Capital asset acquisition	0.19	42,694.97
Total	100.00	65,258,156.39

Revenues by services

Type of service fee	% of total budget	Revenue (in \$CAD)
ARC requests: noncomplex	55.95	8,434,666.87
Merger notification filings and ARC requests – complex	20.39	3,074,650.74
ARC requests – complex	12.36	1,863,800.11
Merger notification filings and ARC* Requests – noncomplex	10.79	1,626,499.56
CA* identification number	0.41	63,300

Written opinions for sections 52, 52.01, 52.1, 53, 54, 55, 55.1, 74.01(1)(a), 74.01(1)(c), 74.01(2), 74.01(3), 74.011, 74.02, 74.04, 74.05, and 74.06	0.10	11,000
Written opinions for sections 45-49, 79, and 90.1	0.00	0.00
Written opinions for Part IX	0.00	0.00
Written opinions for charitable organizations	0.00	0.00
Written opinions with respect to any other provision	0.00	0.00
Photocopies	0.00	0.00
Total revenues	100.00	15,073,917.28
<p>*ARC = Advance Ruling Certificate</p> <p>*CA identification number = a five digit identification number preceded by the letters CA (ex: CA00000).</p>		