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Presentation

Project Competition Compliance in Latin America

UNCTAD –COMPAL Programme and ZHAW

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Project Competition Compliance in Latin America

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Building Competence. Crossing Borders.

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2023

Agenda

I. Objectives

II. Project Plan & Current Phase of Implementation

III. Key Findings

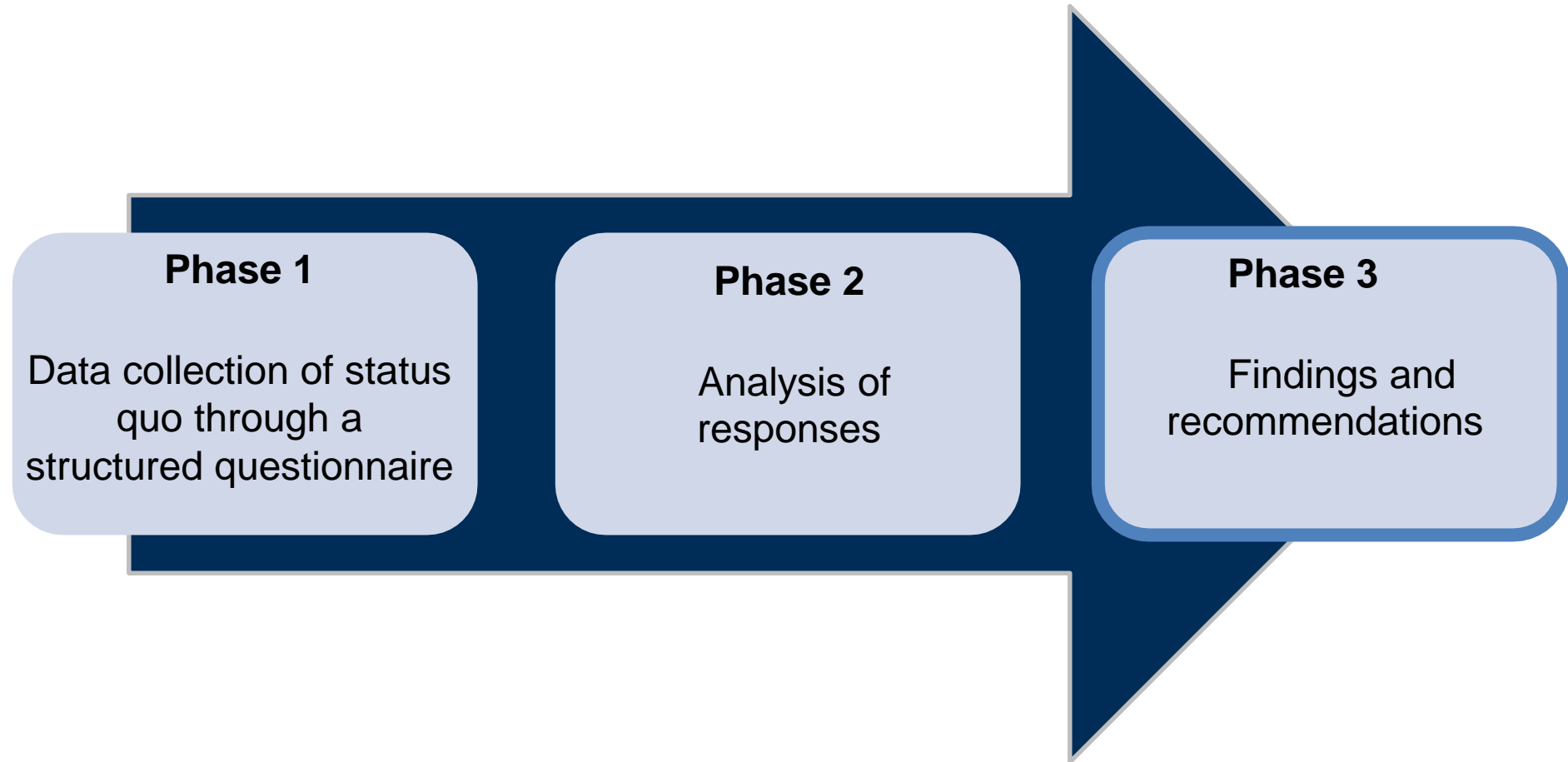
IV. Best Practices

I. Objectives

The objectives of the study is to provide:

- The status quo on the **consideration of compliance programs** by authorities and courts in South and Central America in cases of legal infringements, and if so, to what extent.
- An illustration of **international Best Practices** from different countries, institutions, and jurisdictions
- **Practical recommendations** for action as voluntary guidance and aid for the respective authorities

II. Project Plan & Current Phase of Implementation



III. Key Findings

What are the key findings of the study?

- **87% the authorities** surveyed provide **support in the implementation** of compliance programs.
- Approximately the **half of the authorities** surveyed **take compliance programs into account** when calculating the fine reduction.
- Most of the countries surveyed **intend to promote compliance efforts** yet further in the future.
- **64% of the authorities** surveyed, state that **they have sufficient resources** and know how **to promote compliance measures** for companies.
- **93 % of the** interviewed competition authorities already **have cooperation partnerships with other stakeholders**.
- **All participants** have indicated to be **interested in a collaboration with potential future cooperation partners** in this regard.

IV. Best Practices

<u>Practical steps to assess strengths and weaknesses</u>	<u>Practical steps to organize the resources</u>	<u>Practical steps to build and maintain the know-how</u>	<u>Practical steps to ensure the control</u>
<ul style="list-style-type: none">• Implementation of the antitrust law• Code of conduct• Ongoing management commitment• Compliance risk assessment• Compliance cost assessment	<ul style="list-style-type: none">• Compliance team• Reporting to Company Board or Management Committee• Adequate Resources	<ul style="list-style-type: none">• Materials• Training program• System of control and monitoring• Disciplinary system	<ul style="list-style-type: none">• Due Diligence in M&A• Certification

Thank you for your attention!

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