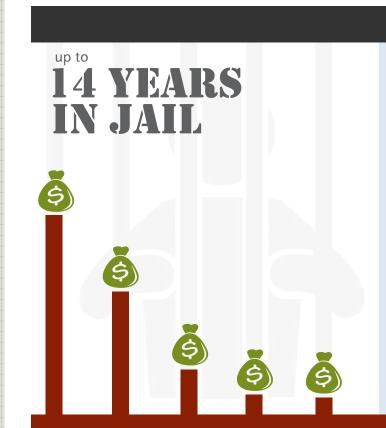
Competition Law Compliance in Canada

NOT HAVING A CREDIBLE COMPLIANCE PROGRAM CAN EXPOSE YOUR BUSINESS TO

EVERE PENALTIES



FINES

Auto Parts - \$39.7 million in fines, including \$30 million against Yazaki Corporation

Air Cargo – over \$25 million in fines

Bearings - \$9.5 million in fines, including

\$5 million against JTEKT Corporation

Chocolate – \$4 million fine against Hershey

Government IT Services – \$3.5 million in fines against Microtime Inc. and 6 individuals



for damages





Debarment from federal government procurements



IS YOUR COMPANY AT RISK?

Key Risk Factors

Mature or declining industry

Participation in industry associations

Vertical integration (competitors are also customers or suppliers)

Performance-based compensation

Concentrated industry with few competitors

Ease of gaining competitive intelligence

Regularity of joint ventures in the industry

Recent deregulation

What do you need to build an effective compliance program?



Commitment and Support

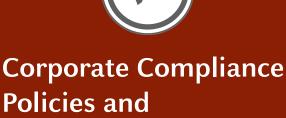
compliance and demonstrate a "continuous and unequivocal commitment to compliance"

Actively foster a culture of



Assessment Adopt a risk-based approach to

compliance program design



Procedures Tailor and present policies and procedures in a manner that is most

and employees' daily activities

relevant to the company's operations



Provide "at risk" employees with practical and effective ongoing



Monitoring, Auditing and Reporting Mechanism

Establish an effective internal

reporting procedure and monitor/ audit business activities as appropriate



Incentives for Compliance Establish and enforce a disciplinary code for employees, including management, who initiate or

participate in conduct in contravention of the Competition Act



program to ensure it remains effective and up-to-date as the business, its employees and the industry evolves

Regularly evaluate the compliance

training STAKES ARE HIGH The potential legal, economic and reputational risks of



by businesses as part of their overall risk-management strategy.

Learn more about building a Compliance Program.

non-compliance are real and must be effectively managed

osler.com/compliance



Osler, Hoskin & Harcourt LLP