

The Complete Compliance and Ethics Manual 2023

Antitrust Compliance in Canada

By Theodore Banks^[1]

The Canada Competition Bureau is an independent law enforcement agency that has responsibility for investigating compliance with laws under its jurisdiction, which include 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. The Competition Bureau has issued its Bulletin on Corporate Compliance Programs, which provides extremely useful (and practical) information on antitrust compliance for businesses in Canada and elsewhere.^[2]

The Bulletin is designed to outline the essential components of a **credible and effective** compliance program:

To be credible, at a minimum such a program must demonstrate the company's commitment to conducting business in conformity with the Acts. To be effective, it needs to motivate and inform all those acting for the company, including executives, managers and employees, about their legal duties, the need for compliance with internal policies and procedures, the potential costs to the business of contravening the Acts, and the harm to the Canadian economy caused by contraventions. It also needs to include tools for management to use to prevent and detect contraventions of the Acts.^[3]

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