

Day 2: Procedural fairness and transparency in antitrust and merger investigations

Tuesday 10 December 2019

Venue: CCI offices, Delhi

Agenda

08:45-09:00	Registration
Moderator: Ms Hilary JENNINGS, Special Adviser on Competition Policy, Competition Cooperation Project	
09:00-10:30 (tea break decided by moderator depending on progress of the discussion)	<p>Session I – CCI and EU investigative procedures</p> <p>Overview</p> <ul style="list-style-type: none"> • Description of the investigative procedure framework • Prioritisation • Internal checks and balances • Responding to criticisms • Judicial review and implications for the exercise of the authority’s powers • Proposals from India’s Competition Law Review – implications for investigative procedures <p>Presentations by:</p> <ul style="list-style-type: none"> – Mr Dirk VAN ERPS, Adviser Antitrust and Cartels, DG Competition, European Commission – Mr. Pranay Kumar Soni, Joint DG, Mr. Alok Tripathi, Joint DG and Mr. Navin Kumar Kanaujia, Joint DG <p>Discussion and Q&A session with speakers</p>
11:00 – 12:30	<p>Session II – Processes and procedures in inspections / dawn raids</p> <p>Overview</p> <ul style="list-style-type: none"> • Conduct of the search • Collection of electronic data • Procedural fairness aspects <p>Presentation by:</p> <ul style="list-style-type: none"> – Mr Dirk VAN ERPS, Adviser Antitrust and Cartels, DG Competition, European Commission – Mr. Pranay Kumar Soni, Joint DG, Mr. Alok Tripathi, Joint DG and Mr. Navin Kumar Kanaujia, Joint DG

12:30-14:00	Lunch
14:00 -17:00 (tea break decided by moderator depending on progress of the discussion)	<p>Session III – Fairness and transparency in competition agency proceedings- practical steps</p> <p>Overview:</p> <ul style="list-style-type: none"> • Interaction with parties at different stages of the investigation • Evidence gathering – tools and challenges • Digital evidence and procedural fairness • Access to file and protection of confidential information, and rights of defence • Limits on powers of investigation <p>Presentations by</p> <ul style="list-style-type: none"> – Mr Dirk VAN ERPS, Adviser Antitrust and Cartels, DG Competition, European Commission – Mr David ANDERSON, Managing Partner, Bryan Cave Leighton Paisner, Brussels – Dr. Sanjay Kumar PANDEY, Director (Law) and Mr. Kamal SULTANPURI, Deputy Director (Law), CCI <p>Discussion and Q&A session with all speakers and experts</p>