

Four-step competition law compliance process

STEP 1: Risk Identification

Identify the key competition law compliance risks faced by your business. These will depend upon the nature and size of your business.

STEP 2: Risk assessment

Work out how serious the identified risks are. Often it is simplest to rate them as low, medium or high. Businesses in particular should consider assessing which employees are in high risk areas. These may include employees who are likely to have contact with competitors and employees in sales and marketing roles.

STEP 4: Review

Review steps 1 to 3 and your commitment to compliance regularly, to ensure that your business has an effective compliance culture. Some businesses review their compliance efforts on an annual basis, others review less frequently. There may be occasions when you should consider a review outside the regular cycle, such as when taking over another business or if you are subject to a competition law investigation.

STEP 3: Risk mitigation

Set up policies, procedures and training to ensure that the risks you have identified do not occur, and how to detect and deal with them if they do. What is most appropriate to do will depend on the risks identified and the likelihood of the risk occurring.



Core: Commitment to compliance (from the top down)

Senior management, especially the board, must demonstrate an unequivocal commitment to competition law compliance. Without this commitment, any competition law compliance efforts are unlikely to be successful.