

CANADA - USA COMPETITION LAW COOPERATION

On August 3, 1995, an agreement between Canada and the United States came into effect. This agreement provides for cooperation in the enforcement of competition laws.

This is not the first such international agreement, although they are still quite rare. It is noteworthy, though, as an indication of a trend toward more international cooperation by economic regulatory authorities to match increasing economic integration worldwide.

Agreements between tax and customs authorities, for example, are now commonplace. The field of competition law, however, has presented a more difficult area upon which nations can agree. There can be an underlying tension resulting from different views on national economic organization and regulation. There have also been serious conflicts created by the jurisdictional reach of competition law authorities.

It has been recognized, however, that while conflicts over extraterritoriality and questions of appropriate jurisdiction and differing national regulation remain, bilateral competition agreements provide mechanisms for consultation and cooperation.