

National Competition Law Section



Jay Holsten, Chair of the
National Competition Law
Section

Dear Section Members:

We are now eight weeks into the 2014-15 Section year, and we are off to a great start!

Fall Conference

It was a great to see so many of you at our annual Fall Conference in Ottawa on September 18 and 19. Congratulations to Adam Kalbfleisch of Bennett Jones LLP who organized this year's conference, which attracted more than 250 people and generated a lot of positive feedback.

While I would like to thank all those who participated as speakers at the conference, a special thanks goes to Peter Franklyn, Lawson Hunter, Melanie Aitken, Jeff Church and Adam Fanaki for an entertaining opening plenary session.

I would also like to extend thanks on behalf of the Section to Commissioner John Pecman and his team at the Competition Bureau, whose participation at the Fall Conference again this year encouraged attendance and contributed greatly to the quality and success of the program.

Next up on the conference agenda is the Spring Forum, which will be held on June 9, 2015 in Toronto. This year's Spring Forum will be chaired by Huy Do of Fasken Martineau DuMoulin LLP.

Committee Activity

The Section Executive has made an effort to encourage more activity by our [committees](#) throughout the year, with a goal of offering Section members an ongoing series of high-quality programs. Details of upcoming programs are on the Section's webpage, which can be found at www.cba.org/CBA/sections_competition/main.

To kick things off, on September 30, our Mergers Committee and Young Lawyer's Committee jointly sponsored a brownbag entitled "*Back to School: Notifications*

101”, featuring Daniel Campagna and Aaron Brown of the Competition Bureau’s Merger Notification Unit.

On October 15, our new International Committee hosted a lunch program in Toronto entitled “*Competition in a Globalized World: Issues and Perspectives*”, featuring Frédéric Jenny, Chairman of the OECD Competition Law and Policy Committee, and Commissioner John Pecman. Our Corporate Counsel and Compliance Committee, in cooperation with the ABA Compliance & Ethics Committee, also presented a teleconference entitled “*Spotlight on Competition Compliance: the New Order in Canada*” on October 23.

Next up will be a teleconference on November 20, entitled “*The Evolution of Merger Control? Analyzing US-Canada Cross-border Reviews*”, presented by the International Committee and the ABA Section of Antitrust Law International Committee.

Other programs – to be presented in November and December by the Competition Litigation Committee, the Legislation and Policy Committee and the Young Lawyer’s Committee, respectively – are also in the works. Please check the [Section’s webpage](#) for more details.

Competition Bureau Consultations

We look forward to continuing to work with the Competition Bureau, as both a stakeholder and as a partner, during the coming year.

The Section enjoys a very strong, collaborative working relationship with the Competition Bureau, which I intend to do my utmost to foster during my term as Section Chair. To this end, on September 18, the Section Executive met with the Competition Bureau leadership to take stock of recent developments and initiatives, and to discuss areas for further collaboration and initiatives to be undertaken during the year ahead.

The Section will also continue to provide comments and submissions to the Competition Bureau on its various enforcement and policy initiatives, and on any proposed legislative changes. We are currently working on a submission regarding the Competition Bureau’s recently released *Updated Corporate Compliance Programs Bulletin*.

Canadian Competition Law Review

Volume 27, N^o. 2 of the *Canadian Competition Law Review* was published in conjunction with the 2014 Fall Conference, hard copies of which were made available to all conference registrants. Our thanks to Susan Hutton and to the editorial team at the *Canadian Competition Law Review* for their ongoing efforts to develop and grow the readership of this important Section publication.

Section Executive

Effective September 1, Oliver Borgers of McCarthy Tétrault LLP joined the Section Executive as Secretary-Treasurer, and Denis Gascon of Norton Rose Fulbright Canada LLP stepped down as Chair of the Section. During the coming year, Denis will serve as Past Chair of the Section Executive. His responsibilities will include acting as Section liaison to the ABA's Section of Antitrust Law. James Musgrove of McMillan LLP is the current ABA SAL liaison to our Section.

I would like to extend the Section's deep appreciation and thanks to Denis for his efforts and accomplishments over the past year.

CBA Liaison

In September, Joyanne Hyman became our Section Liaison Officer at the CBA. Joyanne will be working closely throughout the year with Tina Ethier, our Professional Development Coordinator, Holly Doerksen, the CBA's Director of National Sections, and Tamra Thomson, the CBA's Director of Legislation and Law Reform.

Closing Remarks

In closing, I'd like to say that I look forward to serving as Chair of the Section this year. We are among the most successful Sections (if not *the* most successful Section) of the CBA, which reflects the contributions and dedication of so many Section members, including the leadership of our various committees.

I encourage those of you who are not involved in the activities of the Section or its committees to become involved – including participation in our new International Committee, which is being chaired this year by Brian Facey of Blake, Cassels & Graydon LLP. I also encourage you to take advantage of the resources

available to our members, including our semi-annual conferences and other professional development programs, brownbags, teleconferences, roundtables, workshops and newsletters.

Join our [committee listservs](#), drop in from time to time on the Section's webpage and committee webpages, and monitor our [LinkedIn page](#) for updates on upcoming Section events.

And, please, let me know if you have any ideas for improving the resources available to our Section members. This is your Section, and we on the Executive are always looking for ways to improve it for your benefit.

That's all for now. See you during the year!

Best regards,

Jay Holsten, Torys LLP
Chair, National Competition Law Section
2014-2015