






Lex Mundi’s Global Competition Measures Report ([download here](#)), summarizes Competition Authority regimes in **more than 60 countries**. As enforcement regimes have adapted in a time of crisis, companies must remain aware of competition-related risks when rolling out new strategies or considering a restructuring or reorganization of their business. While a majority of the jurisdictions surveyed indicated that new merger and investigation/litigation filings are currently being accepted (mostly electronic), many have warned that there may be delays in light of COVID-19 related filings being prioritized at this stage. Other global findings include:

	<h3>Competitor Collaborations – A Global Perspective</h3> <ul style="list-style-type: none"> During the pandemic, several competition authorities are allowing certain collaborations, on a temporary basis, between competitors that may be necessary to ensure that products are provided to the public if they lead to efficiencies, economies of scale and scope, reduced costs, and better service or lower prices. <ul style="list-style-type: none"> Allowed collaborations include competitors in the banks, healthcare, supermarkets, airlines, gas/electricity, medical supplies, oil companies, telecommunications, insurers, shopping center owners, private hospitals, travel agencies, transportation and retail property sectors However, many authorities have states that they will not tolerate businesses using COVID-19 as an excuse for non-essential collusion or anti-competitive behavior; and would not hesitate to use any enforcement measures against such anti-competitive behavior, even at this time. 		<h3>Enforcement Priorities</h3> <ul style="list-style-type: none"> Australia wants to ensure that any changes to the competitive landscape during the COVID-19 pandemic are temporary The South African Commission and the Tribunal continue to prioritize COVID-19 matters (in particular, complaints that relate to the excessive pricing of the specified goods) In Mexico, the health industry will be constantly watched by COFECE. In the United States, the DOJ has announced more than 300 COVID-19-related fraud enforcement actions. Greek authorities will focus on hardcore vertical restraints, such as resale price maintenance (“RPM”), setting fixed or minimum resale prices, in view of supply-demand upset caused by the pandemic. In Taiwan, cartel and misleading advertising are enforcement priorities now. 	 <h3>Other Considerations</h3> <ul style="list-style-type: none"> Switzerland - On May 20, 2020 and June 29, 2020 respectively, the Competition Commission published its reports on the admissibility of the state aid, which the Federal Government intended to grant to the airlines SWISS and Edelweiss as well as to SR Technics Switzerland AG. While the support provided to the airlines was found to be in line with the air transport agreement between the EU and Switzerland, the aid to SR Technics was considered incompatible with this agreement. Argentina - In order to prevent beef cattle prices increases, the government issued a price information system for the meat value chain and ordered the CNDC to initiate a market investigation to find out if that increases are the result of illegal practices. The Dubai Economy launched a ‘Price Monitor’ portal to track daily prices of staple foods and essentials. Portugal - Following the fine imposed to Hospital Particular do Algarve for gun-jumping and given that the company is from the health sector, the AdC has accepted the payment of the fine in several instalments to avoid any impact on the provision of the company’s services. Canada - On April 29, 2020, the Bureau issued a Position Statement in connection with American Iron & Metal Company Inc. This transaction is a reminder that the Bureau is open to considering failing firm claims in appropriate cases. In Indonesia, the KPPU has commenced investigative proceedings on distribution activities in the cement industry in South Kalimantan following allegations of predatory pricing.
	<h3>Price Gouging</h3> <ul style="list-style-type: none"> The EU Commission informed manufacturers that they can set maximum prices for their products (thus limiting the possibility for price gouging within the distribution chain). In South Africa, to date, 35 firms have entered into settlement agreements with the Commission for alleged COVID-19 excessive pricing, and 2 others have been prosecuted and found guilty. Brazil - CADE started a preliminary probe on March 18, 2020, aiming to investigate potentially abusive price increases in some medical and pharmaceutical segments. The case is still under investigation. The DOJ Hoarding and Price Gouging Task Force has reportedly seized hundreds of thousands of pieces of personal protective equipment that were being hoarded or offered for sale at a significant mark-up and redistributed that equipment to healthcare providers 		<h3>Misleading Advertising</h3> <ul style="list-style-type: none"> Owing to a spread of inaccurate and false news in relation to the COVID-19 outbreak, the Supreme Court of India had directed that only a verified and official version of information is to be published. In Ukraine the AMC opened investigation alleging deceptive practices by local pharma manufacturers and then imposed several fines (around EUR 120,000 in total). In Egypt, penalties are imprisonment for a period between 1-5 years; and subject to a fine, the amount of which is between EGP 10,000 - EGP 100,000. In Colombia, the SIC issued a resolution forbidding retail and e-commerce platforms not to use the terms “Coronavirus”, “COVID” or “COVID-19” in any advertising. Since March, the FTC has initiated at least 6 actions alleging COVID-19-related fraud or deception and has sent hundreds of warning letters regarding COVID-19-related marketing claims. 	