
**A Review and Perspective on the Enforcement of Cartel Regulation
in Taiwan Fair Trade Act**

Yen, Ting-Tung*

Abstract

Cartels waste society's resources and create negative effects on economic efficiency, therefore are deemed the most harmful anti-competitive activities. As such, cartel activity has always been the focal of the regulator's investigation for the last 20 years since the implementation of the Fair Trade Act (FTA). This article reviews the history of the FTA enforcement against cartels, and looks at it from a perspective of the tendency toward effective sanctions. In conclusion, this article provides the following suggestions to the FTC: (1) Revising the legal framework and enforcement rules of the trade association; (2) Enhancing fineness of the investigation and economic analysis on cartel cases; (3) Establishing different types of cartel exemptions and adapting tighter or light-touched regulatory principle accordingly; (4) Reinforcing the illegal cartel sanction system with adaptive enforcement and supporting measure.

Keywords: Cartels, Trade Association, Concerted Action, Circumstantial Evidence, Code of Ethics, Leniency Policy.

