

Analysis and Review of Leniency Policy and Reward Programs

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Abstract

A Cartel (Concerted Action) is prohibited under Article 15 of the Fair Trade Law of Taiwan, R.O.C. On Nov 23, 2011, an amendment to the TFTL introduced a Leniency Policy for enterprises participating in a cartel. On Jan. 6, 2012, the Leniency Policy came into effect. On Oct. 7, 2015, The TFTC (Taiwan Fair Trade Commission) enacted the “Regulations on the Payment of Rewards for the Reporting of Illegal Concerted Actions” pursuant to Art.47-1(4) of the TFTL. These Regulations provide the legal basis for paying rewards to expedite investigations into concerted actions. This paper analyzes and reviews the enforcement of the Leniency Policy and Reward Programs of the TFTC. It also introduces the enforcement of such a Leniency Policy in the U.S., EU and Japan. This paper concludes by suggesting that the TFTC should adopt more measures to enforce the Leniency Policy and Reward Program.

Keywords: Concerted Action, Leniency Policy, Reward Program, Fine, Cartel.