

**Memorandum of Understanding
between the Commissioner of Competition, Competition Bureau
and Transport Canada's Policy Group**

Introduction

The Competition Bureau (the "Bureau") and Transport Canada's Policy Group (the "Participants") wish to acknowledge their important relationship and to recognize the value of cooperation.

The Bureau is an independent law enforcement agency that ensures that Canadian businesses and consumers prosper in a competitive and innovative marketplace. Headed by the Commissioner of Competition, the Bureau is responsible for the administration and enforcement of the *Competition Act*, the *Consumer Packaging and Labelling Act* (except for enforcement as it relates to food), the *Textile Labelling Act* and the *Precious Metals Marking Act*.

Transport Canada's Policy Group develops, recommends and coordinates modal and multi-modal policies. Headed by the Assistant Deputy Minister, Policy, the group offers policy advice, analysis and data on transportation issues, system performance and stakeholder positions, focusing on efficiency, competitiveness, safety and security, environmental sustainability, and inter-modal integration.

Understanding

The Participants establish this Memorandum of Understanding ("MOU") to enhance their mutual interests and to develop a framework for cooperation. To achieve the purpose of this MOU, each Participant will endeavour to promote the benefits of, and encourage cooperation with, the other Participant.

The Participants will endeavour to cooperate and coordinate their activities, subject to their discretion and respective confidentiality obligations, as well as applicable laws and policies. This cooperation and coordination could include, but is not limited to, the following:

- a) Collaborating on an ongoing basis in areas of mutual interest to the Participants;
- b) Exchanging information in areas of mutual interest, such as:
 - i. policy and investigatory approaches and best practices, with regard to competition and related developments in transportation;
 - ii. market monitoring activities and other market developments of relevance to both Participants;
 - iii. the assessment of mergers, acquisitions, and joint ventures in the transport sector, under the *Canada Transportation Act* or the *Competition Act*, including exchanging information on the timing and other procedural information regarding such assessments; and
- c) Meeting semi-annually to discuss the items enumerated above and to explore further opportunities for cooperation and collaboration.

Data-Sharing

Requests from one Participant to another for data provided by a third party will be considered on a case-by-case basis, in the context of the provisions of any relevant legislation regarding the collection and dissemination of such data; and the confidentiality of such data, as well as the context within which the data were provided in the first place. Where third-party data are shared, the Participants may seek permission from the third party before sharing such information and will first agree on the conditions under which this information will be used and must be protected.

Points of contact

The Bureau may direct notifications and requests for information about:

- a) The air transportation sector to:

Director General
Air Policy Directorate
Policy Group

- b) The marine transportation sector to:

Director General
Marine Policy Directorate
Policy Group

- c) The rail and road transportation sectors to:

Director General
Surface Transportation Policy Directorate
Policy Group

Transport Canada may direct notifications and requests for information about:

- d) Mergers and/or monopolistic practices to:

Senior Deputy Commissioner
Mergers and Monopolistic Practices Branch

- e) Cartels and/or deceptive marketing practices to:

Senior Deputy Commissioner
Cartels and Deceptive Marketing Practices Branch

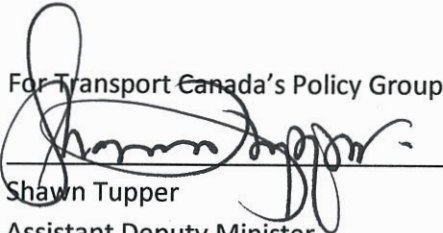
- f) Competition advocacy and/or policy matters to:

Deputy Commissioner
Competition Promotion Branch

Entry into effect and termination

This MOU will come into effect on the date of final signature by the Participants. This MOU may be amended upon the mutual written consent of the Participants. Each Participant may terminate this MOU by providing written notice to the other Participant at least thirty (30) days in advance.

For Transport Canada's Policy Group


Shawn Tupper

Assistant Deputy Minister

Policy

Transport Canada

Date

JUN 13 2016

For the Competition Bureau


Vicky Eatrides

Deputy Commissioner

Competition Promotion Branch

Competition Bureau Canada

Date

May 25, 2016