

THE FUNCTIONING AND IMPORTANCE OF THE PERFORMANCE OF THE BRAZILIAN COMPETITION DEFENSE AUTHORITY/CADE

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ABSTRACT: The law that regulates the defense of competition is extremely important for the economy of countries and especially for the different markets, economic agents and consumers, as it acts strongly preventively in the analysis of acts of concentration and repressively in anti-competitive conduct and abusive actions by economic agents. Through the actions of the Administrative Council for Economic Defense/CADE, Competition Law plays an essential role in guaranteeing and observing the constitutional principles of free competition and free enterprise, in the search for full employment and the economic well-being of consumers. Compliance with Competition Law, and the adequate performance of CADE, acting effectively in the repression of anti-competitive conduct and in the prevention of abusive concentrations, guarantees and provides a healthy competitive environment, so that the more competitive it is, the greater the incentives for economic agents to invest in technology and innovation, improving the quality of products/services offered, in addition to reducing prices and increasing of purchasing/choice options for consumers. In this sense, it is important that the competent authorities enable and guarantee means for CADE to act effectively and continuously, always observing the principles of impartiality and technical capacity.

1. Constitutional Principles of Antitrust

The principles related to Competition Law are nothing more than instruments to guarantee a greater and broader good, that is, ensuring a dignified existence for everyone, in accordance with the dictates of social justice.¹

In other words, considering that the Competition Defense Law No. 12,529/11 presents the collective as the holder of rights, it makes constitutional sense that the main purpose in this case is the search for the dignity of the human person for the entire collective.

In the same sense, explains Prof. Ricardo Sayeg and Thiago Matsushita: “And from this end it follows that the economic order is not for the protection of either the public or the private, but for the protection of “everyone”, which also means the population, as a consequence, the collective, hence, once again expressing its three-dimensionality; and, this under the regency, again, not only of the public, nor only of the private, but, yes, of social justice, and again referring the fair to “all”, that is, also to the collective and, therefore, in a three-dimensional spectrum. Hence, it can be seen that the economic order, that is, economic law, as, for example, in Brazil, does not belong to private law, nor to public law; and yes, to collective law, but it encompasses the previous ones, expanding the ancient Roman dichotomy that there are only two legal dimensions and, furthermore, condensing its three

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¹ FORGIONI, Paula A. The foundations of antitrust. São Paulo: Editora Revista dos Tribunais, 2015. p. 186 and 187.

dimensions.”²

1.1. Free Initiative

The principle of free enterprise encompasses and is intended to guarantee the following economic freedoms: (a) freedom of investment or access, that is, economic agents are free to choose the economic activity that is most attractive to them, (b) economic agents exercise full freedom in the development of their enterprise, being able to determine their prices, volumes, quantities and qualities of the product/service offered, (c) freedom of contracting and negotiation freedom and (d) free competition.

It is worth noting that, despite the Constitution providing for broad freedom for agents in their economic activities, the State has the power/duty to participate, in order to guarantee the maintenance of a competitively healthy economic environment.

Thus, always with the objective of preserving and guaranteeing constitutional economic principles, the State can and must act efficiently. This State participation, if carried out in a reasonable, proportional and appropriate manner, instead of limiting the initiative of economic agents, will preserve it, generating greater economic well-being for the entire market and end consumers.

1.2. Free competition

The principle of free competition is set out in the 1988 Federal Constitution, specifically in the chapter dedicated to the General Principles of Economic Activity (articles 170 et seq. of the Federal Constitution).

Free competition is one of the basic principles of the Federal Constitution and determines the repression of abuse of economic power that aims to eliminate competition, dominate markets and arbitrarily increase profits.

Section IV of art. 170 of the 1988 Federal Constitution deals with the principle of free competition, which is based on the assumption that competition cannot be restricted or subverted by economic agents with market power. In this sense, it is the State's duty to ensure that organizations with market power do not abuse this power in a way that harms free competition.

Thus, the economic agent is free to invest and work in whatever field of activity he or she desires, as long as legal impediments and necessary requirements are observed.

Lafayette Josué Petter presents an excellent explanation regarding the principle of free competition: “Free competition has the meaning of free play of market forces in the dispute for customers. From a framework of legal-formal equality, the market is contested, with each economic agent taking the share due to him according to the merits he presented.”³

Despite freedom being the rule, it is important to note that free competition, as well

² SAYEG, Ricardo Hasson; MATSUSHITA, Thiago Lopes. Brazilian Economic Law as Law Accessed on 09.08.2023. Human Tridimensional. Available at: http://www.publicadireito.com.br/conpedi/manaus/arquivos/anais/salvador/ricardo_hasson_sayeg.pdf. Access in 09.08.2023.

³ PETTER, Lafayette Josué. Constitutional principles of the economic order: the meaning of the scope of art. 170 of the Federal Constitution. São Paulo: Editora Revista dos Tribunais, 2005.p. 221.

as other constitutional principles, are not absolute, so that in exceptional situations, in order to guarantee the interests of the community, economic agents may suffer from the State intervention, whenever any offense or restrictions to economic constitutional precepts and damage to the market are verified.

The principle of free competition presents as its objective a competitively healthy environment, in which all economic agents have the same chances and opportunities to enter the market and subsequently remain and develop. Thus, free competition does not support abuses, privileges or the exclusive possession of resources, so that all economic agents are horizontally on the same level of competition (“the same level playing field”).

2. Brazilian Competition Defense System

Competition Defense Law No. 12,529/11 restructured the Brazilian Competition Defense System (SBDC), defining its member bodies and their competencies within the context of competition defense.

As provided for in Law No. 12,529/11, the SBDC is formed by the Administrative Council for Economic Defense - CADE and the Economic Monitoring Secretariat of the Ministry of Finance - SEAE.

With regard to SEAE's role in the scope of competition defense, its activities are defined as “competition advocacy”, and present a more discreet participation in relation to CADE's actions. In this sense, SEAE presents as competencies the participation in the drafting of competition legislation, proposing, giving opinions and reviewing laws, decrees, regulations, with the aim of supporting the decisions of government bodies.

CADE is a judicial entity with jurisdiction throughout the national territory, which is a federal agency, linked to the Ministry of Justice and is made up of the following bodies: Administrative Court for Economic Defense; General Superintendence; and Department of Economic Studies.

2.1. Administrative Court for Economic Defense

The Administrative Court is a judicial body and has as members a President and six Counselors chosen from among citizens over 30 (thirty) years of age, with renowned legal or economic knowledge and an unblemished reputation, appointed by the President of the Republic, after approval by the Federal Senate.

The term of office for the President and Councilors is 4 (four) years, reappointment is prohibited. It is worth mentioning that the positions of President and Advisor are exclusively dedicated.⁷

Article 9 of Law No. 12,529/11 lists the powers of the Court's Plenary, following some of its duties: ensuring compliance with the Competition Defense Law No. 12,529/11 and its regulations and CADE's Internal Regulations; decide on the existence of a violation of the economic order and apply the appropriate penalties provided for by law; approve the terms of the commitment to cease practice and the concentration control agreement, as well as order the General Superintendence to monitor their compliance; evaluate administrative processes of acts of economic concentration, establishing, when deemed convenient and opportune, agreements in control of acts of concentration; request information from any

people, bodies, authorities and public or private entities, respecting and maintaining legal secrecy when applicable, as well as determining the steps necessary to carry out their functions, among others.

It is worth mentioning that for the Court to take decisions it is necessary to observe a minimum quorum: minimum presence of 4 (four) members, with a minimum deliberation quorum of 3 (three) members, with decisions being taken by the majority.

Law No. 12,529/11 also provides for the specific powers of the President of CADE and the Advisors. In relation to the President of CADE, it is worth mentioning the following competencies: legally representing CADE in Brazil or abroad, in court or out of court; preside, with voting rights, including voting rights at Plenary meetings; order the expenses related to CADE, except for the expenses of the management unit of the General Superintendency; sign contracts and agreements with national bodies or entities and submit, in advance, to the Minister of State for Justice those that must be signed with foreign or international bodies; determine to the Federal Attorney's Office at CADE the legal measures determined by the Court; among other skills.

As regards the powers of the Counsellors: casting a vote on processes and issues submitted to the Court; request information and documents from any people, bodies, authorities and public or private entities, to be kept under legal secrecy, when applicable, as well as determine the necessary steps; adopt preventive measures, setting the value of the daily fine for non-compliance; request the Federal Attorney's Office at CADE and/or the Federal Public Ministry to issue a legal opinion in the processes in which they are rapporteurs, in a reasoned order; order the Chief Economist to prepare opinions in the processes in which they are rapporteurs, without prejudice to the normal course of the process and without such determination implying the suspension of the analysis period or prejudice to the normal course of the process; among others.

2.2. General Superintendence of CADE

CADE's General Superintendence is made up of 1 (one) General Superintendent and 2 (two) Deputy Superintendents.

As with the members of the CADE Court, the General Superintendent will be chosen from among citizens over 30 (thirty) years of age, with notable legal or economic knowledge and an unblemished reputation, appointed by the President of the Republic, after approval by the Federal Senate.

The term of office of the General Superintendent will be 2 (two) years, with exclusive dedication, with reappointment permitted for a single subsequent period.

Regarding their duties, article 13 of Law No. 12,529/11 mentions: ensuring compliance with the Competition Defense Law, monitoring and monitoring market practices and the activities and commercial practices of individuals or legal entities that hold a dominant position in relevant market for goods or services, to prevent infractions of the economic order, being able to request the necessary information and documents, maintaining legal secrecy, when applicable; decide that the evidence is insubstantial, archiving the records of the administrative investigation or its preparatory procedure; initiate and instruct administrative proceedings for the imposition of administrative sanctions for infractions of the economic order, procedure for investigating acts of concentration, administrative

proceedings for analyzing acts of economic concentration and administrative proceedings for imposing incidental procedural sanctions instituted for the prevention, investigation or repression of violations of the economic order; request the Judiciary, through the Federal Attorney's Office at Cade, for a search and seizure warrant for objects, papers of any nature, as well as commercial books, computers and magnetic files belonging to a company or individual, propose a term of commitment to cease practice due to violation of the economic order, submitting it to the Court for approval, and monitoring compliance; among other expected duties.

2.3. Department of Economic Studies

The Department of Economic Studies is headed by a Chief Economist, who is responsible for preparing economic studies and opinions, ex officio or at the request of the Plenary, the President, the Reporting Advisor or the General Superintendent.

The Chief Economist is appointed, jointly by the General Superintendent and the President of the Court, from Brazilians with an unblemished reputation and notorious economic knowledge.

The Chief Economist does not have the right to vote and may participate in Court meetings.

Although the Chief Economist does not have the right to vote, the President of CADE and the Advisors often base their understanding on documents and opinions prepared by the Department of Economic Studies, taking into account the notorious economic knowledge of the materials and technicality.

2.4. CADE Attorney General's Office and the Federal Public Ministry

It is also worth mentioning the work of the CADE Attorney General's Office and the Federal Public Ministry and their essential roles in the defense of competition.

The Attorney General's Office works with CADE mainly in the sense of: (a) representing it in court and extrajudicially, (b) promoting the execution of CADE's convictions; (c) issue whenever requested a legal opinion in CADE processes. The Prosecutor's Office is represented by the Chief Prosecutor, who is also appointed by the President of the Republic, after approval by the Federal Senate, and must be over 30 (thirty) years of age, with notable legal knowledge and an unblemished reputation. The Chief Prosecutor also does not have the right to vote, as provided in article 15 of Law No. 12,529/11.

The performance of the Federal Public Ministry is also uniquely requested by the SBDC, mainly with regard to issuing opinions in administrative processes to impose administrative sanctions for infractions of the order economic, ex officio or at the request of the Reporting Counselor. Thus, a member of the Federal Public Ministry will be designated by the Attorney General of the Republic for this capacity (art. 20 of Law no. 12,529/11).

3. CADE's main functions

CADE has three main functions, namely: preventive, repressive and educational.

The preventive function refers mainly to acts of concentrations that can significantly alter the functioning of the market, potentially generating concentrations that are harmful to the market. CADE's actions involve approval, non-approval or even approval of operations with the imposition of restrictions, in order to avoid possible losses to the economy.

In other words, CADE analyzes and subsequently decides on mergers, acquisitions of control, incorporations and other acts of economic concentration between large companies that could put free competition at risk with effects in Brazil.

This function was accentuated with the entry into force of Law No. 12,529/11, which presents, among its main changes, the prior analysis of acts of concentration. In this sense, unlike what occurred under Law No. 8,884/94, where CADE's analysis was carried out after the consummation of the operation, with the new law in force, before the consummation of the merger, CADE's approval is required, under penalty of nullity of the transaction, imposition of a fine and even the possibility of opening administrative proceedings against the companies involved.

The repressive function mainly concerns conduct that violates the economic order with effects in Brazil, such as combating cartels and other illicit conduct. In this case, it is up to CADE to investigate, throughout the national territory, and subsequently judge cartels and other conduct harmful to free competition.

Finally, the educational function is to disseminate a culture of competition, in order to inform, teach and instruct economic agents about conduct that violates the economic order and acts of concentration, in addition to encouraging academic studies on the defense of competition.

Still for educational purposes, CADE is responsible for encouraging and stimulating studies and academic research on the topic, establishing partnerships with universities, research institutes, associations and government bodies.

Ainda para fins educativos, cabe ao CADE, incentivar e estimular estudos e pesquisas acadêmicas sobre o tema, firmar parcerias com universidades, institutos de pesquisa, associações e órgãos do governo.

4. Anti-competitive conduct

Anti-competitive conduct is considered by CADE to be any practice adopted by an economic agent that may, even potentially, cause damage to free competition, even if the offender did not intend to harm the market.

There are several types of conduct that may result in violation of the Competition Law, which may occur collectively or individually: cartel; international cartel; bidding cartel; influence of uniform conduct; predatory pricing; fixing resale prices; territorial and customer base restrictions; exclusivity agreements; tied sale; abuse of dominant position; refusal to hire; sham Litigation; create difficulties for the competitor, among others.

Cartel conduct is the most famous among anti-competitive conduct. A cartel is defined as “any agreement or concerted practice between competitors to fix prices, divide markets, establish quotas or restrict production, adopt pre-arranged positions in public bidding, or which has as its object any competitively sensitive variable. Cartels, as they imply price increases and supply restrictions and no compensatory economic benefit, cause serious harm to

consumers by making goods and services completely inaccessible to some and unnecessarily expensive for others”.⁴

The cartel is considered the most serious form of damage to competition, as it seriously harms consumers by increasing prices and restricting supply, making goods and services more expensive or unavailable.

Market power in itself is not considered illegal, but when a company or group of companies abuses this power by adopting conduct that violates free competition, the practice constitutes an abuse of economic power. This abuse is not limited to a restricted set of specific practices, since the analysis of the possibility of a conduct causing harm to competition is complex and there are many factors analyzed in order to characterize a certain practice as abuse.

Nelson Nazar defines the abuse of economic power as “conduct that is harmful to the market, resulting from an agreement between companies, which act in collusion, preventing, falsifying or limiting competition, thus making competition unfeasible; they are restrictive practices, and there are also monopolistic practices consisting of the abusive exploitation of a dominant position in the market or a substantial part of it.”⁵

Therefore, the legislation is broad, allowing Cade to act to repress conduct that, after investigation, may be characterized as damaging to competition.

Any acts, regardless of fault, that aim to artificially alter the relationship of free competition in the market, that is, any act that aims to disrupt the balance of the market order, will be considered anti-competitive and subject to punishment.

The results of the conduct do not matter much, since the possibility of harming the market is enough to justify conviction. In other words, Roberto Domingos Taufick explains that it is not necessary to verify cause and effect, but rather purpose, that is, “we are talking about a desired or expected effect, but not necessarily possible to achieve.”⁶

In the case of legal entities, the fine can vary between 0.1% (one tenth percent) to 20% (twenty percent) of the company's gross revenue, and in the case of a fine for individuals considered as administrators, it can vary between 1% (one percent) and 20% (twenty percent) of that applied to the company.

Furthermore, in accordance with article 38 of Law No. 12,529/11, other sanctions may be applied, including: (a) publication, on half a page and at the expense of the offender, in the newspaper indicated in the decision extract of the sentencing decision; (b) prohibition of contracting with official financial institutions and participating in bidding for acquisitions, disposals, execution of works and services, concession of public services, in the federal, state, municipal and Federal District public administration, as well as in entities of the indirect administration, for a period of no less than 5 (five) years; (c) registration of the offender in the National Consumer Protection Register; (d) recommendation to other public bodies competent authorities so that the offender is not granted payment in installments of federal taxes owed by him or that tax incentives or public subsidies are cancelled, in full or in part, the company's split, transfer of corporate control, sale of assets or even the partial cessation of the activity ,

⁴ CADE booklet. Available at: <https://cdn.cade.gov.br/Portal/aceso-a-informacao/perguntas-frequentes/cartilha-do-cade.pdf>. Accessed on 07/25/23. Page 14.

⁵ NAZAR, Nelson. *Economic Law*. São Paulo: Edipro, 2014. p. 102.

⁶ TAUFICK, Roberto Domingos. *New Brazilian Antitrust Law – Law 12,529/11 Commented and Prior Analysis in Competition Law*. Rio de Janeiro: Forensic; São Paulo: Method, 2012. p. 150.

the prohibition of carrying out trade in one's own name or as a representative of a legal entity, for a period of up to 5 (five) years, a compulsory license for an intellectual property right held by the offender is granted, when the infringement is related to the use of that right .

It should be noted that this is not an exhaustive list, considering that any other measures, not listed in Law No. 12,521/11, can be adopted by the Brazilian antitrust authority, as long as they are necessary to eliminate harmful effects on the economic order.

5. Concentration Acts

According to article 90 of Law 12,529/2011, concentration acts are the mergers of two or more previously independent companies; the acquisition of control or parts of one or more companies by others; the incorporation of one or more companies by others; or, even, the conclusion of an associative contract, consortium or joint venture between two or more companies. Only consortiums or associations intended for tenders promoted by direct and indirect public administration and the contracts arising there from are not considered acts of concentration, for legal purposes.

A merger occurs when two or more independent economic agents form a new economic agent, ceasing to exist as distinct legal entities.

Incorporation occurs when one or more economic agents incorporate, totally or partially, other economic agents within the same legal entity, in which the incorporated agent disappears as a legal entity, but the acquirer maintains the legal identity prior to the operation.

Acquisition occurs when an economic agent acquires control or a substantial portion of the equity interest of another economic agent

Finally, a Joint Venture is the association between two or more economic agents to create a new economic agent, without the extinction of the agents that gave rise to it. It may aim to research and develop new products and services, operating in a new market distinct from the individual markets of each company, or even participating in the same relevant market as economic agents, among others.⁷

Regarding the topic of concentration, it is important to know how to distinguish between horizontal and vertical concentration. Horizontal concentration occurs in operations that involve different economic agents that offer substitute products or services for each other. Vertical concentration occurs when the operation involves different economic agents that offer products or services belonging to different stages of the same production chain.

In Inter-ministerial Ordinance 994, of May 30, 2012, there is a provision that acts of concentration, in any sector of the economy, in which at least one of the groups involved in the operation has registered annual gross revenue or volume of total business in Brazil, in the year prior to the operation, equivalent to or greater than R\$750 million, and at least one other group involved in the operation has recorded annual gross revenue or total business volume in Brazil, in the year prior to the operation, equivalent or more than R\$75 million.

It is worth emphasizing that economic agents must submit concentration operations to CADE in advance, that is, before their consummation, CADE will be responsible for

⁷ <https://www.gov.br/cade/pt-br/aceso-a-informacao/perguntas-frequentes/perguntas-sobre-atos-de-concentracao-economica#:~:text=De%20acordo%20com%20o%20artigo.a%20celebra%C3%A7%C3%A3o%20de%20contrato%20associativo%2C>

analyzing the operation and deciding whether to grant, reject or impose behavioral and/or structural remedies so that the operation be consummated. Meanwhile, all conditions of competition must remain the same.

5.1. Gun Jumping

Gun Jumping is provided for in article 88, §3 of Law 12,529/11 and is configured when the consummation of a concentration operation that qualifies as mandatory for analysis by CADE, prior to approval by the antitrust authority, is verified.

Once gun jumping is configured, the economic agents involved may suffer various sanctions such as: possible declaration of nullity of the operation, imposition of a pecuniary fine in amounts ranging between R\$60 thousand and R\$60 million – depending on the economic condition of those involved, intent, bad faith and the anti-competitive potential of the operation, among others – and the possibility of opening administrative proceedings against the parties involved.

6. The Leniency Agreement

According to the CADE Leniency Program Guide, CADE's Antitrust Leniency Program (Leniency Program) is a set of initiatives that aim to detect, investigate and punish infractions against the economic order.

In this sense, the Leniency Program benefits companies and/or individuals involved or who have been involved in a cartel or other collective anti-competitive conduct, as long as they undertake to cease the illegal conduct, to report and confess their participation in the illicit, and for in order to cooperate with investigations.

The benefits extend to the administrative and criminal spheres. At the administrative level, the signatory of the leniency agreement may benefit from either the extinction of the public administration's punitive action, or the reduction of one to two thirds of the applicable administrative penalties.

With regard to the criminal sphere, the Leniency agreement may determine the suspension of the statute of limitations, in addition to preventing the filing of a complaint in relation to the agent who enters into the leniency agreement, in relation to crimes against the economic order, provided for in Law No. 8,137/1990, and other conduct directly related to cartel practice, such as those typified in General Bidding Law No. 14,133/2021 and in article 288 of the Penal Code (criminal association). Once the leniency agreement has been complied with, the punishment for the aforementioned crimes is automatically extinguished.

Article 86 of Law No. 12,529/2011 lists the necessary requirements for the economic agent to benefit from the Leniency Agreement: I. the company is the first to qualify with respect to the infraction reported or under investigation; II. the company and/or individual ceases its participation in the reported infraction or under investigation; III. at the time of proposing the agreement, the General Superintendence did not have sufficient evidence to ensure the conviction of the company and/or the individual; IV. the company and/or individual confesses their participation in the illicit act; V. the company and/or individual cooperates fully and permanently with the investigation and the Administrative Process, attending, at its own expense, whenever requested, all procedural acts, until the final decision on the reported

infraction issued by CADE; and VI. cooperation results in the identification of others involved in the infraction and the obtaining of information and documents that prove the infraction reported or under investigation.

7. Cessation Commitment Term

According to CADE's TCC Guide, the TCC is a type of agreement signed between CADE and companies and/or individuals investigated for violations of the economic order based on which the antitrust authority agrees to suspend the continuation of investigations in relation to the TCC Committee(s) while the terms of the commitment are being complied with, while the Commitment(s) commit(s) to the obligations expressly provided for by him/her.

Collaboration is one of the essential requirements for concluding the TCC Agreement. It is worth mentioning that the greater the degree of collaboration with the antitrust authority, the greater the discount applied to pay the monetary contribution. There are several ways to contribute in this case: identification of others involved in the infraction; obtaining information and documents that prove the infraction.

Another factor that will affect the signing of the agreement and also the calculation of the monetary contribution at CADE will be the moment of collaboration. The sooner the economic agent proposes the execution of the TCC, the more advantageous it will be for CADE in relation to procedural costs, greater capacity to assist in the investigation and indication of better paths of investigation.

In this sense, if the TCC is during the procedural investigation, the pecuniary contribution is calculated based on the expected fine, which applies:

- i. a reduction of 30% to 50% for the first proponent;
- ii. a reduction of 25% to 40% for the second bidder;
- iii. a reduction of up to 25% for other bidders;

However, if the TCC is proposed after the case is sent to the CADE Court, the pecuniary contribution is calculated based on the expected fine, which is subject to a reduction of up to 15%.

It is important to mention that, unlike the Leniency Agreement, the TCC does not generate benefits in the criminal field.

CONCLUSION

In view of the above, it is possible to verify that Brazil has a robust Competition Defense system, with efficient and sufficient constitutional and infra-constitutional provisions and conditions to well defend competition.

CADE always seeks to observe international recommendations and guidelines in order to always improve and develop its operations, whether through international cooperation, the exchange of experiences and best practices with foreign Competition Defense authorities or even participating in international discussions organized by ICN, OECD, UNCTAD, among others.

CADE in the international context was the winner of the Antitrust Compliance Awards, promoted by the French magazine *Concurrences*, and classified as a finalist in the GCR Awards, by the British magazine *Global Competition Review*. For the ninth consecutive year,

Cade was elected by GCR as one of the best antitrust agencies in the world, in addition to being awarded, twice in a row, as one of the most incredible places to work in Brazil, according to the Fundação Instituto Administração, in the FIA/UOL award.⁸

In view of the above, despite all the country's difficulties, the Competition Defense body in Brazil is extremely important for the country's economy and is fully capable of carrying out its role with excellence and efficiency, equaling foreign competition authorities.

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⁸ CADE. Communication Plan 2022. Available at: <https://cdn.cade.gov.br/Portal/centrais-de-conteudo/publicacoes/plano-de-comunicacao/Plano-de-Comunicacao-2022.pdf>. Accessed on 08 November 2023.