

# Achievements 2021

## Competition Enforcement

A total of more than **€138 million fines in 9 sanctioning decisions. Issued 6 statements of objections**, including hub-and-spoke, cartels and gun-jumping cases, in sectors such as health, telecommunications, large retail distribution and environment.

### Investigation and sanctioning of anticompetitive practices

- **9 sanctioning decisions:**

- Modelo Continente, Pingo Doce, Auchan Retail, ITMP Alimentar, Super Bock and two individuals for **hub-and-spoke**, with a fine of €92.9 million.
- Bimbo Donuts, Modelo Continente and Pingo Doce for **hub-and-spoke**, with a fine of €24.7 million.
- Auchan, E. Leclerc, Intermarché, Modelo Continente, Pingo Doce, a supplier and retailer of alcoholic drinks and two managers for **hub-and-spoke**, with a fine of €17.2 million.
- National Association of Land Surveyors (ANT, in Portuguese) sanctioned with €50,000 for restricting competition in the market of **land surveying services**, by **fixing prices** for these services.
- Natus Medical Incorporated fined with €100,000 for restricting competition in the distribution of **essential medical devices** in the Portuguese market.
- Blueotter and EGEO sanctioned with a fine of € 2.9 million for implementing a **non-compete agreement** in the market for the provision of services to **waste management** systems in Portugal.
- 3 sanctioning decisions for **gun-jumping** were issued, leading to total fines of €395,000 imposed to Fidelidade – Sociedade Gestora de Organismos de Investimento Coletivo, S.A., SFI Group Gestión de Participaciones Minoritarias and AOC Health GmbH.

- **6 statements of objections:**

- In **health**, five private hospitals and their business association for anticompetitive agreement.
- In **security and surveillance services**, seven companies for taking part in a cartel in public tenders.
- In the **labor market**, for a no-poach agreement involving the Portuguese Professional Football League and 31 sports companies.
- In the **large retail distribution**, four supermarket chains and a supplier of food, home and personal care products for hub-and-spoke.

- In **telecommunications**, four companies for anticompetitive behavior.
- In health, **Santa Casa da Misericórdia**, for gun-jumping.
- **557 complaints** received and handled.
- **5 unannounced inspections** to 10 premises and 20 entities.
- **Launch of the new electronic platform for antitrust cases (STEP).**

## Merger Control

- **59 merger decisions.**
- **3 sanctioning decisions** for gun-jumping or mergers not notified to the AdC
- **4 investigations** for gun-jumping.
- **18 prior assessment procedures.**
- **Simplified merger notification forms.**

## Competition Advocacy

Over **35 sector inquiries and opinions** on a wide range of sectors, of which:

- Best practices in awarding **public transport service** contracts.
- Sector inquiry and monitoring of recommendations for the **FinTech sector**.
- Comments to the Portuguese central bank's draft **Banking Code**.
- Report on competition on **hemodialysis care provision** in Portugal.
- Competition principles for the implementation of the **economic recovery strategy**.
- AdC comments to Draft Law on the creation of the possibility of setting maximum marketing margins for **simple fuels and LPG in bottles**.
- Report and Best Practice Guide on **anticompetitive agreements in labor markets**.
- Call for information on **Digital ecosystems, Big Data and algorithms**.
- Opinions on amendments to the Competition Act and draft bill transposing the ECN+ Directive.

## AdC Strategy for Public Procurement and Labor Markets

- **Combatting Bid-Rigging** outreach initiative aims to **raise awareness of the signs of collusion** in public procurement and promote more competition-friendly tender design with over **3200 participants** since 2016, focusing on sectors with large volumes of public procurement and municipalities (Lisbon, Porto, Funchal, Ponta Delgada).
- Launch of advocacy initiative regarding the **AdC's Best Practices in preventing Anticompetitive Agreements in Labor Markets**.

## Communication & Outreach

- Launch of AdC's **new visual identity and website** (October 2021).
- **AdC Competition Policy Award** for academic research, in 2021, in Competition Law. Granted to the article "Shifting the Digital Paradigm: Towards a Sui Generis Competition Policy", by Oles Andriychuk.
- **Open webinar and podcast series *CompCast – Competition Talks*** on competition law and economics. In 2021: Patrick Rey, Christos Genakos, William E. Kovacic, Tommaso Valletti, Oles Andriychuk, Alison Jones, Giorgio Monti).
- **AdC News**: monthly newsletter in Portuguese and in English.

## Main international activity

- **European Competition Day 2021** organized by the AdC, in the context of the Portuguese Presidency of the **Council of the EU**, in Lisbon in June 2021.
- **2021 ICN Cartel Workshop** (Lisbon, 17-19 November).
- Portuguese and Spanish Competition Authorities carried out **simultaneous unannounced inspections** at companies providing commercial and financial information services on businesses for possible anti-competitive behavior in Portugal and Spain (June 2021).
- **7<sup>th</sup> Meeting of the Lusophone Competition Network** (September 2021), with the participation of 8 countries (Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, São Tomé and Príncipe, and East Timor).
- Organization of the **Ibero-American Forum on Competition** (September 2021), together with the Spanish CNMC, alongside the OECD-IDB Latin American and Caribbean Competition Forum.
- **1<sup>st</sup> bilateral meeting with UOKiK** (Polish Competition Authority) (October 2021).