



**AUTORIDADE DA  
CONCORRÊNCIA**

# **The European Competition Network (ECN)**

**Lisbon, 28 November 2013**

# The ECN

- **Members:**
  - DG Competition, European Commission (EC)
  - National Competition Authorities of the 28 Member States (NCAs)
- Context of its establishment: **Decentralization of the implementation of European Competition Rules:** Council Regulation 1/2003
- **Practical Consequences of decentralization: Articles 101 and 102 TFEU**
  - Implemented by **28 NCAs and EC**
  - Includes **29 distinct procedural systems** (principle of procedural autonomy)
  - Covers a total of **24 official languages**
- *“The network is a forum for discussion and cooperation in the application and enforcement of EC competition policy. It provides a framework for the cooperation of European competition authorities in cases where Articles 81 and 82 of the Treaty are applied and is the basis for the creation and maintenance of a common competition culture in Europe.”*

v. Commission Notice on cooperation within the Network of Competition Authorities

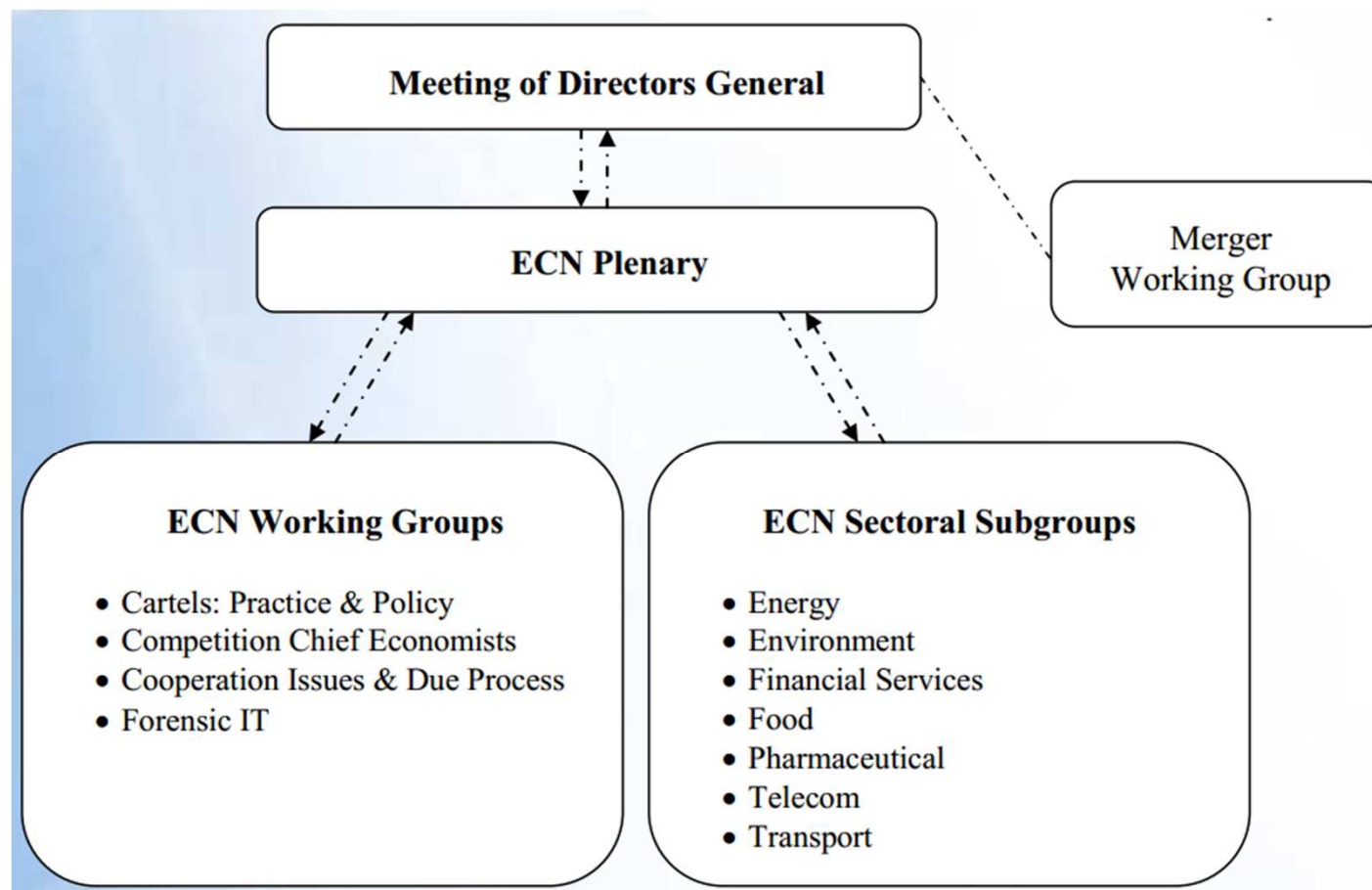
# Legal basis

- Recital 15 of Regulation 1/2003  
*“The Commission and the competition authorities of the Member States should form together a network of public authorities applying the Community competition rules in close cooperation. For that purpose it is necessary to set up arrangements for information and consultation. Further modalities for the cooperation within the network will be laid down and revised by the Commission, in close cooperation with the Member States.”*
- Joint Statement of the Council and the Commission on the functioning of the network of Competition Authorities
- Commission Notice on cooperation within the Network of Competition Authorities

# Cooperation

- Mechanisms of cooperation (Regulation 1/2003)
  - Exchange of information and evidence
  - Inspections and other fact-finding measures by an NCA on behalf and for the account of another NCA
  - Inspections by an NCA on behalf of EC
  - Cooperation with National Courts

# Structure



*ECN Brief Special Issue December 2010*

# ECN work products

- Model Leniency Program
- Report on the ECN activities in the food sector (24 May 2012)
- Report on decision-making powers (November 2012)
- Report on investigative powers (November 2012)
- Resolutions of Heads of European Competition Authorities
- ECN Brief

# Model Leniency Program

- From 2006 and revised in 2012
- Main features of 2012 review:
  - Summary applications by all applicants
  - Standard template for summary applications
  - List of national authorities which accept summary applications in English
- Portuguese leniency program is convergent with MLP

# Reports on decision-making and investigative powers

- Published November 2012
- Overview of enforcement procedures in ECN
- Identifies areas of convergence and divergence across the ECN



# Resolutions of Heads of European Competition Authorities

- The reform of the Common Agricultural Policy (21 December 2012)
- Protection of leniency material in the context of civil damages actions (23 May 2012)
- Competition authorities in the European Union – the continued need for effective institutions (16 November 2010)
- The recommendation of the High Level Group on Milk aimed at improving the bargaining power of dairy farms (17 November 2010)

# ECN Brief

- Newsletter of the ECN
- 20 editions
- 5 editions/year (special editions)

<http://ec.europa.eu/competition/ecn/brief/index.html>

Thank you

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