Modernisation of Competition Law Regime

Amendments to the Act on Competition and Consumer Protection (16 February 2007) entered into force on 18 January 2015 as well as a set of three regulations to guide the implementation of the new provisions. They concern the leniency programme, the notification and submission of documents and the calculation of undertakings’ turnovers within the framework of the merger control procedure.

The first regulation addresses the procedural aspects of UOKiK’s leniency programme, namely the submission of leniency applications by natural persons. The amendment of the Act on Competition and Consumer Protection provides for the possibility to impose fines on natural persons (e.g. company managers) while at the same time allowing them to benefit from the leniency programme. The regulation determines how they should proceed if they wish to benefit from the programme.

The new legislation establishes a two-stage merger control procedure which requires that the rules governing the notification of concentrations be modified. In this context, provisions regulating the notification include some necessary adjustments, such as e.g. an updated list of the information and documents required to notify a concentration. The last regulation concerns the method used to calculate the turnover of undertakings for the purpose of notifying the concentration to UOKiK.

See press release (in Polish)

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Categories:
Legislation and Policy
Tags:
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