

Recent legislative developments in the Czech Republic

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Overview

- Introduction: Competition enforcement challenges
- **2012** – Last amendment to the Act on Protection of Competition
- **2013** – Experience with enforcement and Soft law
- **2014** – Current preparations

Enforcement challenges and reasons behind the amendment

- 2010: New Criminal Code
 - Criminal liability for cartel behavior
 - Threat of (up to) 8 years of imprisonment
- Decreasing number of leniency applications
- Unclear settlement practice

2012

Last amendment to the Act on Protection of Competition

- **Surveillance** over (anti)competitive behavior of public administration bodies
 - Possibility to impose a fine
 - Pressure to solve the problem
- **Leniency**
 - Integration into the Competition Act
 - Immunity from a criminal prosecution
 - Leniency application outside the administrative file

2012

Last amendment to the Act on Protection of Competition

- **Settlement** procedure
 - Integration into the Competition Act
 - Fixed reduction of the fine 20%
 - Clarification of provisions
- **Alternative solutions** of competition problems
 - Commitments, no declaration of illegality
- **Prioritisation**
- Dawn raids, Sanctions, Information requests

2013

Experience with enforcement & Soft law

- Discussions
 - Prioritization
 - Control of public administration bodies
- Guidelines
 - Leniency
 - Settlements
 - Alternative solutions of competition problems

2014

Current preparations

- New amendment to the Competition Act
 - Procedural fines
 - Provisions on anticompetitive behavior of public administration entities
 - Compliance with the new Civil Code
- Guidelines, manuals and translations (OECD, ICN)

**Thank you for your
attention**

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