

# Delivering oral statements at DG Competition

## 1. Making appointment with DG Competition

- The hours when meetings are arranged at DG Competition for oral statements are 9:30 till 17:30 (lunch break: 13:00 – 14:00).<sup>1</sup> Your presence outside working hours may be made possible only in exceptional circumstances and subject to prior agreement with the case manager.
- Please give DG Competition sufficient notice (preferably 24 hours in advance) to arrange a meeting. You should provide the names, date of birth, nationality and ID card or passport number and expiry date of the persons who will attend. You should also indicate how long the meeting is likely to last.
- It is important that you arrive on time for your meeting. In order to ensure that DG Competition's administrative resources are used efficiently, you should immediately get in touch with one of the case team assistants if you think that you may be late and therefore need to reschedule your meeting. Please note that it may not always be possible to reschedule the meeting for the same day. For the same reasons, DG Competition can request that the meeting does not extend beyond what would be a reasonable time period based on past experience and the particularities of the statement.
- You are advised to schedule your appointment with DG Competition starting from the morning hours in order to allow yourself enough time for the oral statement process (see section 3).

## 2. During a meeting

- Oral corporate statements should be clear, factual and to the point, with precise and sufficiently detailed information. Description of the alleged cartel can be provided orally, whereas other information such as product and market description, general market information and any publicly available information must be submitted in writing.
- Whilst key quotes from pre-existing documents/annexes can be included in the oral corporate statement, you are requested not to include extensive citations of sections of pre-existing documents/annexes.
- Oral corporate statements cannot contain any business secrets or other confidential information as defined in the Access to File Notice.<sup>2</sup>

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<sup>1</sup> DG Competition works Monday to Friday subject to the list of public holidays for the institutions of the European Union. Please check this list before contacting DG Competition at:

[http://ec.europa.eu/competition/antitrust/information\\_en.html](http://ec.europa.eu/competition/antitrust/information_en.html)

Our premises are located at Place Madou, Madouplein 1, 1210 Saint-Josse-ten-Noode /Sint-Joost-ten-Node Belgium

<sup>2</sup> [Commission Notice on the rules for access to the Commission file](#) in cases pursuant to Articles 81 and 82 of the EC Treaty [now Articles 101 and 102 TFEU], Articles 53, 54 and 57 of the EEA Agreement and Council Regulation (EC) No 139/2004, OJ C 325, 22.12.2005, p. 7 ('Access to File Notice'). See also Article 15(3) of

- Oral corporate statements cannot be used for submitting translations of any pre-existing documents supplied by the applicant. Any such translations must be provided in writing.
- If you submit annexes with your oral statement, please ensure that they are all provided (also) in electronic format (CD-ROM; DVD). All electronic annexes should be either unprotected or access passwords must be provided to the case team and should be OCR searchable.
- Please make sure that all of your annexes are clearly numbered (Annex 1, Annex 2 etc.) and that you quote such numbering when you refer to the annexes in your statement.
- Any annex to an oral statement should only be provided once.
- If these instructions are not respected, DG Competition may ask you to withdraw that version of the statement and/or to resubmit your statement in a manner that complies with these instructions.
- Please note that DG Competition will not provide copies of any documents, including the recordings and/or transcripts of previous oral statements. Before arriving to your meeting, you must ensure that you have prepared all the material which you wish to provide to the Commission.
- Oral corporate statements are recorded on DG Competition's recorders. Instructions on their use will be made available to you on your arrival at our premises.

### **3. Accuracy of audio files and transcripts of oral statement**

- The applicant has an obligation to check the technical accuracy of the audio recording and to check the accuracy of the Commission transcript against the audio recording within a given time limit. Non-compliance with this requirement may lead to the loss of any beneficial treatment under the Leniency Notice.
- Should it not be feasible to proceed with these steps on the day of the recording and you need to make an appointment for another day, please inform DG Competition which recording(s) are concerned so that the relevant files can be retrieved from the case library ahead of the meeting and made available to you on the spot.
- Any corrections to a Commission transcript (other than amendments to ensure accuracy with a recording) will need to be made as separate audio files which (along with the corresponding transcript) will also need to be checked by the applicant for accuracy.

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[Regulation \(EC\) No 773/2004](#) of 7 April 2004 relating to the conduct of proceedings by the Commission pursuant to Articles 81 and 82 of the EC Treaty [now Articles 101 and 102 TFEU], OJ L 123, 27.4.2004, p. 18.

Thank you for your cooperation!