

• Portugal: The Competition Authority publishes Guidelines on Handling of Antitrust Proceedings

In March 2013, the Portuguese Competition Authority (PCA) published its first ever Guidelines on the handling of antitrust proceedings (Guidelines), which are applicable to procedures under national and EU competition rules.

The Guidelines were approved pursuant to Article 25(7) of the new Competition Act (Law No. 19/2012, of 8 May 2012: see ECN Brief 2/2012), and following a public consultation which occurred between July and September 2012. They draw on the experience of the PCA in enforcing the previous Competition Act and incorporate amendments introduced by the new Competition Act. In drafting those guidelines, the PCA also took into account the European Commission's Notice on best practices for the conduct of proceedings concerning Articles 101 and 102 TFEU.

The Guidelines aim to clarify how the PCA acts when investigating and handling antitrust procedures under the new Competition Act, thus ensuring more transparency and predictability. They also aim to promote and facilitate cooperation with parties involved in case proceedings and, consequently, increase efficiency in the assessment of antitrust infringements.

The Guidelines include information on the most important steps of the procedure, from the initiation of proceedings to the final decision, including investigative measures, the statement of objections and the exercise of rights of defence, commitments and settlements. Issues related to access to file and the publication of decisions are also dealt with in the text.

For further information on the Authority's website: