Competition Law

Business & Management

The conduct that is prohibited outright, and the conduct that is assessed.

Prohibited agreements

- Price fixing
- Market sharing
- Bid rigging
- Output limitation
- Information sharing on future pricing
- Illegal by object — no effect needed

Abuse of dominance

- Predatory pricing
- Refusal to supply
- Tying and bundling
- Excessive pricing
- Being dominant is legal
- Abusing that position is not

THE DIFFERENCE THAT MATTERS

Penalties are typically a percentage of global turnover, and individuals can face personal liability including imprisonment.

Educational reference. Leniency programmes give the first cartel member to report substantial immunity — which is why cartels collapse.