

# V4 Competition Conference

## Slovak experience in competition advocacy

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# Advocacy = indispensable part of the activities of the AMO

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- Antimonopoly Office of the Slovak Republic – over 20yrs of its existence
- the competition law as such does not have long tradition
- After 1989 the market economy and its principles started to be build
- The role of the AMO in the beginning of this process - mainly in advocating for competition principles and reduction of barriers for the operation in the market, comments in the process of the draft legislation, concepts and strategies

# Advocacy = indispensable part of the activities of the AMO after 20yrs

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- Legislative process
- Individual discussions and dialogue with ministries
- Sector inquiries
- Building a competition culture
  - Workshops, seminars
  - Cooperation with universities (lectures at universities, interns/stagiers at AMO)
  - Publishing competition newsletter
  - Raising awareness about specific competition infringements – targeted at bid rigging in public procurement)

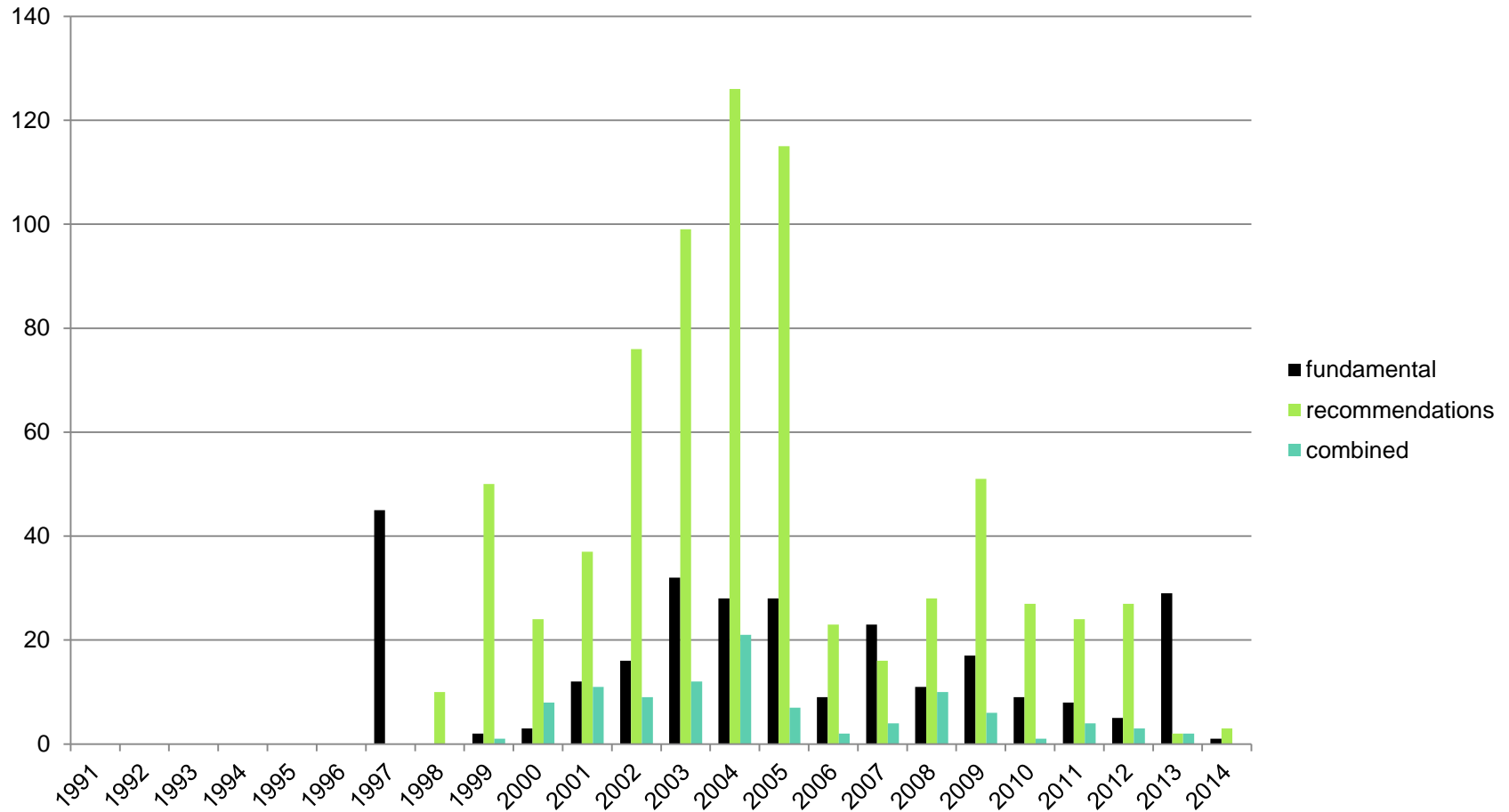
# Activities with regard to draft legislation

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- “Interdepartmental comment procedure“
- Competition Impact Assessment (CIA) is not obligatory part of the draft legislation impact assessment (effect on business, employment, social effects, effects on environment, information society)
- Every draft legislation, concept, strategy is part of the comment procedure – open process at the official website (15 working days/10 working days)
- Approval of the Government – the material shouldn’t be subject to any disagreements between the ministries, or bodies that are the part of the comment procedure
- Parliament

# Activities with regard to draft legislation

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# Activities with regard to draft legislation

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- For over 20 years, around 300 fundamental comments
- Most significant
  - Associations of undertakings, Bars – extension of the reservation of certain activities only for certain professions (e.g. contracts on immovable), barriers for entry, compulsory membership, numerus clausus for notaries
  - Privatisation process, long term contracts
  - regulation where the regulated activities were not clearly separated from non-regulated ones (e.g. infrastructure management in railway sector)
  - Changes in legislation with regard to electro waste
  - Extension of price regulation (2008/2009)
  - Transparency issues and information asymmetry (financial sector)
  - Act on retail chains
- Positive feedback from stakeholders on this type of activities of the AMO

# Other advocacy activities

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- Workshops on bid rigging for public procurers (started in 2010)
- AMO reports about its activities to the Government
- Sector inquiries, market studies, e.g.
  - SI in financial sector - tying of bank products
  - gas (2009)
  - central heating system (2013)

# Cooperation with sector specific regulators

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- **Office for Public Procurement** – AMO has been discussing the legislation of public procurement, cooperation in disclosing bid rigging, trainings. Memorandum on Cooperation
- **Telecommunications Office**– AMO commented the definitions of relevant markets. Memorandum on Cooperation
- **Postal Regulatory Office** – cooperation in setting the regulatory framework.
- **Regulatory Office for Network Industries** - cooperation in setting the regulatory framework
- **Railway Regulatory Authority** – consultations on draft sector analysis prepared by AMO in the area of cargo railway transport



# SI on central heating

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- number of repeating complaints pointing out alleged infringement of competition rules and systemic deficiencies in heating sector
- Consumers want to have alternative to the central heating system (not necessarily environmental friendly one)
- The study was discussed with the representatives of institutions involved in heating supply – Ministry of Economy, the national regulator, the Slovak innovative and energetic agency, the Association of municipalities of Slovakia, Slovak alliance of heat producers, the Association of guilds of flat owners at the workshop
- positive feedback
- Also the example of the calculation of the costs and room for possible legislative improvements

# Thank you for your attention!

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