

The GVH has initiated a proceeding for a suspected cartel

On 11 April 2016 the Hungarian Competition Authority (Gazdasági Versenyhivatal – GVH) initiated a competition supervision proceeding against several undertakings (Siemens Healthcare Kft., GE Hungary Ipari és Kereskedelmi Kft., PHILIPS Magyarország Kft., Variotrade Kft., HOGE Orvosi Műszer Kft., Premier G. Med Kft., Med&Trade Co. Bt., INNOMED MEDICAL Orvostechnikai Fejlesztő és Gyártó Zrt., Getronics Magyarország Informatikai és Kommunikációs Megoldások és Szolgáltatások Kft., PASCAL TEAM Kereskedelmi és Mérnöki Szolgáltató Kft., Silver Wood - IT Kereskedelmi és Szolgáltató Kft., MEDIMAT Kereskedelmi és Szolgáltató Kft., MEDI-CONT Kereskedelmi és Szolgáltató Kft., VMD Kórház Technológiai Zrt., Novelmedix Zrt., Artmed Kft., Euromedic Technology Kft., EUROMEDIC DENT Kft., Medirex Zrt., Mediszer Kórháztechnika és Kereskedelmi Kft. and Chemium Kereskedelmi, Szolgáltató és Gyártó Kft.). At the same time the GVH held unannounced raids at the premises of the undertakings.

The GVH noticed that since 2015, the undertakings under investigation have been presumably negotiating and sharing information with each other about the tender of identification number KEOP-5.6.0/E/15-2015 for “Supporting the procurement of health equipment aimed at saving energy” which was issued for the public procurement of diagnostic imaging equipment. The communications that took place between the undertakings were aimed at co-ordinating the undertakings’ conduct as tenderers in the public procurement, in particular in relation to deciding on the winning undertakings and the submitted prices on the tender.

By their conduct the undertakings have presumably violated the provisions of the Hungarian Competition Act and the Treaty on the Functioning of the European Union with regard to the prohibition of restrictive agreements.

According to the Hungarian Competition Act, the GVH may hold unannounced inspections on the premises of undertakings. The provisions of the Act require the GVH to obtain prior judicial consent before holding the inspections.

The initiation of the competition supervision proceeding does not mean that the undertakings in question have actually committed an infringement. The proceeding seeks to clarify the facts and to prove that the presumed infringement has been committed. According to the Act these proceedings must be closed within 6 months, however, this time limit can be extended two times by a further 6 months, depending on the complexity of the case.

Case number: **Vj/19/2016.**

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Hungarian Competition Authority

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