



**HELLENIC REPUBLIC
COMPETITION COMMISSION**

Athens, 17 January 2011

PRESS RELEASE

Infringement of Articles 1 L. 703/1977 and 101 of the Treaty for the Functioning of the European Union (“TFEU”) and imposition of a fine on the Technical Chamber of Greece (“TEE”) for adopting a “minimum cost for construction projects”, thus, having the object and the effect to increase minimum fees for architects and engineers.

The Hellenic Competition Commission (“HCC”) adopted an infringement decision against the Technical Chamber of Greece (“TEE”) for violation of Articles 1 L. 703/1977 and 101 of the Treaty for the Functioning of the European Union (“TFEU”). In particular, TEE, which is an “association of undertakings” in the sense of the competition provisions, through decisions of its governing bodies, substituted the role of the State, without having any regulatory power, by adopting a “minimum cost for construction projects”, which is used for the calculation of architects’ and engineers’ fees. In that context, TEE’s conduct aimed at and resulted in raising minimum fees for the latter. Such actions constitute very serious infringements of the competition rules in the market for services offered by architects and engineers for private projects and in this case the HCC imposed on TEE a fine of 60,000 euros.

The HCC has also imposed on TEE:

- a) to cease the infringing behaviour and to refrain in the future from adopting decisions which directly or indirectly pertain to the fixing and increase of architects’ and engineers’ fees;
- b) to modify its electronic system, which is used for the calculation of architects’ and engineers’ fees, consistently with the letter and spirit of the HCC Decision, so that the system accepts requests for the calculation of fees, independently of the amount of the declared cost per square meter;
- c) to inform its members and the public about the HCC Decision with a publication in its Bulletin and a release in its website, after notifying the relevant text to the HCC.

The remedies under b) and c) above must be put in effect by TEE within a transitory period of sixty (60) days. The HCC has also threatened TEE with a daily penalty payment of 10,000 euros in case of non-compliance.

The HCC notes that the amount of the fine that was imposed in the present case does not exclude imposing higher fines in the future in order to punish violations of the competition rules by associations of liberal professionals.