

NEWSLETTER

HELLENIC COMPETITION COMMISSION

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Introduction

The purpose of the newsletter is to provide information to the public on issues related to:

- the activities of the HCC in the current period in relation to its strategic goals;
- the cooperation of the HCC with other independent authorities and bodies;
- the organisation, administration and internal activities of the HCC;
- the international activity of the HCC.



Ioannis Lianos,
President of the HCC



Activities of the HCC

During this first transitional period, the new leadership of the Hellenic Competition Commission aimed at completing, to the maximum extent possible, all or a substantial number of pending cases that slow down the Commission's work and prevent us from focusing on cases that are significantly affecting consumers and the real economy.

The Commission seeks to speed up the completion of important cases which are already at an advanced stage of procedures, opinion issuing, as well as the completion of the sector inquiry on supermarkets.

Although the issue had already been of particular concern to the Commission in the past, there had never been a comprehensive plan and institutional reorganisation to effectively deal with it. To that end, we immediately set up a task force consisting of 15 case handlers who, after having been relieved from any other tasks and under the supervision of 9 Heads of Unit and 3 Directors, should complete a large number of pending cases requiring a special effort in a record time.

In addition, we have asked all directorates to prioritise older cases in order to complete them by the end of the year. Our goal for the Commission is to have completed at least 85% of the older cases by January 2020, which should subsequently allow the freeing-up of human resources and their shifting towards the real modern economy. The activity of the task force will be pursued during the coming year until all cases that have been pending for a long time before the Commission have been completed.

It should be noted that although there were 85 pending cases in April 2019, **only** four of these cases were nearing completion at the end of August 2019. In addition, the Commission has taken initiatives to launch new cases and investigation measures.

The Commission has also included among its priority actions the examination of cases (initiated by ex-officio investigations and complaints) that fall within the strategic goals put forward by the HCC President during his hearing before the Special Permanent Committee on Institutions and Transparency of the Greek Parliament on the 27th of August 2019.

A special reference was then made to the banking transactions and payment systems sector. Furthermore, the necessary groundwork is already underway for envisaged sector inquiries launching in January 2020, specifically on e-commerce and fintech.





Unannounced inspections of the Hellenic Competition Commission in the banking sector

On 7 and November, the HCC carried out its most extended inspection so far (in terms of personnel involved and number of inspection sites) in the banking sector.

The HCC officials carried out a number of well-planned, consecutive dawn raids, acting ex officio and following relevant complaints, at the premises of undertakings and associations of undertakings active in the banking sector.

These inspections were specifically triggered by the HCC's concerns that the undertakings were possibly involved in anti-competitive or restrictive exclusionary practices in banking and payment services.

The new leadership of the Commission considered that the collection of questionnaire replies that had been strategically opted for when the ex officio investigation was launched in June 2019, was rather ineffective and apparently without any deterrent effect.

[For more information, visit the HCC website](#)

Control of concentrations between undertakings

The HCC approved five (5) mergers in the period from October to November, deciding that the notified transactions did not raise serious doubts as to their compatibility with competition rules in the relevant markets concerned by the concentrations, as follows:

- Olympia Group Ltd/Media Saturn Electronics Hellas Commercial and Holding S.A. and Media-Saturn Griechenland Beteiligungen GmbH
- Public Power Corporation Renewables SA (PPC Renewables SA - PPC Group) & Volterra SA J&P AVAX Group) / Volterra Likovouni Sole SA(SPV) and VOLTERRA K-R Sole SA (SPV)
- GML Interactive Limited/ OPAP & Deep Investments Ltd &Padian Ltd
- Mediterranean Paper SA/HARTEL Trading and Industrial Co, SA
- Opel Hellas SA/Syngelidis Group



The HCC held also a meeting to assess the effectiveness of the commitments imposed in the DELTA Food Products SA/MEVGAL SA merger, concerning guaranteed minimum price for cow milk producers, as well as the general competitive conditions in the market . .

Finally, the HCC will meet to examine the compliance of Attica SA with the commitments related to ferry routes following the acquisition by Attica SA of sole control over Hellenic Seaways.



Publication of previous HCC decisions

Electrical installation and certification services

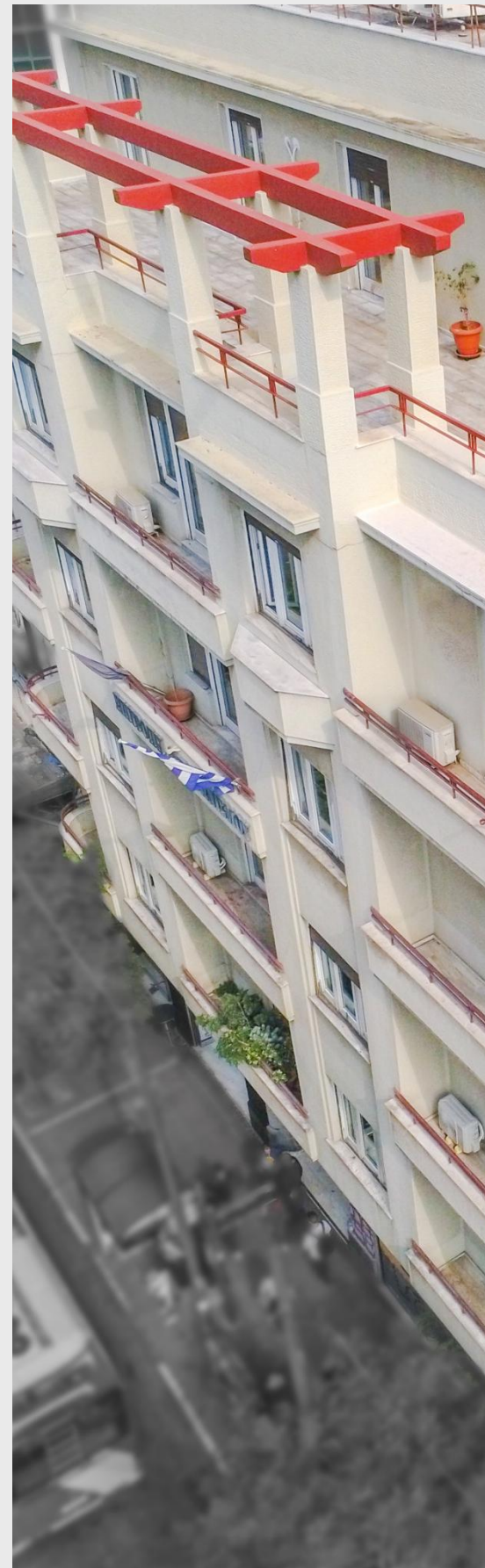
Two (2) HCC Decisions has been published with regard to the sector of Electrical Installation and Certification Services. The first, Decision No 670/2018, adopted under the simplified settlement procedure, found that the Federation of the Associations of Electricians (POSEH) and eleven (11) Associations of Electricians in Greece and four of their respective Funds/Civil law partnerships that joined the above procedure, infringed national and EU rules, by entering into horizontal agreements setting minimum or fixed fees in the sector of Electrical Installation and Certification Services. Fines totalling 145,010.96€ as well as other penalties were imposed on the offenders.

Decision No 675/2018 found that the Association of Electrical Contractors of Attica (SEHEA), which did not follow the settlement procedure, included anti-competitive provisions in its Statute, concerning the adoption of uniform pricelists for the provision of electrical installation and certification services, in breach of national rules. According to the Decision, the Commission addressed recommendations to the SEHEA on pain of a fine.

Interim measures decision with regard to the bauxite production and trading market

In addition, the Decision on imposing interim measures against ELMIN Bauxite SA (690/2019), active in the bauxite production and trading market, was published, after an ex officio investigation which followed a related request submitted by Mytilineos SA. The HCC unanimously decided the adoption of the following interim measures:

1. ELMIN Bauxite SA is compelled to supply immediately Mytilineos SA with the quantities of standard-quality bauxite required for the year 2019 under the specific conditions laid down in the decision.
2. ELMIN Bauxite SA is required to open negotiations with Mytilineos SA with a view to concluding a bauxite supply agreement, under the specific conditions laid down in the decision.
3. In the event of failure to comply, the decision threatens ELMIN Bauxite SA with a fine of eight thousand Euros (€8.000) for each day of non-compliance.





Cooperation

Cooperation with Consumer Associations

We have opened processes of cooperation with the European Consumer Organisation (BEUC) and consumer associations in Greece, believing that such cooperation will benefit consumers and build a competition culture in Greece.

On October 25th 2019, the HCC and the Consumer Associations, EKPIZO, INKA and KEPKA signed three (3) bilateral Memoranda of Cooperation with a view to setting a framework for communication and promoting cooperation between the parties to optimise consumer information. The memoranda cover, inter alia, the exchange of information and the implementation of actions in areas of common interest.

The HCC intends to organise seminars (also in cooperation with BEUC) to enhance the involvement of consumer associations in the application of competition law.

The first seminar is scheduled for February 2020. In addition, on the basis of the updated Competition Commission's prioritisation system decided in November 2019, emphasis is placed on investigating cases brought to the attention of the HCC by Consumer Associations with which it has signed Memoranda of Cooperation.

Creating an ecosystem of cooperation

One of the Commission's strategic goals is to create an ecosystem for cooperation with institutions and civil society in order to effectively promote competition culture and the prevention of anticompetitive practices. In that context, a meeting was held with the representatives of the Hellenic Federation of Enterprises (SEV) in October and the Thessaloniki Chamber of Commerce and Industry in November.



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Cooperation with other independent authorities

Our purpose is to build an ecosystem for cooperation with other independent authorities and public bodies with a view to improving the effectiveness of our work and maximising its deterrent effect.

On 9 October 2019, the HCC signed a Memorandum of Cooperation with EAADHSY, which identifies a field of joint actions and activities, such as creation of joint working groups and publication of guidelines on issues of common interest.

On 7 November 2019, a meeting was held between the Presidents of the Hellenic Statistical Authority (ELSTAT) and the Hellenic Competition Commission, at which it was decided to take further steps to strengthen bilateral cooperation, notably regarding the collection of data of potential interest to the HCC.

A cooperation meeting was also held with the Ministry of Digital Governance.

In the coming period, meetings will also be held with representatives of the Bank of Greece, the Hellenic Telecommunications and Post Commission (EETT) and the Regulatory Authority for Energy (RAE).





Goal setting

Identification of the HCC's strategic goals

The agenda of the Commission's plenary meetings in December also includes a discussion on HCC's strategic goals for 2020. These goals will be addressed and decided by the Commission's plenary board.

The strategic goals will be used as guidance for the Directorate-General's priorities. Coupled with the new point-system of case prioritization, strategic goal-setting will increase transparency in the Commission's policy concerning competition law enforcement, while maximizing the effectiveness of its limited human resources.

In the future, the strategic goals of the HCC will be set after a thorough mapping of the various markets (using indicators such as concentration levels, profit margins, ownership, etc.), which will be introduced for the first time in Greece. This process, planned to be put in place next year, will be based on a comprehensive economic mapping (evidence-based policy-making) with a view to enabling us to intervene where our efforts would be expected to bring about maximum positive effects on consumers and the economy.

Public consultation on point-system criteria

The HCC concluded a public consultation on the setting of point-system criteria, which are to ready for publication. Their adoption will allow the completion of a number of pending cases in accordance with the procedures of article 37 L. 3959/2011.





HCC News and Updates

During his first weeks in office, the President of the Hellenic Competition Commission held meetings and discussions with all departments and staff members, Commissioners-Rapporteurs and members of the Commission, as well as with Staff Unions in order to receive information on the HCC's activities and current problems.

He also held meetings and discussed the issue of internal organisation of the HCC with a large number of colleagues from Competition Authorities of other countries, the European Commission, former HCC officials, etc.

During the last two months, new groups were set up at the President's Office, namely the **International** group with a coordinating role for international matters, that were previously largely dispersed among different directorates, which resulted in the ineffective participation of the HCC in particularly important international fora, the **Research & Development (R&D)** group that will coordinate the HCC's research efforts and, in particular, a new programme of parallel exercise for research purposes.

The HCC has also promoted a trainee programme by publishing a vacancy notice for 10 traineeship positions, 8 of which have been filled by lawyers and economists, and has republished a vacancy notice for 2 IT traineeship positions.

The Authority plans to relaunch this programme to promote the training of new colleagues in the professions involved in competition law enforcement.

Personnel-Administration Discussion on the new structure of the HCC

Extensive discussions took place between personnel and administration on the new structure of the HCC.

The new leadership's purpose is to create a more flexible structure - as is the case in most Competition Authorities- that favors close cooperation between law experts and economists as well as personnel in other specialised fields (e.g. business experts, data scientists). Such a structure would allow the HCC to focus on specific economic sectors and make use of the whole toolbox available (sector inquiries included).

The new structure will also include the creation of a special Forensic-IT and Cartel Detection unit (an outcome of the HCC's digital evolution programme elaborated by its new leadership), the post of Chief Economist (to promote the financial planning of the HCC's work) and the post of Chief Technology Officer (to promote Big Data and Algorithmic Tools in competition law enforcement).

We intend for the new HCC structure to be operational from the first quarter of 2020, following extensive dialogue with its staff (during a series of meetings and brainstorming sessions held in November and December 2019).



Various groups have also been formed to implement **ad hoc projects**, such as the Organisation and Regulation for the Internal Operation and Management group, the Procedures Code group, the Code of Ethics and Cybersecurity group, the Code of Conduct in the Workplace group, some of which have already completed their work and others are due to complete it by February 2020.

The new Organisation and Regulation for the Internal Operation Management are to be reformed in order to improve effectiveness of the Commission's work and the quality of our decisions, avoid overlapping competencies and excessive bureaucracy, simplify and standardise procedures, enhance flexibility of our organisation, thus ensuring that we are ready to cope with the challenges generated by the ongoing changes in our economy in the digital age and increase cooperation with the European Commission and other National Competition Authorities.

Our intention is that any envisaged changes should first be discussed with stakeholders, whose opinions may be a valuable source of information on the impact of our procedures on the market and the economy.

In particular, a public consultation is planned (by means of a questionnaire) with regard to the reshaping of HCC procedures and the publication, for the first time, of a detailed Procedures Code to inform the public of the procedures followed and their procedural rights.

ASANA Project Management Software

ASANA Project Management Software will become operational at the HCC in December.

This software, presented to the Commission's Board and the Directors, will help us to better coordinate and monitor our work. Each employee and Board member will have his own ASANA account where all his projects and tasks will be listed, together with clear project timelines.





Internal Training Programme

An internal training programme has been designed and already put in place in 2019 and its continuation is also planned for 2020. Our purpose is to ensure an enhanced staff training, in particular on new technologies supporting competition law enforcement.

The programme is open to the HCC's staff members.

[For more information, visit the HCC website](#)

Speakers	Date and Time	Θέμα
Stefanos Charaktiniotis Lecturer at the University of the Aegean; Dr.iur. at Trier University of Germany	21 October 2019	The developments in case-law in the post-Intel era
Nikos Vettas Director General of IOBE; Professor at the Athens University of Economics and Business	13 November 2019	Structure of the Greek Economy and competition policy in the digital age.
Konstantinos Stylianou Assistant Professor, University of Leeds	14 November 2019	Application of Competition Law to Cryptocurrency and Blockchain Markets
Bill Kovacic Non-executive Director, UK Competition and Markets Authority; Professor Kings College London, Professor George Washington University; Former chairman, US Federal Trade Commission	22 November 2019	Competition Law: NewChallenges
Christos Genakos Assistant Professor, Athens University of Economics and Business and at Judge Business School, University of Cambridge	25 November 2019	Competition and Pass Through
Mihaly Fazekas Assistant Professor of Public Administration, Central European University	28 November 2019	Data Science for Competition Enforcement: A Primer
Peter Davis & Can Celiktemur Peter Davis - Professor at Imperial College London, Senior Vice President at Cornerstone Research; Can Celiktemur, Senior Manager at Cornerstone Research	2-3 December 2019	Advances in econometrics and Quantitative Approaches in Competition Law Enforcement: a state of play
Frederic Jenny Professor of Economics at ESSEC Business School, Chairman of the OECD Competition Committee	12 December 2019	Competition Law: New Development
Patrick Rey Professor of Economics at the University of Toulouse, member of the Toulouse School of Economics, research director of the Institut d' Economie Industrielle	13 December 2019	Non-horizontal mergers theories of harm: an economic assessment

Research activities of the HCC

Research & Development Group

Effective competition law enforcement must be based on a thorough investigation of the specificities of Greek markets and be not only "reactive" but also "proactive".

We believe that the HCC should invest in R&D in its areas of interest and publish studies and working papers in order to contribute to the scientific dialogue in Greece and abroad.

In November 2019, an R&D Group was set up at the President's Office.

We seek to create a research culture in the HCC and promote staff research initiatives.

The HCC in the Digital Age

The development of the new HCC portal based on open source CMS software has been designed and implemented internally. The HCC's new Twitter account is used to promote its work and provide more direct information to the public.

The position of HCC's Digital Communications Officer was created at the President's Office to better coordinate the Authority's cyber presence.

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HELLENIC COMPETITION COMMISSION[Who we are](#)[Legislation](#)[Information](#)[Contact](#)

Our People

Staff catalogue of the Hellenic Competition Commission



Latest news.

08-11-2019

Press Release - Unannounced inspections of the Hellenic Competition Commission in the banking sector

Subject: Unannounced inspections of the Hellenic Competition Commission in the banking sector

07-11-2019

Press Release - Clearance of proposed change in the quality of control from sole to joint

07-11-2019

Press Release - Clearance of proposed acquisition



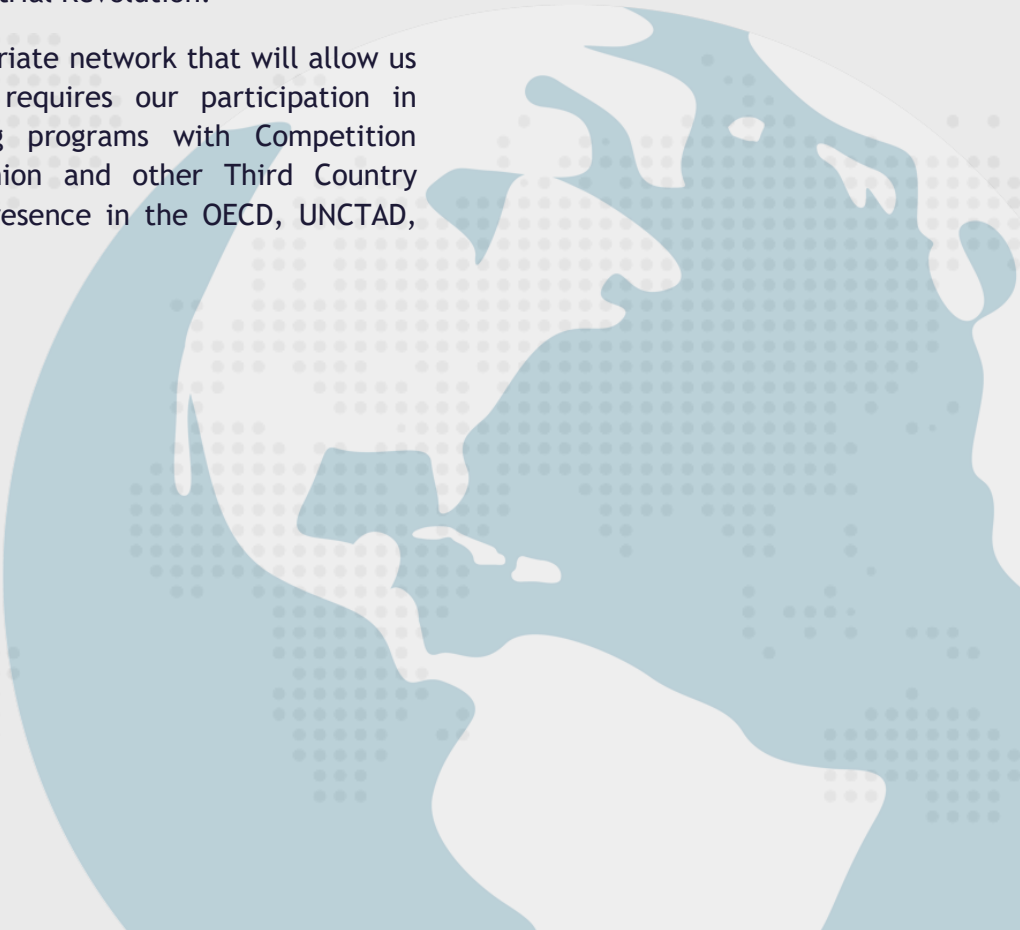
International activity of the HCC

In addition to its traditional relations with the European Commission and the NCAs of other EU countries (especially Cyprus, with which we have already signed a Memorandum of Cooperation) , the HCC will actively pursue cooperation with Competition Authorities of countries not belonging in the EU, especially given the steady globalisation of markets and the development of bilateral economic relations.

In this regard, we have taken initiatives for **bilateral cooperation** with the competition authorities of Israel, United States, China and Russia, while cooperation initiatives with other competition authorities (such as the authorities of the Swiss Federation, Turkey, Serbia, India, BRICS in general, Japan, South Korea and Canada among others) will follow for the exchange of information and cooperation in the transfer of know-how.

We also seek to reinforce our impact at the international level, to influence - aside from our weighting as a small economy - the ongoing global debate on competition policy in the digital economy and the economy of the Fourth Industrial Revolution.

We believe that we have the appropriate network that will allow us to play an important role. This requires our participation in **twinning programs**, joint training programs with Competition Authorities from the European Union and other Third Country authorities as well as our active presence in the OECD, UNCTAD, ICN, BRICS etc.





The new President of the HCC, in addition to his meetings with colleagues from the European Commission and European Union member states, the OECD, etc., has met with the competition authorities of the United States, Israel and Turkey.

With particular regard to **Israel**, we decided to start cooperation and exchange of know-how in matters concerning food markets and important food chains and the digital economy (e-commerce and fintech).

Furthermore, we have taken the initiative to arrange a meeting with the Russian (FAS) and the new Chinese Competition Authority.

The role of the **International Group**, set up at the HCC and directly supervised by the President, is to coordinate the Authority's international activity.

Most of the studies prepared by the R&D group, will be published in English and posted on the respective HCC website; this will help to promote the international image of the HCC.

