



**HELLENIC REPUBLIC  
COMPETITION COMMISSION**

**Athens, 8 January 2021**

**PRESS RELEASE**

**Initiation of the procedure referred to in Article 11 of Law 3959/2011**

**Regulatory intervention in the construction sector**

The Hellenic Competition Commission (HCC), adopted today, 8.1.2021, within the scope of its powers, the decision to initiate the procedure referred to in Article 11 of L. 3959/2011 (regulatory intervention in a sector of the economy). In particular, the HCC decided to initiate this procedure in order to examine the construction industry, focusing on economic activities related to the development of building and infrastructure projects (including concessions), as well as to assess whether conditions of effective competition prevail in the specific industry.

The importance of the construction sector for the Greek economy and the interconnection of the construction activity with other industrial sectors and commercial activities constitute key factors for triggering the HCC's regulatory competence referred to in Article 11 of the Greek Competition Act. In addition, the HCC, in enforcing national and EU competition rules, has systematically dealt with the specific industry, having delivered a series of important decisions over the last four years in the context of examining anti-competitive practices (bid-rigging) adopted by undertakings active in the specific sector. In this decision-making, the HCC took into account the long-standing economic crisis in Greece which affected, inter alia, the construction sector.

In case, in the context of the procedure initiated, an absence of conditions of effective competition is found in the industry under examination, the HCC will make its views public through a public consultation which shall be carried out within 90 days from the initiation of this procedure. The public consultation will last at least thirty (30) days.

Following conclusion of the public consultation and where the HCC finds that there are still no conditions of effective competition in this sector of the economy, it shall announce specific measures deemed absolutely necessary, appropriate and in compliance with the principle of proportionality, aiming at creating conditions of effective

competition. The HCC shall sufficiently and appropriately publicise its views on the measures announced and submit them to public consultation. The public consultation shall last at least thirty (30) days.

After the conclusion of this consultation and in the light of the results thereof, the HCC may, by a decision of an enforceable nature, impose these particular measures which are deemed absolutely necessary, appropriate and in compliance with the principle of proportionality aiming at creating conditions of effective competition. Where the HCC finds that the absence of conditions of effective competition arises, *inter alia*, from legislative and regulatory provisions, it shall deliver an opinion, pursuant to Article 23 of Law 3959/2011, proposing the removal or amendment thereof. The HCC's opinion shall be submitted to the competent Minister and shall be notified to the Minister of Development and Investments.