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### HCC President's Introductory Note

#### *2022 a turning point for national Competition Law.*

The year 2022 marked a turning point for national competition law. First, it is the year in which the Greek Parliament adopted Law 4886/2022 "on the Modernisation of competition law for the digital age" which received cross-party support and entered into force on 24.01.2022. This law includes several provisions of both substantive and procedural dimension, with the reform aiming at enhancing the effectiveness and independence of the Hellenic Competition Commission (HCC), in line with the rules of the European Union and especially Directive 2019/1.

Inter alia, the HCC's toolbox was reinforced, and innovative initiatives were developed.

From all the above, I would like to single out the new provision on **market mapping**, which is now provided for in art. 14(2)(s) of L. 3959/2011 and allows the HCC to assess the conditions of competition in any market or sector of the economy where required for the effective exercise of its powers. The HCC immediately proceeded to use the specific tool by launching the mapping of the Petroleum Industry, following the HCC Plenary Decision of 22.3.2022.

## HCC President's Introductory Note

The creation of the **Sandbox tool**, which was introduced in October 2022, following a public consultation conducted in the summer of 2022, is also the capstone of the HCC's effort to promote the green transition of the Greek economy within the framework of competition rules. The purpose of the tool is to increase legal certainty, in terms of application of competition law, for companies that wish to set green standards for the production of products, services, energy or to proceed with joint investments in the green transition, etc., thus enhancing their development and facilitating capital raising from financial markets. This particular tool now has legislative coverage as, in accordance with the provisions of the new Article 37A of Law 3959/2011 (following amendment by Law 4886/2022), following evaluation of the business proposal, the President of the HCC may issue a no-action letter stating that no action will be taken against a horizontal or vertical agreement for violation of Article 1 of Law 3959/2011 or Article 101 TFEU or against a practice for violation of Article 2 of Law 3959/2011 and Article 102 TFEU.

The Sandbox tool Introduces an innovative form of HCC's action: beyond its repressive role, a positive role of preventing anti-competitive practices and promoting dynamic competition in the Greek economy also emerges. This emerging preventive role leads to the use of new, more flexible, of "programmatic nature" legal instruments, following the principles of regulatory experimentation and responsive competition law enforcement, which complement the traditional legal instruments used by competition authorities, such as infringement, commitment or settlement decisions. Our aim is to contribute, through this tool, to the transition to the so-called "knowledge economy" by creating new green entrepreneurial ecosystems, which will provide enterprises, especially small and medium-sized enterprises (SMEs), with access to the most technologically advanced "green" production practices, thus increasing their productivity and

giving them the opportunity to engage in activities with high added value, designed consistently with the principles of free competition ("competition by design").

**The introduction of a new article 1A** in Law 3959/2011 by virtue of Law 4886/2022 constitutes a further pivotal reform and innovation of Greek competition law. Keeping pace with sophisticated competition-protecting systems, such as, inter alia, Section 5 of the Federal Trade Commission Act (FTC Act) in the U.S.A. (the importance of which was recently recognised by the U.S. Federal Trade Commission (see [here](#)). This provision aims at the optimal implementation of Articles 1 and 2 of Law 3959/2011, regarding two different types of unilateral practices in oligopolistic markets with significant adverse effects on competition.

In particular, the provision focuses on practices of an undertaking aiming at: (a) inviting, coercing, motivating in any way another undertaking to participate in or contribute to a collusion between competitors with the object of preventing, restricting or distorting competition, and (b) communicating (possibly by means of a public announcement) future pricing intentions (price signalling) for its products if it restricts effective competition in the Greek territory, is not an ordinary business practice and serves no other legitimate purpose. In case of an infringement of Article 1A, par. 1 and/or Art 1A, par. 2, the HCC may, inter alia, impose the fines provided for in paragraph 1 of article 25B on the undertakings or associations of undertakings that, intentionally or negligently, committed the infringement.

In the context of stepping up our fight against high prices and inflationary trends, the HCC **published the Guidelines** on the implementation of the new Article 1A of L. 3959/2011 on 26 October 2022 and launched a public consultation on these guidelines, which was complemented by meetings with organisations and representatives of associations of

undertakings and consumer associations, the organisation of an international webinar, as well as a consultation with the European Commission. The final text of the guidelines was published in February 2023 on the HCC's website.

In 2022, the HCC also published a series of Guidelines to increase the deterrent effect of competition law (in particular by strengthening its power to impose deterrent fines for anti-competitive practices), and two Guides, one for associations of undertakings and another for Contracting Authorities, which includes all the necessary information for understanding the legal framework of free competition law, identifying and preventing manipulation/bid-rigging practices in public procurement tenders, as well as sanction issues, while it is also accompanied by annexes including a list of warning signs (checklist) and examples.

Following the success of its whistleblower platform, the HCC has also launched **a new Anonymous Reporting System for Contracting Authorities** ("bid rig alert"). For the first time in its history, the HCC had also launched in 2021 a media information and awareness campaign to promote the anonymous reporting tool and raise public awareness on anti-competitive practices under the title "Stop the cartels anonymously -- Drop the prices", while this awareness campaign continued in 2022 with a new campaign targeted at contracting authorities.

The next reform planned by the Authority's Administration concerns the **internal operation and procedures of the HCC** so that its limited human resources can focus more on ex officio investigations or complaints concerning anti-competitive practices (anti-competitive agreements, abuse of a dominant position) or, in case these resources are not sufficient, focus on Regulatory interventions in sectors of the economy with non-effective competitive conditions, as well as on phase II merger cases which raise serious concerns as

to their compatibility with the requirements of competition rules. The purpose of both the HCC's Directorate-General for Competition (DGC) and the Commission is to increase their effectiveness in dealing with the above cases, so as to limit the time needed for the DGC to complete its investigation as well as the time needed for the Authority to issue its Decisions, which was particularly difficult to achieve in the last year due to the function of the Commission with only two (2) out of the six (6) Commissioners-Rapporteurs stipulated by Law. This particular reform is part of the overall effort being made by the HCC in recent years to complete cases in a relatively short period of time, while ensuring the maximum deterrence effect. Following the significant progress made with the completion of more than 160 backlog cases over the past three years, a simplified merger control procedure in phase I merger cases will provide the HCC with the necessary resources to invest in cases with an even greater effect on consumers and the economy.

Indeed, merger statistics reported and reviewed by the HCC (Const.) show that roughly between 1/2 and 2/3 of its decisions each year concern mergers, and only a small number thereof being mergers that potentially present risks of distortions of competition (phase II merger cases).



Γράφημα 1



Therefore, it is necessary, in terms of making savings, and of course without having any negative impact on the thorough analysis that should be carried out for each concentration, for the HCC to proceed with a further simplification and standardization of the procedure, in case, following an examination, it results that there are no distortions of competition or that sufficient commitments are proposed by the parties to avoid such distortions (phase I merger cases).

The purpose is to strengthen the efficiency of the HCC and the general prevention of anti-competitive practices through a possible partial internal reorganization of the HCC, in order to dedicate a greater part of the staff to the systematic application of competition rules to anti-competitive collusions and abuses of a dominant position.

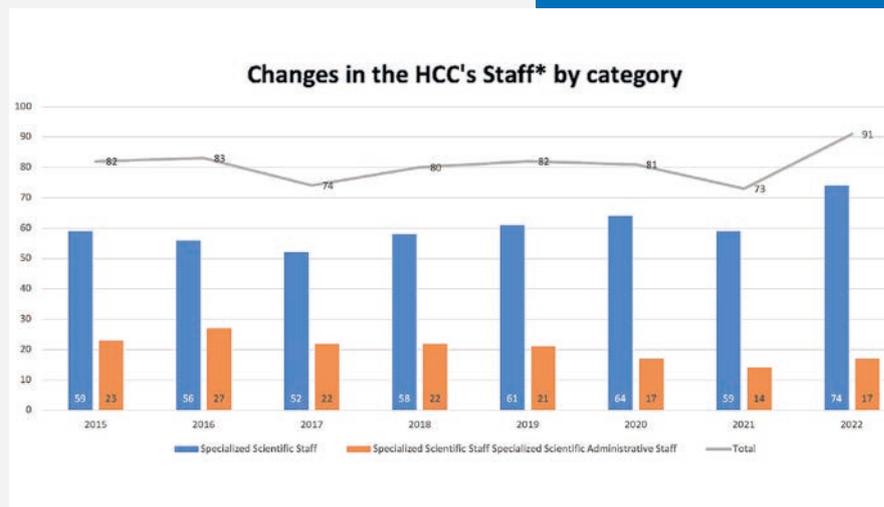
The greater emphasis on anti-competitive practices cases can now also be supported by the gradual increase in the specialised scientific staff of the HCC and the significant progress achieved in reducing the time required for the examination of cases and the average age of the HCC cases

in the last three (3) years, 2020 and 2021.

As a result of the intensive efforts of its administration, the HCC managed to increase its staff in the last quarter of 2022, through mobility in the wider public sector and new recruitments, a systematic effort that has started since 2019 and continues at an irreducible pace due to its increased needs to achieve its strategic goals, and its continuous understaffing (with only 39.5% of statutory staff posts being filled even after the staff increase in 2022).

We look forward to the continuation of the HCC's strengthening by the State both in terms of human and financial/technological resources provided to the Authority, and to a greater flexibility in the selection and recruitment of its staff, through merit-based and, at the same time, faster recruitment procedures, which will take into account the important role of the Authority in market supervision and the particularities of its multidisciplinary organisation.

Γράφημα 2



Vice-President of the HCC  
Attorney-at-law LL.M, MSc (Economics)

## 2. The new Vice President of the HCC

Mrs. Hara Nikolopoulou is a lawyer and has been working at the Directorate General for Competition of the Hellenic Competition Commission since 2011. She was appointed Vice President of the HCC in July 2022.

She has almost 20 years of experience practicing competition law and has handled numerous cartels, abuse of dominance and merger cases in a wide range of industries.

She has served the HCC in various positions of trust, having served as Director, Head of Units in the Legal Services Directorate and responsible for the international relations of the HCC.

Prior to joining the HCC, Hara worked as a competition lawyer at the Hellenic Telecommunications and Post Commission, in the competition practice group of law firms in Athens and Brussels and as a trainee at the European Commission.

She graduated from the School of Law of the University of Athens in 2000 and was admitted to the Athens Bar in 2002.

She holds an LL.M in Corporate and Commercial Law from University College London and a Master of Science in Economics (Economic Regulation and Competition) from the Department of Economics of City University in London.

She speaks English and French and has a basic knowledge of German

Read more [here](#).

### 3. 2022 DGC Activity Statistics

The great effort of the HCC continued this year as well at an unabated pace aiming at the completion of the longstanding backlog of cases pending before the HCC and, at the same time, the reduction of the average age of the HCC's new cases to significantly increase its efficiency.

For example, in September 2019, the average age of cases dealt by the HCC was about 8 years, in December 2021, it was reduced to 1.2 years, while, in December 2022, the average age of HCC's cases was estimated at 1 year and 8 months. (Graph 1). Within a 3-year period, the HCC managed to reduce the average age of its cases by almost 80%.

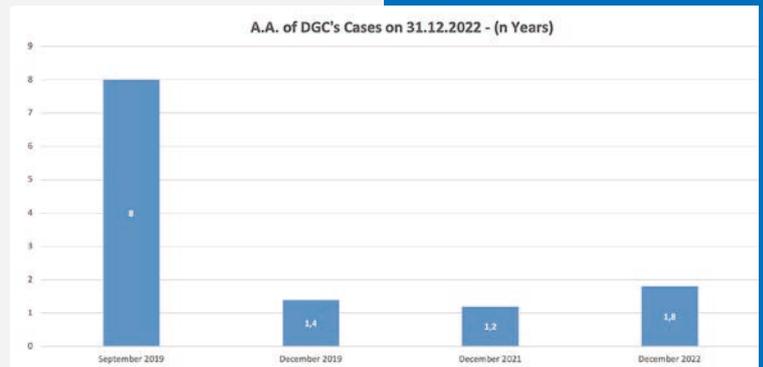
Also, Graph 2 shows the status of pending and new cases in November 2022, per year of initiation. The increase in the number of cases to be initiated in 2022, which was mainly due to the operation of the anonymous reporting (whistleblowing) platform, is noteworthy, demonstrating that confidential information is a powerful tool of the Hellenic Competition Commission (HCC), and can be a major contributor to the successful outcome of its investigations.

Graph 3 below, shows the structure of all the DGC's cases by type.

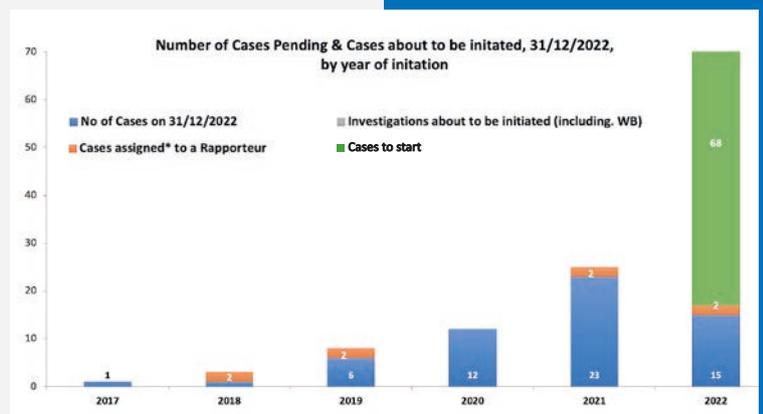
Over the last 12 months, the Plenary of the Hellenic Competition Commission adopted a total of 42 new decisions (Graph 4), analysed by category as follows:

- 30 Cases, 18 of which concerned Concentrations of undertakings in various sectors of the economy
- 1 Opinion

Graph 1

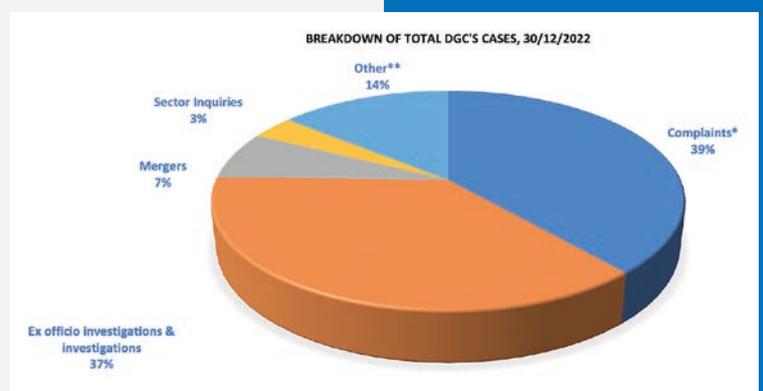


Graph 2



\* Cases assigned to a Rapporteur have a timeline of 5 months for completion, with the possibility of a two-month extension upon approval by the HCC President. Source: DGC, Data Processing by the Planning & Evaluation Unit.

Graph 3



\* Initiation of complaint cases and ex officio investigations

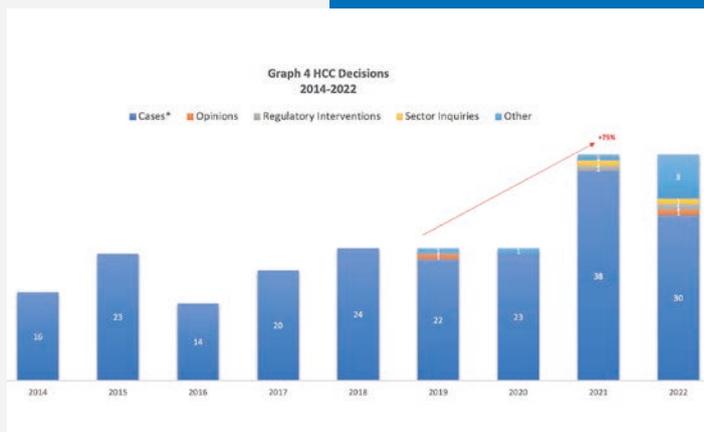
\*\* Anonymous reportings through the whistleblowing platform and regulatory interventions  
DGC Statistics, data processed by the HCC's Planning and Monitoring Unit

- 2 Sector Inquiries
- 1 Regulatory Intervention
- And 8 decisions of other type

It is important to note that, compared to 2019, the number of HCC decisions issued in 2022 increased by 75%, due to the full use of the toolbox provided to the HCC by the existing legislative framework in recent years.

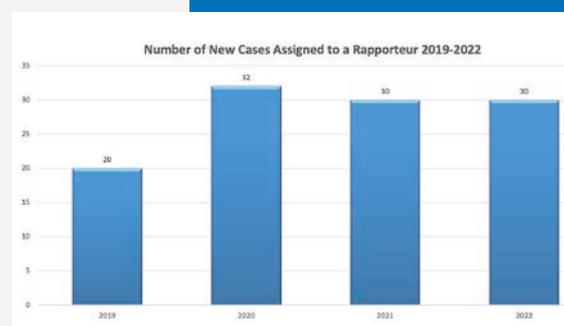
In particular, significant progress has been made in the last 2 years both in terms of the number of cases assigned to a Rapporteur for priority examination, (Graph 5: aggregate and Graph 6 figures per directorate) and in the reduction of the average age of the cases dealt with per directorate (see Graph 7) with examples of cases completed in a short time-period (12-13 months from the initiation of the investigation), despite the limited number of specialised scientific personnel, particularly due to the effective use of the various tools provided by the law (such as the settlement procedure).

Graph 4

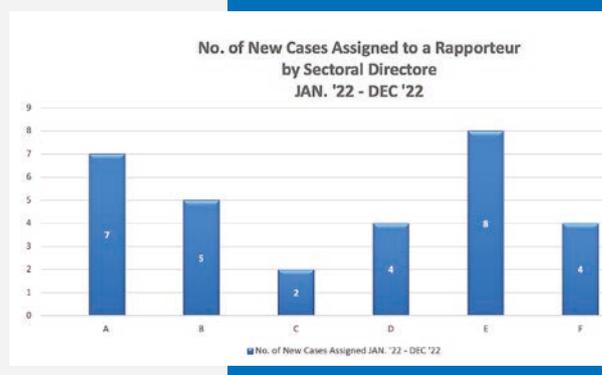


- \* Initiation of complaint cases and ex officio investigations
- \*\* Anonymous reportings through the whistleblowing platform and regulatory interventions

Graph 5

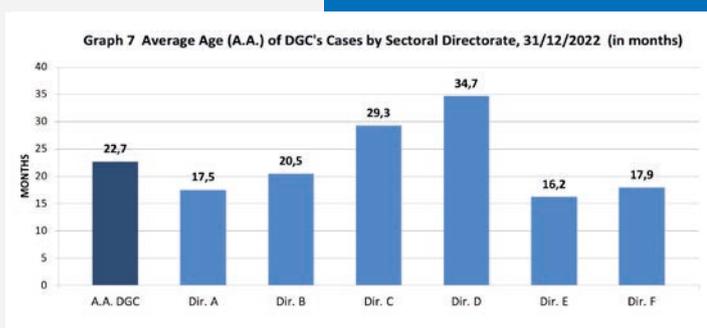


Graph 6



Directorate of Industrial and Consumer Products (Directorate A),  
 Health and Related Products and Services Directorate (Directorate B)  
 Food Products Directorate (Directorate C),  
 Directorate of Financial Services and Insurance (Directorate D),  
 Directorate of Energy and Transport (Directorate E),  
 Directorate of Media, Online Services and E-Infrastructure (Directorate F)

Graph 7



### On-site inspections

The Hellenic Competition Commission (HCC), in light of the energy crisis caused by the invasion of Ukraine, and due to the price increase of food products, carried out a series of unannounced on-site inspections (dawn raids) and intensified its actions to detect potential anti-competitive practices by undertakings in various sectors of the economy.

In particular, in 2022, the Hellenic Competition Commission conducted unannounced on-site inspections at the premises of 68 undertakings, which represents a 32% decrease compared to the number of the undertakings inspected in 2021. However, the number of on-site inspections carried out in 2022 (16) was almost the same as in 2021 (17), as shown in Graph 8.

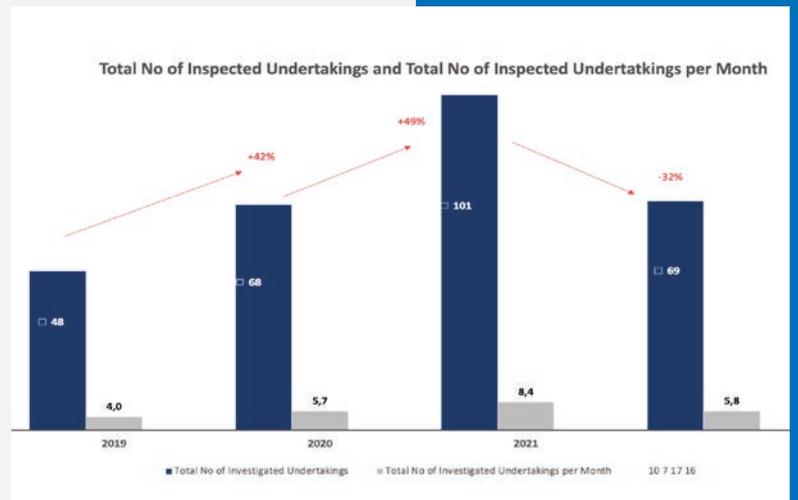
It is noted that, in 2020, the capability of conducting on-site inspections was limited due to the pandemic. However, the HCC one of the very few competition authorities in Europe that carried out on-site inspections.

Over the period January-December 2022, the HCC carried out on-site inspections at the premises of several undertakings/associations of undertakings active in the following markets/sectors: food products, cosmetics, construction, toys, medical technology products, household appliances, transport, etc.

• **On 16/2/2022**

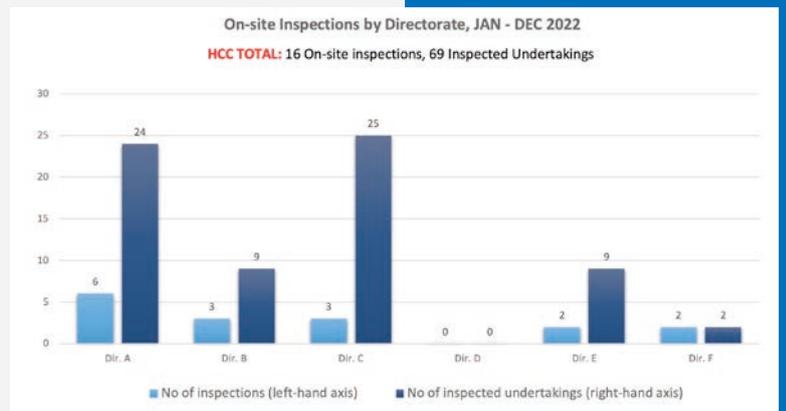
Unannounced inspections at the premises of nine (9) undertakings operating in the supply and retail sale of supermarket goods, namely pasta products, regarding alleged anti-competitive practices in the context of horizontal and/or vertical agreements under Article 1 of Law 3959/2011 and 101 of the Treaty on the Functioning of the European Union (TFEU).

Graph 8



YEAR	On-site inspections
2019	10
2020	7
2021	17
2022	16

Graph 9



- **On 17/2/2022**

Unannounced inspection (dawn raid) at the premises of an undertaking active in **cosmetics** and other personal care product sector regarding alleged anti-competitive practices in the context of vertical agreements under Article 1 of Law 3959/2011 and Article 101 of the Treaty on the Functioning of the European Union (TFEU). The HCC investigated whether the undertaking engaged in resale price maintenance practices for its products and prevented members of its selective distribution network from selling its products through online platforms.

- **On 22/2/2022**

Unannounced inspection (dawn raid) at the premises of an undertaking operating in the **trade of optical products** regarding alleged anti-competitive practices under Articles 1 and 2 of Law 3959/2011 and 101/102 of the Treaty on the Functioning of the European Union (TFEU). The HCC investigated whether the undertaking engaged in resale price maintenance practices for its products and prevented members of its distribution network from selling the products through online platforms.

- **On 9/3/2022**

The HCC conducted unannounced inspections at the premises of undertakings active in the **construction sector** and established in the Attica region, in the context of its ex officio investigation under Article 11 "Regulatory Intervention in Sectors of the Economy" of Law 3959/2011. In the context of the investigation, the HCC examined potential effects of common ownership/shareholding in companies active in the construction sector on the conditions of effective competition.

- **On 10/3/2022**

The HCC carried out unannounced inspections (dawn raids) in the context of an ex officio investigation regarding the participation of certain undertakings in a public tender for the procurement of **medical technology products** to determine whether the undertakings concerned have engaged in anti-competitive practices Article 1 of Law no. 3959/2011 and/or Article 101 of the Treaty on the Functioning of the European Union (TFEU).

- **On 22/3/2022**

The HCC carried out unannounced inspections, acting ex officio, at the premises of 15 undertakings offering various types of **catering services** to determine whether these undertakings were engaged in potential anti-competitive practices in breach of Article 1 of Law 3959/2011 and Article 101 of the Treaty on the Functioning of the European Union (TFEU).

- **On 5/5/2022**

The HCC carried out unannounced inspections at the premises of undertakings active in the **wholesale supply of electricity, as well as in the retail supply of electricity** to low-voltage customers (households and SMEs). The purpose of these inspections was to determine whether these undertakings were engaged in any anti-competitive practices in breach of Greek competition law and Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU).

- **On 1/6/2022**

On-site inspections at the premises of undertakings active in the **construction of public works** in breach of Greek competition law, in particular Article 11 of Law 3959/2011, due to the existence of common ownership/ common shareholding, in undertakings active in the construction sector as well as to investigate a suspected violation of Article 38 par. 1 and 3 of Law 3959/2011 on the "Protection of Free Competition", as in force.

- **On 2/6/2022**

Dawn raid at the premises of an undertaking active in the transport sector to investigate a suspected abuse of a dominant position under Articles 2 of Law 3959/2011 and 102 of the Treaty on the Functioning of the European Union (TFEU).

- **On 26/7/2022**

Dawn raids at the premises of undertakings active in the **import, wholesale, and retail markets for breast pumps and breast pump accessories**, regarding alleged anti-competitive practices under Article 1 of Law 3959/2011 and 101 of the Treaty on the Functioning of the European Union (TFEU).

- **On 07/9/2022**

Dawn raids at the premises of undertakings active in the **import, wholesale, and retail markets for white household electrical appliances** (such as refrigerators, washing machines, cooking stoves and cooker hoods). The purpose of the investigation was to identify potential anti-competitive practices in the context of vertical agreements under Articles 1 of Law 3959/2011 and 101 of the Treaty on the Functioning of the European Union (TFEU). According to the HCC's preliminary research, demand for white goods is expected to increase in 2022, inter alia because of the program "Allazo Siskevi" ("Swapping Appliances") of the Greek Ministry for Environment and Energy, which aims at encouraging recycling and replacement of energy-consuming electrical devices. Therefore, a potential increase in prices due to anti-competitive practices would have a direct impact on the budget of Greek households.

- **On 13/9/2022**

Dawn raid at the premises of an undertaking active in the market **for the supply of medical technology products and, in particular, rapid tests for the detection of the coronavirus**, to identify any anti-competitive practices under Articles 1 Law 3959/2011 and 101 of the Treaty on the Functioning of the European Union (TFEU).

- **On 2/11/2022**

Dawn raids at the premises of undertakings active **in the industry of production, import and trading of aluminum, PVC and iron processing machinery** regarding any anti-competitive practices under on Article 1 of law 3959/2011 and 101 of the Treaty on the Functioning of the European Union (TFEU).

- **On 22/11/2022**

Dawn Raids of the Hellenic Competition Commission in the market for the **provision of land registry study services and support services for the creation of a national Land Register**,

regarding alleged anti-competitive practices in the context of a bid-rigging investigation under the provisions of Law 3959/2011.

- **On 1/12/2022**

HCC dawn raids at the premises of an undertaking operating in the **sector of supply and retail sale of supermarket goods and, in particular, in the markets for cereals, milk, coffee, jams, drinks, and cheeses**, regarding alleged anti-competitive practices in the context of horizontal agreements and/or vertical agreements under the provisions of Law 3959/2011.

- **On 13/12/2022**

Dawn raids at the premises of an undertaking active **in the children's toy sector in the childrens' toys market** regarding suspected anti-competitive practices under Article 1 of Law 3959/2011 and Article 101 of the Treaty on the Functioning of the European Union (TFEU).

It is important to note that such investigations are conducted in undertakings where evidence of anti-competitive practices in the relevant markets concerned is likely to be found, and does not mean that the inspected undertakings have engaged in anti-competitive behavior, nor does it prejudice the outcome of the investigation itself.



#### 4. Specific Actions of the DGC to address Market and price increase issues

##### Task Force for Super Markets: Outcome

Following the publication of the Interim Report in the context of the Sector inquiry on basic consumer goods (sold in supermarkets), the HCC's Directorate General for Competition proceeded with the publication of its updated Final Report of the Competition Commission in the field of production, distribution and marketing of basic consumer goods and, in particular food products, as well as cleaning and personal hygiene products with regard to the distribution of vertical bargaining power between suppliers and supermarkets in each of the supply chains.

This inquiry focused on the years 2020-2021 and the following product categories: 1. Packaged bread for toast, 2. Breakfast Cereals , 3. Pasta, 4. Charcuterie-Cold cuts, 5. Yogurt and yogurt desserts, 6. Feta cheese, 7. Pulses, 8. Coffee, 9. Soft drinks, instant tea-- energy drinks-- sodas, 10. Washing machine detergents in any form (powder, tablets and liquid form), 11. Paper for household use (sanitary, tissues, paper

towels), 12. Foils/films/non-stick paper and 13. Seed oil and olive oil.

The study is based on Social network analysis and each product category is considered as a different network/ ecosystem, by reviewing the role of each undertaking or, in other words, which undertaking has the most central position in the network. The Final Report was co-authored by the HCC's Directorate A' and the Head of the Competition Advocacy Unit.

Its main conclusions are summarised as follows:

- The level of bargaining power in 2021 is still not homogeneous between different product categories. The VHHI index ranges between 1,515 points in cooking oils (seed oil and olive oil), a level that could be considered low, and 6,105 points in the coffee product category, a comparatively high level. It is noted that although the VHHI in the product categories of pulses and soft drinks-- ready-to-drink tea-- energy drinks-- sodas is still high, it has now fallen below 6,000 points.

Product category	2015	2016	2017	2018	2019	2020	2021
Toast bread	6 185	5 749	5 229	5 346	5 454	3062	3129
Breakfast cereals	2 791	2 578	2 417	2 360	2 464	2681	2713
Pasta	3 321	3 339	3 302	3 617	3 720	3330	3202
Cold cuts	2 299	2 117	2 232	2 330	2 053	2549	2162
Yoghurt & yoghurt desserts	1 990	1 991	1 642	1 360	1 396	1917	2114
Feta cheese	5 647	5 057	2 466	2 276	2 191	1883	2402
Pulses	6 856	6 873	6 656	6 425	6 248	6298	5922
Coffee	6 996	6 187	5 921	5 757	5 803	6110	6105
Soft drinks - ready-to-drink tea – energy drinks – sodas	6 320	3 427	4 446	3 258	5 764	6121	5843
Laundry detergents*	2 791	2 452	3 868	4 014	6 231	2461	2412
Household paper*	1 929	2 271	1 909	1 960	2 152	4488	4299
Cling film, aluminum foil, non-stick baking sheet						5010	4970
Seed oil and olive oil						1516	1515

- In relation to the distribution of vertical bargaining power in the market between suppliers and supermarkets, it has been observed that in most of the product markets investigated, suppliers are placed first, i.e. they hold the largest part of the bargaining power in the supply chain, with the exception of the supply chains for sausages and yogurt & yogurt desserts, where the central position in the supply chain is held by a supermarket (the same).
- Based on the analysis of vertical bargaining power, a certain supermarket holds a significant position (either first or second) in 8 out of the 13 value chains studied. Specifically, this undertaking holds a significant position in the markets of 1) yogurt & yogurt desserts, 2) cold cuts, 3) breakfast cereals, 4) feta cheese, 5) aluminum foil/wrap/cling film, 6) bread for toast, 7) non-alcoholic drinks/soft drinks, and 8) coffee, in that order.
- The vertical bargaining power of the first central enterprise by product category, in descending order, is as follows: 1) pulses (73%-supplier), 2) coffee (74%-supplier), 3) non alcoholic/soft drinks (71%-supplier), 4) household paper

(68%), 5) film/ aluminum foil/ non-stick paper (67%-supplier), 6) Pasta (51%-supplier), 7) packaged toast bread (48%-supplier), 8) breakfast cereals (41%-supplier), 9) laundry detergent (37%-supplier), 10) feta cheese (33%-supplier), 11) yogurt and yogurt desserts (30%-supermarket), 12) sausages (26%-supermarket), 13) Olive oil-seed oil (23%-supplier).

In pasta (cumulatively 68%), laundry detergent (cumulatively 66%) and olive-seed oil (cumulatively 39%) markets, both central firms are suppliers.

- There is no market in which both central firms are supermarkets.
- The analysis identified markets in which the difference in bargaining power between the 1st and 2nd central undertaking is significant are: 1) pulses (65%), 2) coffee (63%), 3) soft drinks/soft drinks (59%), 4) paper household (54%) and 5) film/ aluminum foil/ non-stick paper (49%).
- The most equal distribution of vertical bargaining power is observed in the pasta market (26%, 24% and 21%), respectively for the first, second and third undertaking.

Dominant undertaking	Bread for toast	Breakfast Cereals	Pasta	Sausages	yogurt and yogurt desserts	Feta cheese	Pulses	Coffee	non alcoholic drinks/ soft drinks	laundry detergent	household paper	film/ aluminum foil/ non-stick paper	Olive oil seed oil
SUPPLIER	(1)48%												
SUPER MARKET 1	(2) 15%	(2) 24%		(1) 26%	(1)30%	(2)21%		(2) 11%	(2) 12%			(2) 18%	
SUPPLIER		(1)41%											
SUPPLIER			(1)51%										
SUPPLIER			(2) 17%										
SUPPLIER				(2) 24%									
SUPPLIER					(2) 20%								
SUPPLIER						(1) 33%							
SUPPLIER							(1) 73%						
SUPER MARKET 2							(2) 8%						
SUPPLIER								(1) 74%					
SUPPLIER									(1)71%				
SUPPLIER										(1)37%			
SUPPLIER										(2) 29%			
SUPPLIER											(1)68%		
SUPER MARKET 3											(2) 14%		
SUPPLIER												(1) 67%	
SUPPLIER													(1) 23%
SUPPLIER													(2) 16%

### Comparative Presentation of Consumer Goods Prices in Greece and Internationally

As a part of the inquiry on the structure and the conditions prevailing in the Greek market, the Hellenic Competition Commission has initiated various types of studies, such as comparative surveys on prices as well as on the quantities available in basic consumer goods (concerning food or other products) among Member States of the European Union, taking into account the rate of inflation in various product categories.

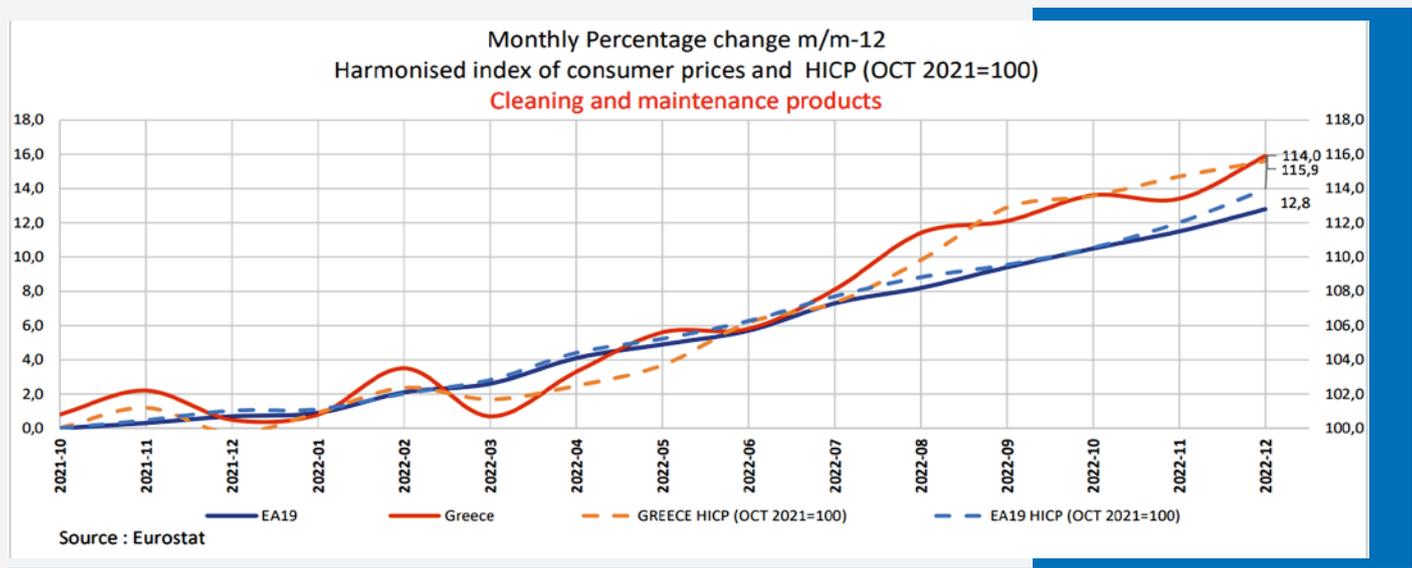
These specific inquiries should be carried out with special attention and the conclusions drawn therefrom should be revised on a regular basis.

The particular inquiry concerns the same products that are sold in the largest retail stores across the EU. Therefore, through this inquiry, an opportunity is provided for direct comparisons in real time of prices and quantities of the same products, that the Greek consumer is asked to pay for, compared to other European consumers, considering the Purchasing Power Parity<sup>1</sup>.

Through the direct comparison of the products achieved by this inquiry, it is possible to draw certain initial conclusions

with respect to the products available on the Greek market (regarding prices and packaging thereof). Depending on the conclusions to be drawn from the inquiry, the conditions under which the retail market operates with regard to these basic consumer products may be further investigated at a later stage, possibly by means of a sector inquiry or market mapping. The inquiry is based on published data.

The first survey in the series of inquiries carried out by HCC concerned the laundry detergent market. The survey focused on two sub-categories, namely laundry pods and washing powder, and investigated the vertical bargaining power of the two largest companies in the Greek market, P&G and Unilever, based on their respective market shares as reported in the **Sector inquiry into basic goods** (see also and *Executive Summary here, in English*) for (2021)<sup>2</sup>. The HCC selected the laundry detergent market for further investigation due to the increase in inflation from July 2022 in the category of “cleaning and maintenance product” in Greece, where the index was significantly higher than the Eurozone index (EA19), while specifically for December 2022, the index in Greece moved at a higher level compared to November 2022 by gaining 2.5 percentage points.



<sup>1</sup> Purchasing power parity is a technique used to determine the relative value of currencies, calculating the amount of adjustment required for parity between countries, for exchange to be equivalent to (or at the same level as) any currency.

<sup>2</sup> See p. 260: Shares 2010-2019: UNILEVER ([25-35] ↑ [35-45]), PROCTER&GAMBLE ([35-45] ↓ [25-35])

## PRICE COMPARISON OF BASIC PRODUCTS BY MEMBER STATE – DETERGENTS<sup>3</sup>

### I. Introductory remarks on the survey

The survey concerns the prices of ARIEL product of Procter & Gamble (P&G) company, in pods and powder packaging, and of the SKIP Persil and OMO products of Unilever in pods packaging and powder in the Member States. The purpose of the survey is to compare the prices of the products in question in the Greek market with the prices in other European markets. For comparative purposes, the inquiry focuses on the following basic products:

Ariel Pods All in 1, packs of 14, 34, 40 and 54 cups

- Ariel washing powder 50, 70 and 140 cups
- Skip 3 in 1, the 50, 38, 23 and 15 packs
- Washing powder Skip 67, 45 and 20 cups

However, it should be noted that the dosages per country differ, so dosages closer to the product packages sold in Greece were used (i.e. 14, 34, 40, 54 pods and 140, 70 and 50 cups, respectively).<sup>4</sup> The same applies to Ariel and Skip /Persil, for which the amounts of 38, 50, 23 and 15 pods and 67, 45 and 20 cups were used, respectively.

It is also noted that **the product is differentiated in some countries in relation to the branding, e.g.**, in some countries Ariel Pods All in 1 is listed as Regular or Universal. In any case, however, the variation in the brand name within the country, e.g., "Ariel All in One" and "Ariel All in One Color", does not appear to affect the unit price. This means that the prices between brand names are the same. In some cases, the product used in the survey differs in terms of the softener used e.g. in Pods, however, it still does not seem to differentiate in price. Considering the products of Unilever (Persil, OMO and Skip), we notice that the quantity and price varies from country to country. In some countries, Persil is used exclusively, especially in North-Eastern European countries, while in Southern European countries (Greece, Spain) Skip is used. However, in some countries both products are used

(e.g. the Netherlands has both Persil and OMO). Regarding the differences between the same products, we notice that Persil and Persil Color have the same price. This is also the case for washing powder.

### II. Survey methodology

The research was carried out online, identifying the two (2) largest retail stores (Supermarkets) in each of the surveyed countries based on the number of their stores and then conducting an online survey targeted on their electronic stores (e-shops). The survey was carried out in the period 9-15 January 2023. Each registration of the products in the Supermarkets is registered as e.g. Greece1, Greece2 etc. In some cases, the product of reference was on sale, however the price used is the original one (non-discounted price).

### III. Observations / Conclusions.

In view of the above, regarding the price level of the products of reference in the Greek market compared to other Member States, some observations/conclusions can be drawn.

#### ARIEL

- At first, it appears that as the quantity in the packages (in Powder and Pods) increases, the price per wash and per pod decreases, therefore we observe that there is non-linear pricing (the per-unit charge for the consumer decreases as the requested quantity increases) and the undertaking uses this commercial practice to promote products with larger packages.
- According to the data, it is clear that powder is cheaper than pods per wash.
- There are different packages per country, based upon local responsiveness. Consequently, this differentiation in packaging also differentiates the cost of the product (increase in cost). In any case, consumer responsiveness

<sup>3</sup> This survey was completed under the supervision of DGC's Directorate C.

<sup>4</sup> There was no possibility of calculating the price on the basis of weight (per kilogram or gram).

can be defined as the needs of each country for a packaging that serves the specific demand, e.g., in countries where the distance from stores is long, products are sold in larger packages. Also, the demand and supply in each country can shape the prices and quantities that we observe in the findings of the survey, i.e., in Germany we observe large packages, which is probably due to consumers' planning. Accordingly, in countries where access to stores is easier, smaller packages are used, probably because consumers may prefer to expect for a promotion on the product.

- Greece ranks in the group of countries having high prices regardless of the size of the package (see also Czech Republic, Slovakia, Slovenia). This fact does not seem to be affected by the geographical factor, as in Greece and Cyprus a big difference is observed in their prices (Cyprus has cheaper prices) although, for the transport of a product, to Cyprus additional costs are probably required, due to its geographical location. Also, Slovakia shows big deviations in terms of price compared to Germany, even though they are neighboring countries. However, we are not aware of the location of the specific factories that each country gets its products from, which may have an effect in the price to some extent, however, in any case we do observe a pattern of certain countries having higher prices for their detergents.
- We further observe considerable variations in some countries in terms of price per unit of the smallest and the largest package. In Greece, the price per unit is set at 0.66 euros for the small package (14 units) while the prices for larger packages (40 and 54 units) are set at 0.41 and 0.44 per unit, respectively. On the contrary, in the Netherlands, regardless of the quantity of packaging, the price per unit remains the same.
- Finally, the price of detergents seems to be unaffected by value added tax (VAT). For example, in Hungary the value added tax is 27% and the price per pod is 0.46, while in Slovakia the value added tax is 20% and the price per pod is 0.68 and 0.62 euros (depending on the packaging).
- Where the price is expressed in purchasing power

equivalents (considering the corresponding exchange rates for the countries that are not members of the Eurozone), it is found that the prices in Greece are ranked in a mid-range position among the EU countries, while smaller packages are relatively more expensive.

- The packages of 14 and 34 units are more expensive by 271% and 253% respectively compared to the cheapest one in the EU, namely in Ireland.

### **Persil/Skip/Omo**

- Washing powder is cheaper per wash than pods.
- We notice that in some countries (e.g. the Netherlands) a supplier operates with more than one product (e.g. Persil and Omo) in contrast to others countries.
- We note that Persil is found mainly in Northern and Eastern European countries, while Skip is found in Southern and Western European countries.
- Further, as in the case of Ariel, we a reduction in the price per wash or pod occurs when purchasing a larger package. In some countries this phenomenon is more pronounced, e.g. in Belgium the market for the 25-pod package is 12.99 euros with a price per piece at 0.52 euros and the 13-pod package is at 8.59 euros with a price per pod at 0.66 euros. However, in the Netherlands the price per pod for the 15-pod package is 0.65 euros while for the 25-pod package it is 0.64 euros.
- In this case we also observe the categorization of countries into groups (see Czech Republic and Hungary, Slovenia, and Slovakia) which have relatively higher prices compared to their neighboring countries (see Austria, Germany, and Poland).
- We further notice that when the price comes down to purchasing power equivalents (considering the corresponding rates for countries that are not members of the Eurozone), the prices in Greece are close to the EU average, while the smallest packages diverge significantly from the average (they are relatively more expensive).

The results are listed in the appendix.

## DGC'S INVESTIGATION IN THE CORONAVIRUS SARS-COV-2 DIAGNOSTIC TESTS

The DGC concluded an ex-officio investigation that was initiated in 2021 to investigate possible violations of Law 3959/2011 and/or articles 101 and 102 TFEU in the supply markets for: (a) SARS-CoV-2 diagnostic tests based on the molecular Real Time-- PCR method, (b) rapid antigen coronavirus detection (RAD) tests, and (c) tests for the detection of SARS-CoV-2 antibodies. However, the case was eventually closed due to a low score, based on article 14 par. 2 para. of Law 3959/2011 and HCC Decision no. 696/2019.

In particular as regards PCR tests, a sample of 132 businesses with a unique TIN number in 23 regions of the Territory was examined by the DGC over the period 01.01.2021 to 28.02.2022, and the following were noticed at first:

There were price variations within the same region and between regions, with a few regions showing a narrow price range in charging the PCR tests in the first place.

The weighted average prices of PCR tests seem to be decreasing (even for tests that, according to respondents,

are excluded from pricing).

The price range varies by region. The econometric analysis did not show that the price charged by undertakings in areas outside Attica and Thessaloniki is higher than in the urban centers in question.

Regarding the sample analysis services, which represent a high percentage of the cost of a PCR test, the following are observed:

Although most of the companies in the sample (87 out of 132 throughout the reporting period) use or have used for some time sample analysis services from third parties (a) it is observed that they outsource analysis of samples to laboratories located in various regions of Greece (usually in the nearest city but also in Attica/Thessaloniki) and (b) several companies (at least 46 in the sample) outsource the analysis to more than one laboratory.

The cost of sample analysis appears to have decreased during the reporting period, and this decrease in principle appears to affect the price charged for the final test.

The HCC may reopen the case if there are any new facts/indications.



## 5. "Strengthening the HCC's Building Infrastructure: The House of Competition and Consumers"

agreement concerning the implementation, over the next years, of a major infrastructure project that has been put in place by the HCC regarding the relocation of all its services to a building situated in the center of Athens, currently owned by the Bank of Greece, after at least 10 years of arduous search for new premises undertaken by all the Authority's successive administrations. The event was attended by the Executive Vice President of the European Commission, Ms. M. Vestager, the Minister of Development and Investments, Mr. A. Georgiadis, the Deputy Governor of the Bank of Greece, Mr. Th. Pelagidis, and the Consumer Advocate, Mr. L. Zagoritis.

In particular, following the relevant initiative and planning of the President of HCC, regarding the creation of a multi-purpose public administration hub, this property will house in the future, apart from the HCC, the Consumer Ombudsman, certain departments of the Ministry of Development related to consumer protection, as well as other bodies (such as the Data Protection Agency) through the signing of a relevant framework agreement for subleasing a part of the property.

This project also represents a vision of a general cooperation between public bodies, independent authorities as well as governmental departments with the aim of creating a public ecosystem for the protection of competition and consumers, in all its dimensions, while developing cooperation with a wider group of bodies and NGOs, such as Consumer associations, associations of Small and Medium-sized Enterprises, and associations of the broader civil society for the promotion of competition, with the purpose of enhancing the Authorities' independence and effectiveness. These bodies will have access to several facilities which will be created both for the organisation of seminars, conferences dedicated to informing the general public as well as to special facilities for training on competition and consumer protection issues.

At the same time, the implementation of this project will allow savings in public resources, as a result of the shared use of premises by public bodies with complementary functions and the efficient use of a public property in central Athens, as well as for citizens and businesses, as they will not have to move from one public service to another, in different locations of Athens, as is currently the case, but will be served in one place for all their needs ("one-stop shop").





The President of the Hellenic Competition Commission, Mr. I. Lianos, during the presentation of "The House of Competition Consumers"



The Executive Vice-President of the European Commission M. Vestager, during the presentation of "The House of Competition Consumers"



"The House of Competition and Consumers" project

## 6. Focus: Market investigation in the Press Distribution Sector

On November 4, 2022, the Hellenic Competition Commission issued a decision on a market investigation in the market for distribution of printed press in accordance with article 11 of Law 3959/2011, which was launched in December 2020.

By virtue of the relevant decision, the market investigation of the Hellenic Competition Commission in the market of press distribution aims at ensuring free competition, in light of the protection of a minimum level of pluralism and diversity of opinions, through the freedom of circulation, distribution, and sale of printed publications.

Considering the information and comments collected during the public consultation (in particular, following the publication of its “First and Second Opinion”, the Hellenic Competition Commission (HCC) found that there are no conditions for effective competition in the specific sector of the economy, and that the application of Articles 1, 2, and 5 to 10 is insufficient to create conditions of effective competition. The press distribution market at the level of the distribution agency has the characteristics of a quasi-natural monopoly elements or essential facility, which, however, is private and non-regulated, and therefore constitutes per se a distortion of competition. At the same time, the Hellenic Competition Commission recognized that within the framework of the change in the shareholding structure of the agency in May 2021, the vertical common ownership of certain publishing companies remains, while there no longer appears to exist, based on these shareholding elements, as a vertical common ownership of a specific shareholder. Nevertheless, the incentive for vertical restrictions against competitors cannot be excluded in subsequent changes in the shareholding structure of the agency, while the vGUPPI index does not examine the potential impact on competition through the qualitative degradation of competing publishers-shareholders’s publications of the press distribution agency (e.g. in terms of content, number/periodicity of publications, etc.). The impact on prices due to vertical foreclosure is only one of the possible anticompetitive

aspects of vertical common ownership, which is still observed in the specific case, as there is still an incentive to increase distribution costs by increasing distribution price, with a view to reducing the quality of products of competing publishers and, therefore, weaken their competitiveness.

The purpose of Article 11 of Law 3959/2011 is to “create” conditions for effective competition in the said sector of the economy, rather than simply correcting the anti-competitive effects of specific practices, as is the case with the ex-post application of competition rules.

Therefore, the Hellenic Competition Commission, through its Market Investigation announced the adoption of the following remedies:

- a) Proposes the establishment of a system for prior notification of changes in the shareholding structure of the Press Distribution Agency to the Hellenic Competition Commission.
- b) Orders the Press Distribution Agency to take measures for the creation of “Chinese walls” that will prevent the leakage of commercially sensitive information to the notifying party under a) with respect to the commercial policy of the Press Distribution Agency regarding press distribution.
- c) Requires the establishment of an Advisory Committee with the participation of representatives of all stakeholders involved in the entire value chain of newspaper distribution, with an advisory and consultative role on the proposed Commercial Policy of the Press Distribution Agency.
- d) Appoints an Ombudsman to monitor compliance with the measures imposed by the HHC’s Decision.

Furthermore, in case of non-compliance with any of the above obligations (a-d), the HCC threatens to impose a fine of ten thousand euros (€10,000) on each undertaking and for each day of non-compliance from the expiry of the prescribed compliance period.

## 7. HCC Decisions adopted during the period of reference January-December 2022:

### Concentrations between undertakings

On February 15, 2022, the Hellenic Competition Commission in Plenary unanimously approved, by virtue of Article 8, paragraph 3 of Law 3959/2011, the notified concentration, pursuant to Article 6, paragraph 3 of Law 3959/2011, concerning the acquisition of sole control by "DELTA Food and Industrial Single Member S.A." a 100% subsidiary of VIVARTIA HOLDINGS S.A., which is exclusively controlled by the CVC group of companies, over the company under the name "Daniel S. Gatenio & Son S.A. Import and Export Company of Food and Beverages" considering that the concentration, although falling within the scope of paragraph 1 of Article 6 of Law 3959/2011, as in force, does not raise serious concerns as to its compatibility with the competition rules in the relevant markets concerned thereby.

Click [here](#) for more information

On March 15, 2022, the Hellenic Competition Commission, in Plenary, unanimously approved (Decision 770/2022) the notified concentration regarding the acquisition of sole control by "ITALGAS NEWCO S.R", a 100% subsidiary of "ITALGAS S.P.A" and controlled by the Italian State, over the company "DEPA INFRASTRUCTURE S.A" and, through the latter, also over its three subsidiaries of DEPA INFRASTRUCTURE, namely "ATTICA GAS DISTRIBUTION COMPANY S.A", "THESSALONIKI-THESSALIA GAS DISTRIBUTION COMPANY S.A" and "PUBLIC GAS DISTRIBUTION NETWORK OPERATOR S.A", in accordance with Article 8 paragraph 3 of Law 3959/11, as amended.

Click [here](#) for more information

On 17/3/2022, the Hellenic Competition Commission, in Chamber, unanimously and in an open vote approved, by its Decision no. 771/2022, the concentration notified on 21.01.2022 (ref. no 671), concerning the acquisition by the company under the name "SIEMENS ENERGY S.A", through its indirect subsidiary "SIEMENS GAS AND POWER HOLDING B.V" of sole control over the Greek Energy Branch of the company named "SIEMENS ELECTROTECHNICAL PROJECTS AND PRODUCTS SOCIÉTÉ ANONYME", through its partial division and acquisition by a special-purpose vehicle named "SIEMENS ENERGY SINGLE-MEMBER PUBLIC LIMITED COMPANY", wholly owned by "SIEMENS GAS AND POWER HOLDING B.V". The Commission found that the proposed merger, although falling within the scope of paragraph 1 of article 6 of Law 3959/2011, does not raise serious concerns as to its compatibility with competition rules in the relevant markets concerned.

Click [here](#) for more information

On March 22, 2022, the Competition Commission (by its Decision no 773/2022) approved the notified concentration concerning the acquisition of sole control by "Nexi"SpA over the Merchant Acquiring Business Unit of Alpha Bank SA, in accordance with Article 8(3) of Law 3959/11, as in force. This acquisition has primarily a vertical dimension and concerns the market for payment card acceptance services (Merchant Acquiring) and market for card acquiring processing services (Card Acquiring Processing) in Greece.

Click [here](#) for more information

On April 15, 2022, the Plenary Session of the Hellenic Competition Commission unanimously approved (by its Decision no 774/2022) the proposed concentration consisting in the acquisition of sole control over the Merchant Acquiring Business Unit of Eurobank S.A. by "Worldline S.A." in the payment card acceptance services (Merchant Acquiring) of Eurobank S.A., in accordance with Article 8 (3) of Law 3959/11, as amended and in force. The concentration has mainly a vertical dimension and concerns the market for merchant acquiring services, the market for card acquiring processing services, and the market for the provision and management of POS terminals that Worldline operates through its subsidiary Cardlink, within the Greek territory.

This concentration, although falling within the scope of paragraph 1 of Article 6 of Law 3959/2011, does not raise serious concerns as to its compatibility with competition rules in the broader market for payment services and in the relevant individual markets concerned.

Click [here](#) for more information

On April 18, 2022, the Hellenic Competition Commission, in Plenary, unanimously approved (by its Decision no 775/2022) the concentration notified by "DELIVERY HERO SE" regarding the acquisition of sole control over the companies (a) Alfa Distributions SA, (b) Inkat SA, (c) Delivery.gr Single Member P.C. and (d) E-table Online Restaurant Reservations Single

Member P.C. ("E-table Single Member P.C"), subject to the commitments offered by Delivery Hero SE to the Hellenic Competition Commission, under the detailed terms and conditions provided therein (remedies), in accordance with articles 8 par. 6 and 8 of law 3959/2011.

According to the Decision, potential conglomerate effects of non-coordinated behavior would arise from the combination of the new entity's large-scale activities in the market for online restaurant reservation services via the e-table platform as well as in the market for online intermediation services (ordering) in the retailing of prepared meals via the e-food platform. To address the HCC's concerns, Delivery Hero has offered commitments, and in case of non-compliance with these commitments, the HCC may impose the penalties provided by law.

Click [here](#) for more information

On May 10, 2022, the Hellenic Competition Commission unanimously approved, by its decision no 776/2022, the concentration notified on March 4, 2022, concerning the acquisition by MASOUTIS of sole and joint, where applicable, control over SYNKA's wholesale and retail supply of consumer goods, consisting, inter alia, of the acquisition of supermarket stores, in retail and wholesale, business partnerships, contractual relationships, real estate and other assets. In addition, MASOUTIS will acquire joint control with SYN.KA



CRETE over two local radio and television stations in Crete. According to the above decision, the HCC held that the proposed concentration, which concerns the supermarket retail supply of consumer goods (distribution market), the procurement market, the wholesale supply of consumer goods, the television news market and the non-information media radio market, does not raise any serious concerns as to its compatibility with competition rules in the relevant markets concerned.

Click [here](#) for more information

On June 24th, 2022, the competent Chamber of the Hellenic Competition Commission unanimously approved (by its Decision No. 782/2022) the notified concentration, under Article 8 paragraph 3 of Law 3959/2011, concerning the acquisition of sole control by ALLIANZ SE over EUROPEAN RELIANCE GENERAL INSURANCE CO. (hereinafter referred to as "European Reliance"), as this transaction, although falling within the scope of paragraph 1 of Article 6 of Law 3959/2011, does not raise serious concerns as to its compatibility with competition rules in the relevant markets concerned. The above concentration will bring about a change in the control of European Reliance, as ALLIANZ SE will acquire sole control over the target company.

Click [here](#) for more information

In addition, on June 27, 2022, the Hellenic Competition Commission unanimously approved, by its Decision no 783/2022, the proposed transaction concerning the acquisition by Fairfax Financial Holdings Limited ("Fairfax") of sole control over Grivalia Hospitality SA ("Grivalia"). In particular, the proposed transaction will bring about a change in the quality of control over Grivalia Hospitality, namely from joint to sole control by the notifying party.

Click [here](#) for more information

On 27/6/2022, the Hellenic Competition Commission approved, by its unanimous Decision No. 784/2022, under Greek merger control rules, the proposed acquisition of sole control by the company BESPOKE SGA HOLDINGS, controlled by the Cypriot private limited liability company under the trade name S.A.G. INVEST. & HOLDINGS LIMITED, over the companies ION SOCIETE ANONYME INDUSTRY AND TRADE OF COCOA AND CHOCOLATE and I. KOTSIPOULOS BROS SA in accordance with Article 8 paragraph 3 of Law 3959/11, as amended and in force.

Click [here](#) for more information

On 29/7/2022, the Hellenic Competition Commission (HCC) approved, by its unanimous Decision No. 794/2022, under Greek merger control rules, the proposed merger of the mutual maritime insurance undertakings, under the names "The Standard Club Ltd", "The North of England Protecting and Indemnity Association Limited" and "The North of England Mutual Insurance Association (Bermuda) Limited". The proposed concentration has a global dimension as the merging entities are active in the relevant markets, of world mutual maritime insurance and reinsurance, for protection and Indemnity (P&I) risks and freight, shipping, and defense (FD&D) risks, globally. However, in our country, the merged P&I clubs operate mainly for the payment of insurance compensations to their members, ship owners and ships charterers, established in Greece.

Click [here](#) for more information

On 4/8/2022, the Hellenic Competition Commission unanimously approved (by its Decision no. 795/2022), the notified concentration concerning the acquisition of sole control by Blantyre Capital Limited over the company "IMITHEA Single Member SA Health clinics and Medical Diagnostic Centers" (Henry Dunant Hospital), previously exercised by the holder of 100% of the share capital of IMITHEA, "BANK OF PIRAEUS SA". The Competition Commission unanimously

approved the notified concentration under Article 8 (3) of Law 3959/2011, considering that, although it falls within the scope of paragraph 1 of Article 6 of Law 3959/2011, it does not raise serious concerns as to its compatibility with competition rules in the individual markets concerned.

Click [here](#) for more information

On 26/10/2022, the Hellenic Competition Commission unanimously approved, by its Decision No. 797/2022, the acquisition of joint control over the company under the name "HELLENIC HYDROGEN S.A." by the companies "MOTOR OIL (HELLAS) REFINERIES S.A." and "PUBLIC POWER CORPORATION S.A." This decision was adopted under Article 8 paragraph 3 of Law 3959/2011.

Click [here](#) for more information (in Greek)

On 22/11/2022, by its unanimous Decision No 799/2022 the Hellenic Competition Commission, unanimously approved, under article 8 paragraph 3 of Law 3959/2011, the acquisition of sole control by the company "MOTOR OIL RENEWABLE ENERGY S.A.", a wholly owned subsidiary of "MOTOR OIL (HELLAS) REFINERIES S.A.", over the activity of renewable energy sources, which was previously solely controlled by the company "ELLAKTOR S.A." The proposed transaction concerns the market for wholesale electricity generation/wholesale supply and the market for electricity retail supply.

Click [here](#) for more information (in Greek)

On 30/11/2022, the Hellenic Competition Commission (HCC) approved, by its unanimous Decision No. 800/2022, under Greek merger control rules, the proposed acquisition of sole control by "DIAMANTIS MASOUTIS SA – SUPER MARKETS" over several supermarket stores of "AFOI DENAKSA Ltd", according to article 8 par. 1 to 3 of Law 3959/2011, in the Greek supermarkets sector.

Click [here](#) for more information

On 8/12/2022, the Hellenic Competition Commission (HCC) unanimously approved, by its Decision No. 801/2022, under Greek merger control rules, the proposed acquisition of sole control by "MOTOR OIL SA" over "ELIN VERD SA", in the Greek biodiesel sector, according to article 8 par. 1 to 3 of law 3959/2011. The company's main activity is the production and distribution of biofuels from used oils.

Click [here](#) for more information

On 16/12/2022, the competent Chamber of the Hellenic Competition Commission unanimously approved (by its Decision no. 802/2022) the notified merger, pursuant to Article 8 (3) of Law 3959/2011, concerning the acquisition by the company "MYTILINAIOS S.A." of the entire share capital of the company under the name "WATT AND VOLT EXPLOITATION OF ALTERNATIVE FORMS OF ENERGY S.A.", as the proposed transaction, although falling within the scope of paragraph 1 of Article 6 of Law 3959/2011, as in force, does not raise serious concerns as to its compatibility with competition rules in the individual markets concerned. The proposed transaction will result in a change in the control of the company WATT AND VOLT, as MYTILINAIOS will acquire sole control over it.

Click [here](#) for more information

On 22/12/2022, the Hellenic Competition Commission unanimously approved, by decision No. 803/2022, in accordance with articles 8(3) and 8(4)(a) of Law 3959/2011, the acquisition by the company KRITIKOS ANEDIK SA of sole control over the company SYNERGAZOMENOI PANTOPOLES SA, which is active in the wholesale and retail market for groceries, as well as in the operation and exploitation of supermarket stores. The acquisition includes, inter alia, all the privately owned stores, the privately owned store brands as well as the network of partners of the company SYNERGAZOMENI PANTOPOLES, either through the ongoing use of the store brands managed by the latter, or through their ongoing wholesale to retail relationship.

Click [here](#) for more information



### Other HCC Decisions

On 20/1/2022, the Hellenic Competition Committee adopted Decision No. 764/2022 on the request under ref. no. 1749/24.02.2021 of the company "DIAMANTIS MASOUTIS S.A. - SUPERMARKETS", for exemption from the commitment to divest its store in the "Anemomili" area of Chora of Andros Island, according to HCC's Decision no. 713/2020, regarding the commitments adopted by HCC Decision no. 665/2018 concerning the clearance of the acquisition of sole control by MASOUTIS S.A. over the company "PROMITHEFTIKI S.A.

According to the grounds of the Decision, considering the exceptional circumstances of the case under consideration and especially the fact of the objective inability to implement the initially undertaken commitment to sell the store in the area of "Ag. Spyridon", as well as the amended commitment to divest the store in the "Anemomyloi" area, three years after the HCC's decision to approve the merger, as well as the

unfavorable economic situation and uncertainty due, inter alia, to the covid 19 pandemic, the acceptance of MASOUTIS's request for exemption from the divestment commitment was decided, as the conditions of effective competition in the retail market for consumer goods (supermarkets) in the area of Chora of Andros island have been sufficiently ensured.

[Click here](#) for more information

On 21/1/2022, the Hellenic Competition Commission, in Plenary, rejected (by its Decision No 765/2022) the complaints against SARANTIS S.A for alleged infringements of Articles 1 and 2 of Law 3959/2011 as unfounded.

The company SARANTIS has an extensive portfolio of products, including cosmetics of broad and selective distribution, cleaning and maintenance products, and other household items, pharmaceutical products and dietary supplements and vitamins. The relevant product markets for the purposes of

the present case include the markets in which the products sold by SARANTIS are distributed by wholesalers in the “small market”, since this was the subject-matter of the complaints. These products can be included in two general categories, that of household products and that of widely distributed cosmetics (see Relevant Market section). In this case, the conditions for establishing abusive sales target discounts and the other alleged abusive practices are not met. Furthermore, the conditions for establishing resale price fixing, purchase allocation/restriction of passive sales and the other alleged practices are not met.

Click [here](#) for more information

On 31/1/2022, the Hellenic Competition Commission (HCC), in Plenary, unanimously adopted Decision No 767/2022 according to the simplified Settlement Procedure (Article 25a of Law 3959/2011 and HCC Decision No 704/2020) following the settlement submissions by the companies: a) POT & PAN SA; b) TZANETOS SA; c) SALAS INTER. GROUP SA; and d) PLEIADES L“d. “

The Decision was adopted according to the simplified Settlement Procedure following the settlement submissions by the companies and the consequent definitive and unequivocal acknowledgement of their participation in the infringements found. Pursuant to the settlement procedure, the HCC imposed reduced fines for the established, according to the operative part of the Decision, infringement of Article 1 of L. 3959/2011, amounting to EUR 120.938,45 on POT & PAN SA, EUR 125.253,69 on TZANETOS SA, EUR 56,10.94 on SALAS SA and EUR 2,131.81 on PLEIADES Ltd i.e., a total fine for all companies amounting to EUR 304,427.89).

Click [here](#) for more information

On 18/03/2022, the Competition Commission decided, unanimously and in an open vote, Decision no. 772/2022),

on the following: A) Finds that the companies i) DRITSA-KAGLI S.A, ii) ELVIEX G.P. PANAGIOTOU S. AND ETETH S.A, iii) KIRIAKOS & NIKOLAOS HARAKIDIS S–A. - WOOD TRADING AND PROCESSING S.A. and iv) KIRIAKOS EMPORIADIS SINGLE-MEMBER PRIVATE COMPANY infringed, according to the grounds of the Decision, Article 1 of L. 3959/2011 and 101 TFEU in prohibited horizontal bid-rigging cartels through various practices as outlined above, in the context of the simplified Settlement Procedure. B) Orders the aforementioned companies to bring to an end, if they have not already done so, and to refrain from the infringements established in the above reasoning of articles 1 of Law 3959/2011 and 101 TFEU in the future. C) The Hellenic Competition Commission imposed reduced fines for the infringement of Article 1 of Law 3959/2011, based on the reasoning of the Decision, amounting to 316,798 euros.

Click [here](#) for more information

On 27/5/2022, the Hellenic Competition Commission adopted Decision no. 778/2022, following an ex officio investigation by the Directorate-General for Competition into possible infringements by the company FREZYDERM AVEE in the relevant market of production and marketing of cosmetic products, personal and baby care products, parapharmaceuticals and other related products. The decision also examined the complaint under ref. no 2222/06.04.2015 lodged by the company INTERMED SA against company FREZYDERM SA, for violation of articles 1 and 2 of Law 3959/2011 and articles 101 and 102 of the TFEU .

Click [here](#) for more information

On June 14, 2022, the Hellenic Competition Commission, considering the relevant provisions of Law 3959/2011, following its members’ deliberations, unanimously decided (by Decision no. 779/2022) and defined, in accordance with

Article 6, paragraphs 5 and 6, and Article 8, paragraph 8 of Law 3959/2011, the form of commitments, as indicated in the model form attached to this Decision.

Click [here](#) for more information

On June 14, 2022, considering the relevant provisions of Law 3959/2011, following its members' deliberations, the Hellenic Competition Commission unanimously decided (Decision No. 780/2022) and defined, in accordance with Articles 6(5) and 6 and 8(8) of Law 3959/2011, the content of the merger notification form.

Click [here](#) for more information

On 15/6/2022, the Hellenic Competition Commission adopted Decision no. 781/2022, following the issuance of the Referral Decision No 1103/2017 of the Administrative Court of Appeal of Athens for referral of HCC Decision 245/III/2003 and review by the HCC in accordance with Article 9 of Law 703/1977. The Hellenic Competition Commission found that in the light of the applicable article 25 B par.1 of L. 3959/2011 on the ceiling of fines provided for by law (as a more favorable provision), the fine imposed on the Hellenic Society for the Protection of Intellectual Property (AEPI) is zero, and that the imposition of other administrative measures pursuant to article 9 par. 1 of Law 703/1977 is regarded as irrelevant.

Click [here](#) for more information

On 7/7/2022 the Hellenic Competition Commission, following its members' deliberations and taking into account the relevant provisions of L. 3959/2011, as amended and in force, the remarks made during the discussion and the fact that the provisions of this decision entail no expenditure under the national budget, unanimously decided (Decision no. 785/2022) and defined the form and mode of submission and filing

of complaints with the Hellenic Competition Commission, pursuant to art. 36(1-2) of L. 3959/2011, as amended from time to time and as currently in force, as indicated in the model form attached to the Decision.

Click [here](#) for more information

On 7/7/2022, the Hellenic Competition Commission, taking into account the provisions of paragraphs 4 and 5 of Article 15 of L. 3959/2011 (GG 93/A'/20.11.2011), as in force following its amendment by L. 4886/2022 (GG A' 2/24.01.2022), the fact that the provisions of the decision entail no expenditure under the national budget and following its members' deliberations, unanimously determined the terms, conditions and the procedure for accepting commitments offered by the interested undertakings and other issues related to the suspension of deadlines provided for in paragraphs 4 and 5 of article 15 of Law 3959/2011 (Decision No. 786/2022).

Click [here](#) for more information

On 11/7/2022, the Hellenic Competition Commission, taking into account the relevant provisions of L. 3959/2011, and following its members' deliberations, unanimously adopted Decision No. 789/2022, in accordance with article 37 par. 5 of L. 3959/2011, as in force, on the determination of the criteria and conditions for the issuance of a no-action letter under par. 1 of article 37A of L. 3959/2011 and on other relevant matters relating to the implementation of this provision, following a public consultation, as indicated in the model form attached to this Decision.

Click [here](#) for more information

On 11/7/2022, the Hellenic Competition Commission, taking into account the provisions of Articles 29A and 14 par. 2 subpar. jd (ee) of L. 3959/2011 (GG 93/A'/20.4.2011), as amended

by L. 4886/2022 (GG 12/A/24.01.2022), the amendments introduced by this law, the remarks made during the discussion and the fact that the provisions of this decision entail no expenditure under the national budget, unanimously adopted Decision no 790/2022 on the determination of the terms, conditions and procedure in the context of the Settlement procedure in cases relating to prohibited agreements, invitation to enter into a prohibited agreement and public announcements concerning future pricing intentions for products and services between competitors, as well as in cases of abuse of a dominant position, in breach of articles 1, 1A and 2 of the Greek Competition Act 3959/2011, as amended by L. 4886/2022 and in force and/or articles 101 and 102 TFEU.

Click [here](#) for more information

On 11/7/2022, the Hellenic Competition Commission, by its Decision no. 791/2022, in accordance with article 14(2) (n) bb) and 29B-29G of L. 3959/2011, as amended by Law 4886/2022 and currently in force, established the criteria and conditions for granting full immunity from, or reduction of the fines imposed on undertakings and natural persons contributing to the detection of prohibited horizontal agreements of article 1 of the above Law or article 101 TFEU ("Leniency Programme")

Click [here](#) for more information

On 22/07/2022 the Plenary Session of the Hellenic Competition Commission (HCC) unanimously adopted Decision No. 792/2022), in accordance with paragraph 35 of its Decision No. 704/2020, to accept the relevant settlement proposals by the companies 1) PANTELIS PAPAPOPOULOS S.A. 2) STANLEY BLACK & DECKER (HELLAS) TRADE OF TOOLS AND MACHINERY LTD, 3) SPYRIDON PAPAPOPOULOS S.A. and 4) MAKITA HELLAS – TRADE OF POWER-DRIVEN TOOLS S.A. following the settlement submissions of these companies,

pursuant to paragraph 37 of HCC Decision No. 704/2020.

The HCC imposed the following fines per company for committing the infringements, identified in the SO, of articles 1 of Law 3959/2011 and 101 TFEU: on PANTELIS PAPAPOPOULOS S.A. a fine totaling EUR 710.96, on STANLEY BLACK & DECKER (HELLAS) TRADE OF TOOLS AND MACHINERY LTD a fine totaling EUR 255.699, on SPYRIDON PAPAPOPOULOS S.A. a fine totaling EUR 63.838 and on MAKITA HELLAS – TRADE OF POWER-DRIVEN TOOLS S.A. a fine totaling EUR 342.806 for both (2) infringements. The total fine imposed on the four (4) participants in the Settlement amounts to 1.373,307 euros. Finally, the Decision ordered the undertakings concerned to cease, if they have not already done so, and refrain in the future from the infringements of Articles 1 of Law 3959/2011 and 101 TFEU.

Click [here](#) for more information

On July 25th, 2022, the Plenary Session of the Hellenic Competition Commission unanimously decided (Decision no.r 93/2022) following a relevant Statement of Objections, in accordance with paragraph 35 of its Decision No. 704/2020, on the acceptance of the settlement submissions by the companies (i) "LEFKIMMI LINES SHIPPING COMPANY", (ii) "MACEDONIA IV SHIPPING COMPANY" (hereinafter referred to as "MACEDONIA IV" and (iii) "SARRIS KERKYRAIKES GRAMMES SHIPPING COMPANY" operating in the ferry connection between Igoumenitsa and Lefkimmi of the island of Corfu. The three investigated companies, LEFKIMMI LINES, MAKEDONIA IV, and SARRIS, for which sufficient evidence was gathered to substantiate a violation of Article 1 of Law 3959/2011, expressed their interest in investigating the possibility of submitting their case to the Settlement Procedure and submitted a relevant application for settlement, in accordance with the provisions of paragraph 30 of the Notice on the Settlement Procedure. The HCC unanimously decided on 15.03.2022 that the case could be subject to settlement

procedure, as it met the relevant criteria. The relevant product market concerning the case was the provision of ferry transport services relating to a ferry connection. The relevant geographic market was the ferry connection between Igoumenitsa and Lefkimmi. The Hellenic Competition Commission unanimously decided, in plenary, according to the relevant grounds of its Decision, on the acceptance of the settlement proposals submitted by the companies: a) LEFKIMMI LINES SHIPPING COMPANY, (b) SARRIS KERKYRAIKES GRAMMES SHIPPING COMPANY and c) MACEDONIA IV SHIPPING COMPANY, and found that the parties concerned infringed Article 1 of Law 3959/2011 by participating in a prohibited horizontal agreement.

The HCC Imposed reduced fines, in the context of the settlement procedure, for the established infringement of article 1 of L. 3959/2011, as follows: a) on LEFKIMMI LINES SHIPPING COMPANY, a total fine of 44.069 euros b) on SARRIS KERKYRAIKES GRAMMES SHIPPING COMPANY, a total fine of 41.974 euros and c) on MACEDONIA IV SHIPPING COMPANY, a total fine of 49.193 euros.

Click [here](#) for more information

On September 29, 2022, the Plenary Session of the Hellenic Competition Commission (HCC) found, by its unanimous Decision no. 796/2022, that the investigated undertakings infringed Article 1 of Law 3959/2011 and Article 101 TFEU.

In this case, regarding the Port of Thessaloniki, the agreements between the parties aimed at restricting competition and, in particular, their object was market sharing and price (discount) fixing in the provision of tug services for commercial ships (both cargo ships and oil tankers). From the evidence in the case file, it appears that these restrictions were applied and resulted in market foreclosure.

Regarding the ports of Attica, the horizontal agreements between the investigated undertakings had as their object the restriction of competition, in particular market sharing and price-fixing (discounts) in the provision of tug services for oil tankers, and therefore they constitute restrictions of competition that potentially could result in the foreclosure of the relevant market.

Regarding the ports of Kavala, the agreements between the parties aimed at restricting competition, specifically through market sharing/customer allocation and price (discount) fixing



for the provision of tug services for commercial ships (both cargo ships and oil tankers). Consequently, they constitute restrictions of competition that may lead to market foreclosure.

The HCC imposed reduced fines (a reduction of 15%) under the Settlement Procedure for the infringement of Article 1 of Law 3959/2011 and 101 TFEU, in accordance with the grounds of the relevant Decision.

In consideration of the principles of economic unit and economic succession, the HCC imposed the following fines:

1) "VERNICOS TUGS & SALVAGE CONSORTIUM": a total fine of 272.349,91

euros.

2) "SPANOPOULOS SALVAGE TUGS CONSORTIUM": a total fine of 431.513,32 euros.

3) "MEGALOCHARI TUGS CONSORTIUM, PANTANASSA SHIPPING COMPANY & MEGATUGS CONSORTIUM" (MEGATUGS): a total fine of 498.280,58 euros.

4) "ZOUROS TOWAGE AND SALVAGE CONSORTIUM»: a total fine of 510.326,14 euros.

5) "MEGALOCHARI - ZOUROS TOWAGE & SALVAGE CONSORTIUM" (PRO-TUGS): a total fine 1.060.950,56 euros.

6) "MEDITERRANEAN TUGS" (MED TUGS): a total fine of 1.203.324,95 euros.

7) "VERNICOS SPANOPOULOS TUGS AND SALVAGE CONSORTIUM ΘΕΣΣΑΛΟΝΙΚΗΣ" (VERNICOS-SPANOPOULOS): a total fine of 384.072,82 euros.

Click [here](#) for more information

On 25/10/2022 the Hellenic Competition Commission decided by majority to deliver Opinion 40/2022 on issues related to the protection of free competition raised by the "household basket" initiative.

By its unanimous Decision no 798/2022, adopted on 02/11/2022, in an open vote, the Hellenic Competition Commission, in Plenary:

Found that the companies 1) GRAFFITI IMPORT AND TRADING OF SCHOOL SUPPLIES AND GIFTWARE S.A, 2) POLO S.A. and 3) GIOVAS S.A. – COMMERCIAL, TECHNICAL & TOURISM SA infringed Articles 1 of Law 3959/2011 and 101 TFEU, according to the grounds of the decision, due to their participation in prohibited vertical agreements through the practices outlined above, in the context of the Settlement Procedure.

Imposed on GRAFFITI IMPORT AND TRADING OF SCHOOL SUPPLIES AND GIFTWARE S.A a fine totalling EUR 36.864 for the aforementioned infringement of Article 1 of L. 3959/2011 and 101 TFEU committed during the above period.

Imposed on POLO S.A. a fine totalling EUR 254.246 for the aforementioned infringement of Article 1 of L. 3959/2011 and 101 TFEU committed during the above period.

Click [here](#) for more information

### Mapping of the petroleum industry

In 2022, The Hellenic Competition Commission (HCC) conducted the first Mapping study on the conditions of competition in the Petroleum Industry. Mapping is a new tool that has been added to the responsibilities of the HCC by the provisions of Law 4886/2022 (article 14(2) subpar. s) and allows it to study the competitive conditions in any market or sector of the economy - where required - for the effective exercise of its powers.

Petroleum industry mapping, launched by an HCC decision on 22.3.2022, is conducted by the Directorate General for Competition (DGC) in collaboration with the team of the HCC's Chief Technology Officer (data scientists) and academic experts. At the same time, since September 2021, the DGC has been conducting an ex-officio investigation in the petroleum sector for possible anti-competitive practices.

It is recalled that the HCC is one of the first Competition

Authorities in the European Union to launch an investigation in the petroleum market, with only the Competition Authorities of Austria and Germany to have similarly initiated such investigations into this market.

The petroleum industry includes a very wide range of products. The HCC's Mapping selectively focuses on 95 octane unleaded petrol, diesel, and heating oil, i.e., three prime necessities with low price-inelastic demand.

The study examines price pass-through in the oil production and distribution chain in the Greek market. Specifically, this mapping examines the phenomenon of asymmetric adjustment of fuel prices in relation to costs (also referred to as "the "Rockets & Feathers"- R&F phenomenon, especially with regard to the existence of asymmetry in price adjustment between the different stages of the petroleum industry (refining, wholesale, retail).



## Regulatory Interventions

### Construction Sector

The HCC launched the second public consultation in August 2022 in the context of its Market Investigation in the Construction Sector.

The HCC's second interim report proposes the following remedies for the examined sector:

- Independent Management – Chinese Walls – Code of conduct, in cases of horizontal common ownership of competing companies, concerning the members of the management and the shareholders of these companies, as well as the manner and type of information (sensitive and not) that will be transmitted by the common Shareholders to competing businesses and vice versa.
- Imposing a notification obligation to the HCC, to carry out a relevant economic analysis of competitive effects, in cases of an increase in the percentage of horizontal common ownership, when any legal entity, acquires a percentage of more than 5% in the share capital of more than one competing company in the examined industry.
- Additional obligations to active common shareholders.

Also, other issues deriving from the legislative framework, taking into account the concerns expressed by companies in the sector (during the first consultation as well as the supplementary investigation by the HCC), about their effects on competition are, inter alia:

- With regard to the more intensive and wider use of PPPs and concessions without prior systematic analysis of their (possible) effects on competition, it is proposed to establish a procedure for formulating an opinion by the HCC regarding the effects of each infrastructure project on competition, at the stage of designing the project, as well as in its implementation and development stage.
- Regarding construction consortia (joint ventures), it is proposed to provide specific guidance, in collaboration with the Hellenic Single Public Procurement Authority (HSPPA).

The HCC, in its second interim report, considers the above measures to be necessary and proportionate for the creation of effective competition in the construction sector, based on Article 11(3) Law 3959/2011.

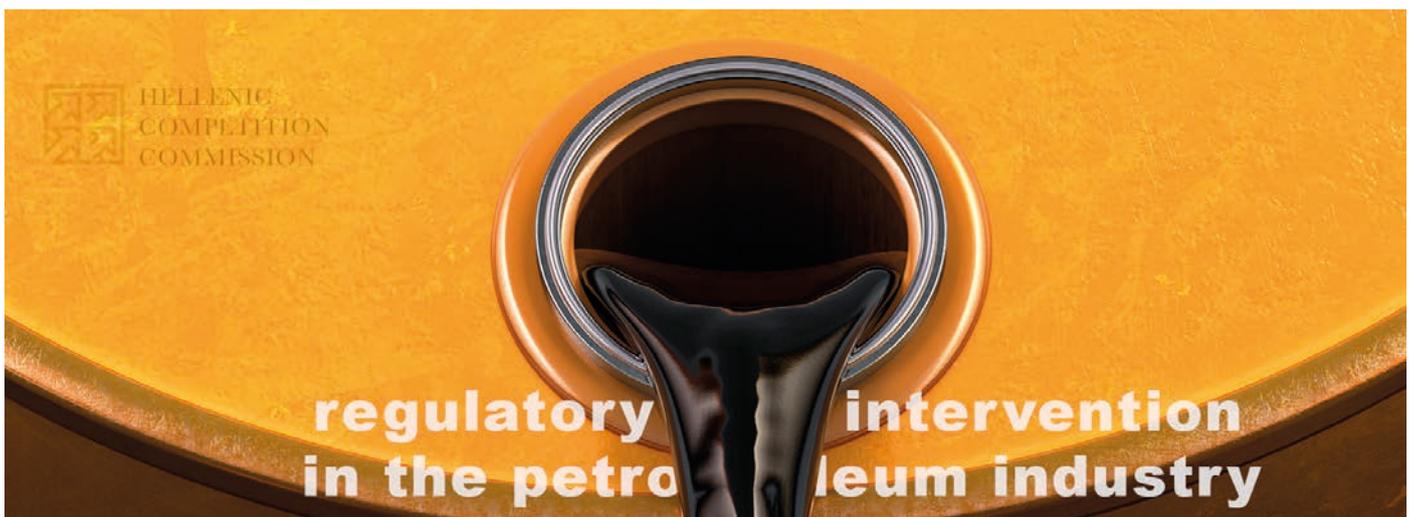


### Petroleum Products Sector

The Hellenic Competition Commission decided by majority, on 28 November 2022, to initiate the procedure stipulated by art. 11 of Law 3959/2011 (market investigation reference) regulatory intervention in sectors of the economy) in order to look into the petroleum industry and, in particular, to assess the prevailing market conditions in terms of effective competition in the three production and distribution stages (refining, wholesale, retail) of petroleum products (unleaded petrol, diesel and heating oil) in the Greek market. These are prime basic necessities with low price-inelastic demand.

The initiation of the market investigation reference, which was based on the findings of the Mapping study of the Petroleum industry Market, selectively focused on 95 octane unleaded petrol, diesel and heating oil and examined price pass-through in the oil production and distribution chain in the Greek market. In particular, the mapping examined the phenomenon of asymmetric adjustment of fuel prices in relation to costs (also referred to as the "Rockets & Feathers"- R&F phenomenon), especially with regard to the existence of asymmetry in price adjustment between the three oil-production and distribution stages.

By the decision to initiate the market investigation reference, the Mapping is concluded. In the context of the initiated procedure, the conditions of competition in the relevant markets will be examined in depth, in order to clarify whether the observed asymmetry, and in general the price increase of these products over the last two years, are due to the absence of conditions of effective competition, as well as issues regarding the pricing policy mechanism, the maintenance of security stocks and other potential barriers to entry and development of the market, and maintenance of a high profit margin by the industry firms. In this regard, it is noted that Greece is among the most expensive European countries for liquid fuels in terms of pre-tax prices (regular unleaded petrol and diesel), in conjunction with the existence of an asymmetric adjustment in the formation of final fuel prices (pump prices), especially for 95 octane unleaded petrol and heating oil, and the increase in the profit margin at the various stages of the value chain.



## Sector Inquiries

### Sector inquiry into Health Services and Health Insurance

The Hellenic Competition Commission, considering the rearrangements taking place in the private health services sector in the last five years, as well as the restructuring of the regulatory framework for the provision of related insurance services, has initiated by decision of 5.7.2021 a sector inquiry into the provision of private health services and related insurance services, exercising the respective powers conferred on it pursuant to Article 40 of Law 3959/2011.

The functioning of the market for the provision of private health services is inextricably linked to the market for health insurance services, due to the uncertainty that exists regarding both the need to use the relevant services and the results of their use. In this context, the organisation and operation of the adjacent and interdependent markets for the provision of health services and health insurance services focuses on the different ways in which health service providers and insurance providers interact. The key variables of the mechanism of these markets include quality and prices of the services

provided, the range of the network, the insurance premiums, and the range of insurance coverage. Competition in the wider industry can be horizontal between health service providers and between health insurance providers but also vertical in terms of bargaining power between insurance providers and health service providers.

At each level, not only the above-mentioned variables but also the dynamic growth of the health and insurance services sector, such as the unclear separation between private and public services, should be considered, as well as the impact of medical and insurance data management by their respective providers, especially in the case of partial or total vertical integration of the existing health and insurance service providers

On October 26, 2021, as part of the first phase of the sector inquiry, **a public consultation** was conducted, inviting all interested parties to express their comments and positions regarding the competition conditions in the sector.

HELLENIC COMPETITION COMMISSION

Sector inquiry into Health Services



### Sector inquiry into Waste Management

The Hellenic Competition Commission taking into account the economic importance of the waste management and recycling sectors in Greece and their contribution to sustainable development objectives, as well as the need to ensure their proper functioning and efficient operation, has launched on 16.7.2021 a Sector Inquiry in the Waste Management and Recycling Sectors in specific categories of waste pursuant to Article 40 of Law 3959/2011.

Waste management and alternative management is a pressing issue in modern, European societies, and beyond, in two respects: on the one hand, for reasons of environmental protection and in the broader context of addressing climate change and the introduction of the production model in the circular economy and sustainable development; on the other hand, for economic reasons, through the treatment of waste

as tradable goods with economic value. A major part of the European Union's expenditure on waste management is allocated to solid waste.

An integrated solid and liquid waste management system does not only include the management, recycling, or regeneration of the generated waste, through its collection at source, the recycling of various materials for the purpose of energy recovery or reuse of materials and, finally, its final treatment, but also the limitation of its generation.

On November 18, 2021, a public consultation on Waste Management and Recycling was organized by the HCC via livestreaming.



## Sector Inquiry into Waste Management & Recycling

### Sector inquiry into e-commerce

The Hellenic Competition Commission (HCC) published on the 2 November 2022, the Final Report for its sector inquiry into E-commerce, which is available [here](#) (in Greek).

This large-scale sector inquiry on the competitive conditions prevailing in the E-commerce sector/markets, carried out in Greece for the first time, was designed and conducted with the aim of attracting the maximum possible participation of all interested parties/stakeholders (consumers, businesses at all levels of the value chain of products, sectoral and other institutional bodies). In this context, the HCC used a variety of methods to collect the necessary data, in particular by organising public consultations/teleconferences, sending a series of questionnaires and conducting a consumer survey.

Although the inquiry mainly focuses on purely competition issues (within the meaning of art. 40 of Law 3959/2011), it also highlights issues that, albeit similar, do not fall stricto sensu within the HCC's competence, such as issues relating to consumer protection, the use of Big Data, implementation of Regulation (EU) 2019/1150 (P2B Regulation) etc.

More information on the HCC's actions for the specific sector inquiry you can find [here](#).



### Sector inquiry into Fintech

The Hellenic Competition Commission published on 27.12.2022 **the Final Report (in Greek)** for its Sector Inquiry into Financial Technologies (Fintech), as well as the accompanying executive summary of the Final Report, available [here \(in English\)](#).

The financial technologies sector «Fintech», i.e. the provision of financial services exclusively through innovative information and communication technologies, is a new and constantly growing market, which in our country is at an early stage of development.

The highly promising Fintech sector offers significant benefits to consumers and businesses, as it contributes to the development of innovative products, which present significant advantages over traditional financial services. On the other hand, the key features of financial technologies, such as the use of platforms, data, and algorithms, may facilitate the adoption of practices that could harm consumers' well-being and impede innovation and competitiveness in the sector.

The HCC took the initiative to thoroughly investigate the competitive conditions prevailing in the fintech sector, in order to enhance consumer welfare and contribute through its actions to the digital transformation of the country and the promotion of innovation.

The sector inquiry was designed with the aim of maximizing the participation of all interested parties (consumers and businesses). In this context, the Competition Commission utilized various methods to collect the necessary data, particularly by organizing an open teleconference and sending a series of questionnaires. Additionally, market research was conducted, during which data provision questionnaires were sent to 153 companies operating in the FinTech sector through a relevant online platform to companies operating in the sector. The questionnaire was addressed to traditional providers of financial services (e.g. banks), start-ups, and FinTech technology companies (tech-companies).



## 8. Competition Guides for Undertakings and Contracting Authorities

### Guide for Associations of Undertakings

The HCC, consistently providing information and raising awareness among the public and undertakings, presented an updated **“Guide for Associations of Undertakings”**, with the information they need, in order to avoid potential anti-competitive conduct.

The Guide, which serves as a “code of conduct,” emphasises that, as associations of undertakings provide a platform for communication among undertakings competing on the market, they should adopt a cautious course of action in terms of compliance with competition rules.

For clarity reasons, the Guide’s content is organised into short sections with questions and answers. Within this framework, the Guide provides examples of cases handled in the past, which are, however, only indicative and non-exhaustive as to the existing administrative practice of the HCC and the European Commission and the case-law of Union courts on the application of competition rules to associations of undertakings.

As acknowledged in the Guide, both associations and their representatives should keep in mind that their actions may violate competition law to the extent that they can disrupt the smooth functioning of the market, in particular by seeking to establish a unified behavior among their members, as well as other parties.

It should be noted that competition law does not only apply to undertakings-members of these associations. The associations themselves, in so far as they engage in economic activities, are also subject to the obligations arising from competition rules.

It should be noted that through the HCC’s [dedicated Whistleblowing System](#), individuals can share valuable information about anti-competitive practices and/or behaviors, while entirely ensuring their anonymity.

You can find the relevant Press Release [here](#) and the Guide for Associations of Undertakings [here](#) (in Greek).



## Guide for Contracting Authorities and Anonymous Reporting System (whistleblowing) for Contracting Authorities

The Competition Commission, with the aim of providing practical support to Contracting Authorities and protecting the public interest, published on 14.4.2022, the updated **"Guide for Contracting Authorities: Detection and Prevention of Collusive Practices in Procurement Tenders"**. It also presents the new Anonymous Information System exclusively for Contracting Authorities (whistleblowing).

The guide includes all the necessary information for understanding the legal framework of competition law, detecting and preventing manipulation/bid-rigging in public procurement tenders, as well as issues related to sanctions, and is accompanied by annexes with a list of warning signs (checklist) and examples. By consulting the Guide, the Contracting Authorities can ensure the proper and legal operation of the competitive procedures launched thereby.

To further strengthen competition in procurement tendering, the Competition Commission has created a special system for Anonymous Information for Contracting Authorities. The information available to them because of their role as contract-awarding / tender-launching bodies, allows Contracting Authorities to receive information and complaints regarding the participation of undertakings in these procedures. Contracting Authorities can assist the HCC's work in uncovering cartel practices (bid-rigging) and proceeding with its investigations swiftly and effectively, directly benefiting the Greek economy, consumers and taxpayers, thanks to their help.

Through our dedicated whistleblowing system, Contracting Authorities and other bodies can share valuable information regarding bid-rigging practices, while fully securing their anonymity.

You can find the Guide for Contracting Authorities [here](#). For more information on the Anonymous Information System (Whistleblowing) you can visit the website: <https://www.epant.gr/en/bidrigalert>



In June 2022, the Hellenic Competition Commission promoted the anonymous information system for Contracting Authorities with the advertising spot "See it, Say it" which was made available on its website as well as on its social media accounts (Facebook, YouTube και Instagram).



To watch the advertising spot press [here](#)

## 9. Guidelines on the implementation of Article 1A of Law 3959/2011

The Hellenic Competition Commission (HCC), as part of its actions to promote and strengthen competition and having taken into consideration the provisions of Article 1A of Law 3959/2011, as amended by Law 4886/2022, recently issued draft guidelines on the implementation of Article 1A and opened the text to [public consultation](#) in order to obtain input from market participants and undertakings for possible improvements to the text of the guidelines. The guidelines contain the principles according to which the unilateral business practices concerning invitations to collude and announcements relating to future pricing intentions are assessed under Article 1A.

The purpose of the guidelines is to provide a detailed framework for the most common forms of invitations to collude and future pricing intentions announcements, which are primarily based on legal and economic criteria that are used to analyse the above practices, framework, and market conditions in which they take place. Economic criteria, such as the parties' market power and other factors related to market structure, are a key element in assessing these practices under Article 1A.

This article aims at the optimal implementation of Articles 1 and 2 of the law, regarding two different types of unilateral practices with significant negative effects on competition, consisting in: (a) invitations to collude aimed at preventing, restricting or distorting competition in the Greek territory, or (b) announcements related to communicating future pricing intentions for products and/or services between competitors ("price signaling") where the disclosure restricts effective competition in the Greek territory and does not constitute a normal business practice.

On November 4th, 2022, a presentation was given on Article 1A of Law 3959/2011, as amended by Law 4886/2022, at the 6th International Competition Law Conference by the President of the Hellenic Competition Commission, Mr.

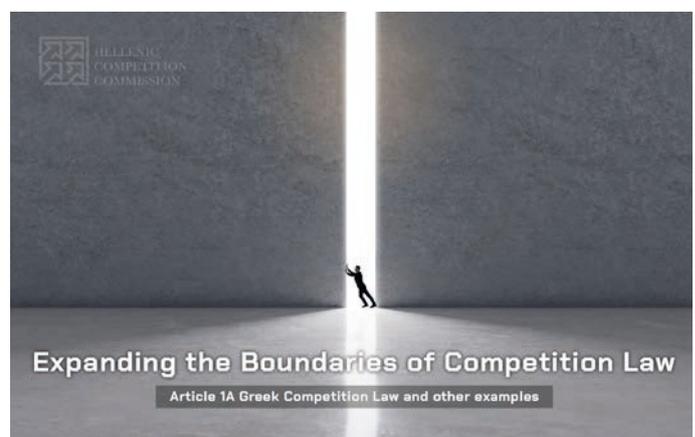
Ioannis Lianos, followed by a discussion on the guidelines on its implementation.

[See here](#)

Also, on November 28th, the HCC organised an international webinar was on "Expanding the boundaries of competition law - Article 1A of Greek competition law and other examples". The webinar focused on the recent reform of Greek competition law regarding the new provision of Article 1A of Law 3959/2011 on invitations to collude and/or price signaling for products and services, and examined the significance of this reform, as well as its connection to the ongoing effort to expand the boundaries of competition law in other jurisdictions in relation to equivalent behaviors, such as Article 5 of the FTC Act and/or Article 32f GWB.

The international webinar, joined by prominent academics of international standing, addressed the issue of invitations to collude and price signaling, as a competition law concern and discussed on the various approaches adopted across jurisdictions with regard to this phenomenon, focusing on the reform of Article 1A and the draft guidelines.

[Watch the video of the webinar here](#) and on YouTube (in English).



## 10. Sustainability Sandbox

Competition policy, which in many ways defends and promotes competitive conditions in the economy, must be adapted to the creation of solutions that also promote sustainable development, in order to act in a complementary way to other initiatives in this direction, but also to facilitate business initiatives aimed at the green transformation of the economy.

The proposal for the creation of a “sandbox” for sustainable development (sustainability sandbox) and competition in the Greek market, forms part of policies for the promotion and strengthening of competition by the Hellenic Competition Commission (HCC). It follows an extensive international discussion, through the publication, in July 2020, of a working paper on sustainability and competition law, the organisation in September 2020 of an international conference on the same topic, the publication in February 2021 of a joint technical study with the Netherlands Authority for Consumers and Markets (ACM) and the participation of the Hellenic Competition Commission as a coordinator (jointly with the ACM) in the working group on this issue set up by the

European Competition Network (more information [here](#)). The HCC also sent the original sandbox proposal for comments to expert economists, competition academics, leading professionals in the field of competition and sustainable development, as well as consumer organisations.

The sandbox is a supervised environment where undertakings can undertake initiatives that contribute significantly to the goals of sustainable development while not significantly impeding competition. In this context, the proposal's effects on both competition and sustainable development are assessed by the HCC in order to enhance legal certainty and reduce regulatory risk for investments in line with the broader public interest goals for sustainable development.

An additional problem justifying such intervention by the HCC arises from the presence of imperfect financial markets, which either do not provide the required investments in view of their narrowness or, due to regulatory risk, and thus require additional guarantees. In this environment small and medium-sized enterprises would have found it increasingly difficult to attract investment for the green transformation of their activities. Hence, the sustainable development competition



law sandbox forms part of the HCC's efforts to enhance the dynamic efficiency of the economy and innovation.

If the HCC considers that the business proposal may contribute positively to the public interest, then the proposal can be implemented in the market under the HCC's supervision for a certain period, in case specific competition law problems that require some form of monitoring may be identified. Therefore, this environment does not make it possible to avoid the application of competition rules in the market, nor can it be used for anti-competitive practices that simply contain some reference or a low contribution to sustainable development without overcoming the damage to competition caused (e.g. "green-washing" practices). On the contrary, it makes it possible to fully evaluate practices which make a significant contribution to the public interest by enhancing sustainable development.

The purpose of the HCC is to contribute to the green transformation of the Greek economy according to the principles of competition and to the creation of a new economic model which, ab initio, will avoid the creation of monopolistic situations which would be particularly difficult to limit in later phases of green growth, because of market tipping. It also integrates HCC's commitment for openness in ecosystems. The cost to the HCC and to businesses of an ex post repressive policy, in the case where these

anticompetitive structures and platforms are in place, would be particularly high and could create disincentives for green entrepreneurship.

The Sandbox for Sustainable Development is a personal commitment of the President of the HCC, Mr. Ioannis Lianos, and is the capstone of an effort that began already in mid-2020, following extensive international discussions and the publication of a working paper in July 2020, **an international conference organised by the HCC** in September of the same year, and the publication of a **joint technical study with the Netherlands Authority for Consumers and Markets (ACM)** in February 2021. Finally, consultations were held with leading competition economists, academic experts in the field of competition, top professionals in the field of competition and sustainable development, as well as consumer organisations.

The presentation of the Sandbox proposal and the conclusions of the Public Consultation are available [here](#).

On October 4, 2022, the tele-conference organised by the Hellenic Competition Commission within the framework of **the official launch of the Sustainability Sandbox** was successfully completed, which was welcomed by both the European Commission and the European Consumer Organisation BEUC and was characterised as a model for the whole of Europe.



## 11. HCC actions in the Energy Sector

The HCC is closely monitoring international developments in energy pricing, which have been driven up by factors including the COVID-19 pandemic and the Russian Federation's invasion of Ukraine. In response to significant price increases in the market, the HCC has taken targeted actions to investigate and prevent any anti-competitive practices by undertakings. In particular:

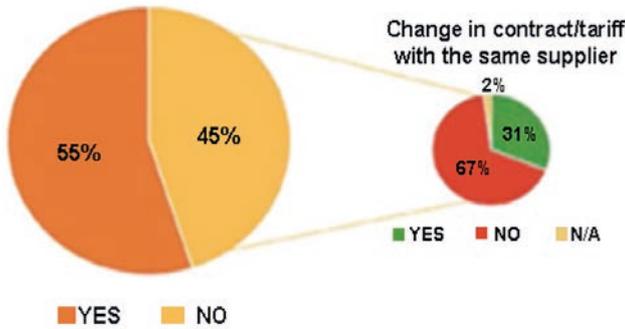
- As early as September 2021, the HCC has set up a working group consisting of HCC staff in collaboration with experts from foreign and domestic academic institutions such as the University of Cambridge, the University of East Anglia, and the Athens University of Economics and Business to closely monitor the electricity market.
- On 28.09.2021 unannounced inspections (dawn raids) were carried out by HCC officials at the premises of undertakings active in the refining, wholesale, and retail trade of gasoline and diesel, regarding possible anti-competitive practices within the framework of horizontal and/or vertical agreements or abuse of collective dominance. The dawn raids were carried out at the premises of undertakings in the Prefecture of Attica and were part of a preliminary stage in an HCC's investigation for the detection of anti-competitive practices pursuant to the provisions of Law 3959/2011.
- On 16.12.2021, the Hellenic Competition Commission initiated an ex officio investigation into the retail supply of electricity to low voltage customers, following a preliminary investigation and monitoring of the specific market. The HCC proceeded to the adoption of investigative measures for eighteen (18) undertakings operating in the market in order to identify potential anti-competitive practices, under Law 3959/2011 and the Treaty on the Functioning of the European Union (TFEU).
- Furthermore, on 03.01.2022, an ex officio investigation was launched into the wholesale supply market of electricity, as well.
- On 22.03.2022, the Hellenic Competition Commission

decided to launch a mapping of the petroleum industry under article 14 (2) subpar. s) of Law 3959/2011, with the aim of mapping the competition conditions in the petroleum industry in Greece, as part of the mapping study carried out by the Directorate-General for Competition in the production and distribution chain of petroleum products in the Greek market. In particular, regarding the mapping, It is estimated that the results of the market mapping will be published soon.

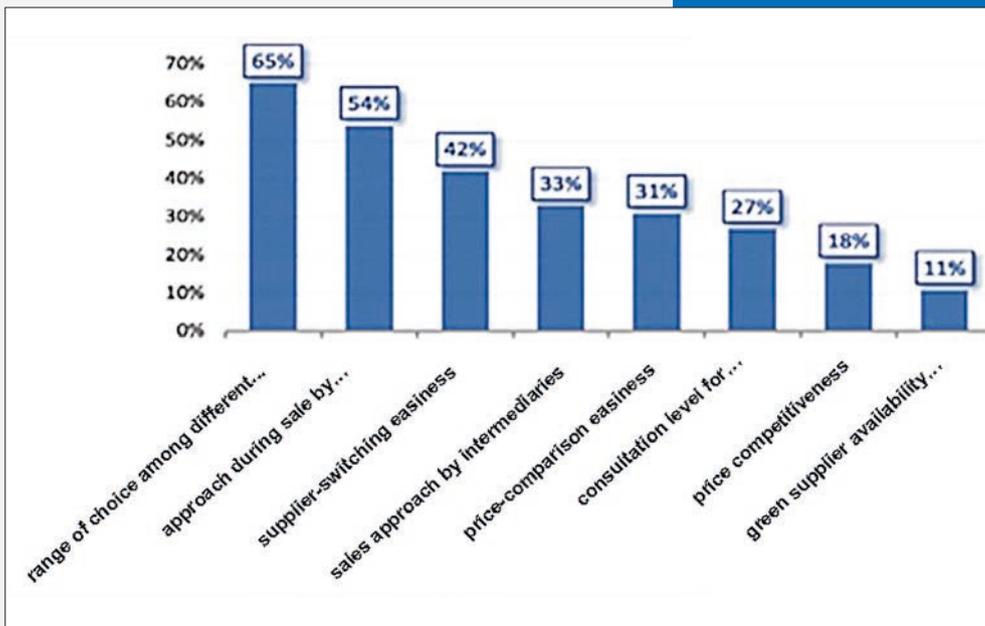
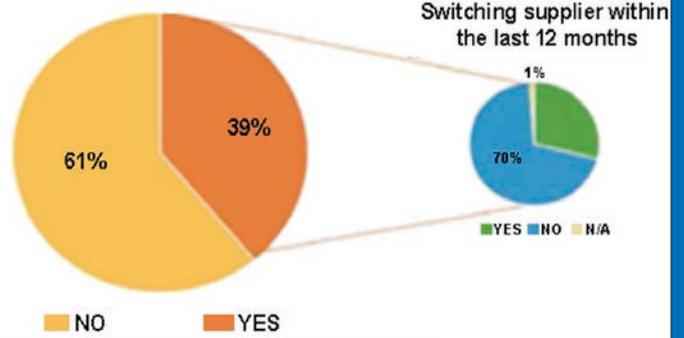
- On 5/5/2022, officials of the Hellenic Competition Commission (HCC) carried out unannounced inspections at the premises of undertakings active in the wholesale supply of electricity, as well as in the retail supply of electricity to low voltage customers (households and SMEs) regarding possible anti-competitive practices under articles 1 and 2 of Law 3959/2011 and articles 101/102 of the TFEU. It should be noted that unannounced inspections are a preliminary step in an investigation into suspected anticompetitive practices. The fact that the HCC has carried out inspections does not mean that the inspected undertakings have engaged in anti-competitive behavior, nor does it prejudice the outcome of the investigation itself.

On 5.7.2022 HCC announced the results of its inquiry regarding the criteria for the selection and switching of electricity providers to consumers and small and medium-sized enterprises with low voltage business tariffs. In particular, as part of the ex officio investigation conducted by the HCC's Directorate-General for Competition into the retail supply of electricity to low-voltage customers, the HCC commissioned PRORATA to conduct a survey on the demand conditions in this market as well as on any unfair pricing and other commercial practices by providers operating in it. In particular, the HCC investigated, inter alia, whether trading and pricing practices favor the creation of confusion among consumers (confusopoly), which may make it difficult for consumers to choose the best offer or to understand and control the contract they sign with a provider, creating an incentive for undertakings to increase prices, especially if consumers are not "active" in searching for and choosing new

Switching supplier within the last five years



Switching supplier within the last five years



providers (consumer switching), which is a characteristic of competitive markets. Examples of such confusopoly practices include excessively numerous and opaque offers, the grouping of products into unjustifiably complex packages, and complex contractual terms.

The company PRORATA conducted two surveys on behalf of HCC: one on household consumers and one on small to medium-sized enterprises that consume low voltage (LV) electricity. Low voltage tariffs include business tariffs aimed at commercial customers

(such as offices, stores, medical practices, commercial stores, etc.), industrial customers (such as workshops, craft industries, small industries, furnaces, and other businesses), and general electricity use (such as communal areas, warehouses, garages).

Read [here](#) about the survey on the retail supply of electricity for consumers and small and medium-sized enterprises

- The Hellenic Competition Commission decided by majority, on 28 November 2022, to initiate the procedure stipulated by art. 11 of Law 3959/2011 (regulatory intervention in sectors

of the economy) in order to look into the petroleum industry and, in particular, to assess the prevailing market conditions in terms of effective competition in the three production and distribution stages (refining, wholesale, retail) of petroleum products (unleaded petrol, diesel and heating oil) in the Greek market. These are prime basic necessities with low price-inelastic demand.

It should be noted that the Regulatory Authority for Energy (RAE) has exclusive competence to monitor competition ex ante, while the HCC has exclusive competence to enforce competition law ex post in cases where anti-competitive practices are substantiated.



## 12. Cooperations of the HCC - Signing of Memoranda of Cooperation

**The Hellenic Competition Commission awarded prizes to AUEB students during a special ceremony held at the Athens University of Economics and Business.**

During the current academic semester, 43 students enrolled in the 'Creative Design & Advertising' course of the Athens University of Economics and Business were divided into 10 teams to design and present high-level integrated communication campaigns to the Hellenic Competition Commission with the aim of raising citizens' awareness on competition rules as well as on the HCC's role and actions. Following the relevant presentations, three teams were selected and awarded for their exceptional work.

The awards were given by the President of the Hellenic Competition Commission, Mr. Ioannis Lianos, in the presence of the AUEB Vice-Rector for Economic Planning and Infrastructure, Mr. Konstantinos Drakos.

The HCC, through its Internship programs and memoranda with Higher Education Institutions (AUEB, University of the Aegean, MSc in Energy Strategy, Law & Economics of the Department of International and European Studies of the University of Piraeus), actually demonstrates its trust and support to the new generation of scientists in our country by providing them with the opportunities they need to bring out their talent and fully put their academic knowledge to use. In the context of the effort to promote a competition compliance culture, initiatives like this are essential, in particular through the development of strategies and actions oriented towards an interaction with citizens and businesses, in order to raise their awareness on the harmful effects of anti-competitive practices and establish a broader social alliance in favor of competition in our country. Such initiatives are critical to raising awareness and advocating for the importance of fair competition.



### Digitalisation of the HCC's archives

On October 27, 2022, the Hellenic Competition Commission, Information Society SA, and the Ministry of Digital Governance signed a Programme Agreement. The Ministry of Digital Governance will serve as the "Funding Body" and "Ministry Responsible", while Information Society SA will act as the "Implementing Body." The primary goal of the agreement is to digitally transform the HCC by digitising its physical archives and transferring them to information systems. This project will include the procurement of all necessary information technology infrastructure (platform) for managing the archives and training the HCC's staff on their proper use. The project will be financed under Axis 2.2 of the National Recovery and Resilience Plan, which focuses on the "Digital Transformation of the State".

The aims of the Project are:

- Research, collection, preservation, utilization, and dissemination of archives and sensitive information.
- Automation and innovative services for citizens.
- Automation and innovative services for undertakings.
- Maintenance of the archive in digital format.
- Saving physical space for archiving.
- Upgrading the quality of storage conditions.

- Cost savings through significant reduction in the need for backup copies.
- Optimal utilisation of human resources (ease and flexibility in file management).
- Direct and organised search and retrieval of archived files.
- Complete automation and assurance of the process for accessing files through classified access.
- Wider availability of primary data to support scientific research and secondary training material to enhance the training process, and the possibility of utilising the archive for the development of artificial intelligence technologies.

As stated by the President of the Hellenic Competition Commission, Mr. I. Lianos, "for the first time in its history, and after significant preparation work over the past two years, the HCC is moving forward towards a systematic and holistic exploitation of its archives, through their digitisation and the use of artificial intelligence tools in their processing. This project is part of the effort of the Hellenic Competition Commission's administration aiming at upgrading the quality of its services, according to the international standards, both to undertakings and to citizens and the wider public sector, and at increasing the effectiveness of competition law enforcement in Greece."



### Memoranda of Cooperation with Regulatory Authorities

On July 12, 2022, a Memorandum of Cooperation was signed between the Hellenic Competition Commission (HCC) and the Hellenic Capital Market Commission (HCMC), by the President of the HCC, Professor Ioannis Lianos and the Chair of the HCMC, D.L. Vassiliki Lazarakou, with the aim to consolidate and enhance cooperation as well as further tighten the links between the two Authorities.

The HCC, in its capacity to safeguard the unimpeded and effective functioning of free competition in accordance with Law 3959/2011, and the HCMC, as the supervisory public authority responsible for protecting investors and ensuring the proper functioning of the Greek capital market, agreed, by virtue of the said Memorandum of Understanding, to establish a bilateral strategic cooperation, in particular consisting in:

- enhancing their existing cooperation,
- sharing know-how and building on both Authorities' experience with the aim of benefiting citizens, the economy, and the public interest in general, and
- Taking comprehensive and effective decisions on the basis of timely and effective cooperation and exchange of information and views in the areas of cooperation between the two Authorities.

Particular emphasis was placed on the setting up of joint working groups for drafting guidelines, studies and surveys on issues of common interest falling within the powers of the two Authorities.

The two Authorities agreed, inter alia, to undertake information actions to promote policies and strategies in order to inform economic operators / stakeholders on matters relating to the responsibilities of both Authorities, for the benefit of society, the economy and the public interest, as well as co-organise seminars and other information activities.

The Memorandum is available [here](#) (in Greek).



On August 5, 2022, a Memorandum of Cooperation was signed between the Hellenic Competition Commission (HCC) and the Hellenic Data Protection Authority (HDDPA), by the HDDPA's President, Mr. Konstantinos Menoudakos and the President of the HCC, Professor Ioannis Lianos.

The two authorities agreed on further tightening the links between them, sharing know-how and building on both Authorities' experience with the aim of benefiting citizens, the economy and the public interest in general, while ensuring the freedoms and rights of individuals, in particular the protection of personal data, based on timely and effective cooperation and exchange of information and views, as well as providing mutual assistance in case examination and joint investigations, within their respective competences.

The memorandum is available [here](#)



### 13. Spotlight:

#### Directorate A for Industrial and Consumer Products (DIRECTORATE A)

Directorate A is currently dealing with eight backlog cases pending before the HCC, the oldest of which was initiated in June 2021 and the most recent in October 2022, resulting in an average age of 13 months (it should be noted that in 2019, the average age of cases was 11 years). All cases are in an advanced stage in terms of investigative measures (on-site inspections, unsworn statements, requests for information), with one of these cases having been assigned to a rapporteur and expected to be completed by mid-March within a 15-month period from its initiation. Two other significant cases are also expected to be completed by the end of the year.

Over the same period, on-site inspections have been conducted in the context of six cases at a total of 26 companies.

The Directorate has initiated two ex officio investigations based on data analytics, used whenever signs of non-effective competition trigger an HCC's market intervention, as well as another ex officio investigation initiated in the light of information provided through the HCC's whistleblower platform.

The regulatory intervention in the construction sector, pursuant to Article 11 of Law 3959/2011, is also of great importance. In 2021, two information notes were prepared for the Hellenic Competition Commission and two more, along with the final statement of objections proposing remedies to the HCC, are expected to be completed within 2022. The second public consultation was completed in October, and the issue of HCC's decision on the adoption of remedies is expected by January 2023.

In 2022, the Directorate completed the competition analysis

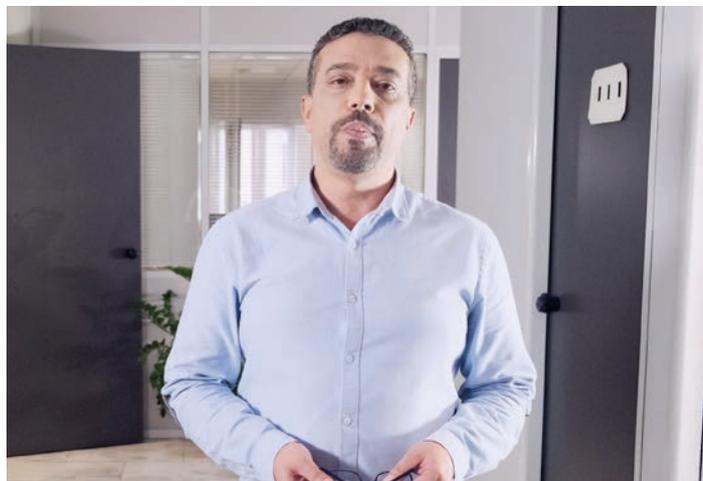
in three infringement cases under articles 1 and 2 of Law 3959/2011 (and 101/102 TFEU). One of these cases concerned an ex officio investigation in import, wholesale, and retail markets for power-driven hand tools and garden tools in order to determine whether the conditions for application of the provisions of articles 1 of Law 3959/2011 and/or 101 TFEU were met in the context of vertical agreements following the Settlement Submissions by four companies. It is noted that this case is the first HCC's case related to vertical agreements that was placed under the Settlement Procedure, and overall, it took only 12.5 months from initiation to completion.

The Directorate also completed its ex officio investigation into tenders, in particular of PPC-HEDNO, OTE et al., for the procurement of impregnated wooden poles, cross-arms etc., in order to determine whether the conditions for the application of the provisions of Article 1 of L. 3959/2011 on the "Protection of Free Competition", as in force, and/or Article 101 of the Treaty on the Functioning of the European Union (TFEU) are met.

Furthermore, Directorate A completed an ex officio investigation into the sectors of import/manufacturing, wholesale and retail of school bags, kids' lunch bags, pencil cases and waist bags, regarding suspected anti-competitive practices in the context of vertical agreements, in order to determine whether the conditions for the application of the provisions of Article 1 of L. 3959/2011 (Greek Competition Act), as in force, and/or Article 101 TFEU are met, following the Settlement Submissions by the three major undertakings of the sector.

Over the same period, the Directorate completed the assessment of two mergers of undertakings active in the retail and wholesale sector of supermarkets, an ex officio investigation into tenders for public energy-saving projects and upgrading of lighting systems (e.g. municipal street

lighting, common area lighting), as well as the supply of related equipment (e.g. LED lighting and bulbs) as well as a compliance case the undertaking concerned undertook commitments according to the relevant HCC Decision. It also reviewed compliance with these commitments prior to the adoption of the relevant HCC Decision on their extension or termination. Directorate A also dealt with another merger in the automotive sector, the assessment of which is expected to be completed by January 2023.



**Spanos Georgios**  
Head of A' Directorate for Industrial and Consumer Products



**Katsireli Spiridoula**  
Head of Unit A for Legal Documentation



**Mousas Dimosthenis**  
Head of Unit A for Economic and Market Impact Analysis

### **The new Information Technology Systems and Forensics Directorate**

Following the adoption of the new HCC organisation, the Information Systems Directorate was reinforced by the incorporation of the Forensics Unit, in addition to the existing Information Technology and Telecommunications Systems Department.

The Directorate's staff was significantly reinforced both by the quadrupling of its specialised scientific staff and the recruitment of two new unit heads with high qualifications and significant experience from both the private and public sectors, respectively. Additionally, the dynamic of the new directorate and the increased salaries for IT personnel due to the introduction of an additional special remuneration, resulted in the return of the entire seconded staff to the Authority.

Furthermore, the contribution of and cooperation with the Chief Data Scientist's team effectively enhances the directorate's functionality, with the aim of substantially assisting the HCC with its work.

A) The Forensics Investigation/ Detection Department, due to the experience of its officials and its modern infrastructure, is a powerful tool both in supporting the market data analysis, via its price collection and search platforms, and in finding digital evidence to identify possible anti-competitive practices in the investigated markets, thus assisting the work of the sectoral directorates.

In particular, due to the increase in investigations over the years 2021 and 2022, there has been a strengthening of the on-site inspection process by tripling the number of the special evidence-opening rooms, with the aim of a speedier evidence processing and the shortening of the time needed for case completion by the HCC.

In order to effectively detect competition law infringements, a significant investment was made in a) the ability to perform

distance dawnraids and b) the acquisition of new artificial intelligence software for the analysis of electronic data collected during inspections.

The department adopts advanced Information Retrieval and Data Mining systems, which utilise Machine Learning techniques and are capable of efficiently managing large amounts of data (Big Data). These tools are expected to be fully integrated into the department's workflow shortly and to considerably contribute not only to the speedier collection and search of digital evidence, but also in the decision-making process through Data Visualisation techniques. In addition, through training by other effective bodies, such as the Directorate of Criminal Investigations of the Hellenic Police, as well as foreign services (such as the US Department of Justice, the FBI, and the European Commission), cooperation and knowledge exchange in specialised software is also promoted.

The Forensics Investigation/ Detection Department also aims at international outreach through its participation in co-funded research programs and projects at national, European, and international levels. In particular, it aims at enhancing cooperation with other Competition authorities and Research and Technology entities to transfer know-how and develop innovative services and bespoke tools that will contribute to a more effective Competition Law enforcement. The ongoing Morocco Twinning programme "Renforcement des capacités institutionnelles du Conseil de la Concurrence" aims at creating a legal monitoring system that will serve as a tool in the sharpening of competition, the strengthening of economic competitiveness, and the development of the private sector in Morocco. In addition, the Forensics Investigation/ Detection Department maintains close cooperation with the Directorate-General for Competition (DG COMP) of the European Commission, in order to be immediately informed about the latest technological developments and be among the first pilot- users to test, adopt, and benefit from new

applications being developed (e.g. eRFI).

B) The Information Technology and Telecommunications Systems Department, with its significant know-how, constitutes the core of electronic support of the HCC's information and telecommunications systems. Its contribution is reflected in the daily assistance provided to the staff, offering solutions to the issues arising from the use of the new information systems of the Authority.

In particular, the tenfold increase in investments, since 2019, in the HCC's technology infrastructure has led to new information systems and infrastructures that assist actively the HCC's staff in its day-to-day work and reduces, over the past three years, the HCC's technological lag which was due to a lack of relevant investment and planning in previous years. For example: the system for handling staff requests (ticketing), b) the training of HCC's officials and personnel in the proper use of various systems by use of modern computers acquired by the Authority, c) the support of the new project management system, in collaboration with the Chief Data Scientist's team of the HCC, d) the drafting of advanced technical specifications and the submission of relevant proposals for extending the existing information systems, e) the development of a web application that enables users to search for court decisions and other documents by content and f) the upgrading of the HCC's Citizen Service platform by introducing additional services such as Complaint Submission, Notification of Concentration, Request for Derogation, Leniency Application, Proposal of Commitments, Intervention Request, Opinion Request, Requests on contributory duty, and General Inquiries, will shortly become more effective and user-friendly with the aim of ensuring a more effective operation and compliance with GDPR regulations.

The above mentioned systems will be linked to the performance indicators that will be implemented to present the performance of the department. Both departments share common goals that include a) continuing training and support for HCC personnel on software and ICT related to the Authority's objectives, and b) implementation of ISO 27001 to ensure the security of processes and information



**Fragkiskos Ninos, Head of Information Technology Systems and Forensic Directorate**



**Apostolopoulos Georgios, Head of Information Technology & Telecommunication Systems Unit**



**Karalas Konstantinos, Head of Forensic Investigation/ Detection Unit**

exchanged within the authority. These steps will be add-ons for the completion of the desired staff's training on promoting the information security culture within the HCC's workflow.

Furthermore, the opportunity for continuous improvement will be provided through systematic inspections.



The Forensics Investigation/ Detection Department



## 14. International Cooperations of the HCC

### Official kick-off meeting of the Twinning Programme with the Competition Council of the Kingdom of Morocco.

The official kick-off meeting of the Twinning programme “Renforcement des capacités institutionnelles du Conseil de la Concurrence” with the Competition Council of the Kingdom of Morocco (“Conseil de la Concurrence du Royaume du Maroc”) took place on May 31, 2022, in Rabat, in the Kingdom of Morocco.

As part of the event, which was co-organised by the Hellenic Competition Commission, the Competition Authorities of Poland and Italy, and the Competition Council of the Kingdom of Morocco, under the auspices of the European Union, a training workshop was carried out, on competition law issues, mainly addressed to lawyers and organisations active in Morocco.

The training workshop included presentations of cases dealt with by the Competition Authorities followed by discussion on key and current competition issues that concern the Authorities as well as the undertakings and stakeholders. The kick-off meeting was attended, among others, by the Ambassadors of Greece, Poland, and a representative of the Italian Embassy.



### Working visit by a delegation of the Commission for the Protection of Competition of the Republic of North Macedonia at the premises of the Hellenic Competition Commission in Athens.

A working visit by a delegation of the Commission for Protection of Competition of the Republic of North Macedonia, led by its President, Prof. Dr. Vladimir Naumovski, took place from 19 to 22 September 2022, at the premises of the HCC in Athens.

In the context of the working visit, different issues were discussed, in particular related to the application of competition law, pertinent case-law, practices adopted by the two authorities, the respective institutional framework, as well as aspects related to their organisation and operation.

The working visit falls within the context of strengthening cooperation between the Hellenic Competition Commission and the Commission for Protection of Competition of the Republic of North Macedonia, which have previously signed [a Memorandum of Partnership on October 5, 2021, in this respect.](#)



### Memoranda of Cooperation Between the HCC and Foreign Competition Authorities

The Competition Commission, in the context of its strategic planning to strengthen its international presence and influence on shaping competition policies, both in the Eastern Mediterranean and the Balkans as well as at the European and international level, along with its effort to expand cooperation with other national competition authorities at a bilateral level, proceeded with the signing of [a Memorandum of Cooperation with the Commission for Protection of Competition of the Republic of Serbia](#) on 28.02.2022. In view of the restrictions due to the COVID-19 pandemic situation, the signing of the Memorandum by the Presidents of the two Competition Authorities, Ioannis Lianos and Nebojša Perić, took place virtually, however both Competition Authorities have planned the exchange of visits and the organisation of joint actions in the near future, within the scope of the Memorandum of Cooperation. The signing of this Memorandum of Cooperation represents another important step forward in enhancing the HCC's international activity and outreach.

The Memorandum of Cooperation is available [here](#)

On 29 March 2022, the Hellenic Competition Commission proceeded with the signing of a **Memorandum of Understanding with the Competition Council of the Kingdom of Morocco** ("Conseil de la Concurrence du Royaume du Maroc"). The signing of the Memorandum by the Presidents of the two Competition Authorities, Ioannis Lianos and Ahmed Rahhou, took place at the premises of the Moroccan Competition Council in Rabat. The signing of the above Memorandum of Understanding as well as the implementation of the Twinning programme «Renforcement des capacités institutionnelles du Conseil de la Concurrence» in Morocco, launched in December 2021 by the Hellenic Competition Commission as the Project Leader in cooperation with the Competition Authorities of Poland and Italy with the aim of enhancing competition in Morocco,

strengthening economic competitiveness and developing the private sector in the country represent another important step forward in enhancing the HCC's international activity and outreach.

The Memorandum of Understanding is available [here](#)



### The Competition Commission of South Africa

On 29 June 2022, the Hellenic Competition Commission (HCC), in the context of its strategic planning to strengthen its international presence and influence on shaping competition policies, both at European and international level, along with its effort to extend cooperation with other national competition authorities at a bilateral level, proceeded with the [signing of a Memorandum of Understanding](#) with the Competition Commission of South Africa.

The signing of the Memorandum by the President of the HCC, Ioannis Lianos, and the Commissioner of the Competition

Commission of South Africa, Tembinkosi Bonakele, took place in Athens.

The signing of the above Memorandum of Understanding, aiming at enhancing the cooperation between the two Competition Authorities mainly by providing mutual update on legislative developments, decisions, and competition enforcement procedures cooperation in the transfer of know-how and implementation of joint projects, represents another important step forward in enhancing the HCC's international activity and outreach.

The Memorandum of Understanding is available [here](#)



On 22 June 2022, the Hellenic Competition Commission, proceeded with the signing of a **Memorandum of Intent on Cooperation with the Competition Authority of Israel**. The signing of the above Memorandum of Intent, aiming at enhancing the cooperation between the two Authorities mainly by providing mutual update on legislative

developments, decisions and competition enforcement procedures cooperation in the transfer of know-how and implementation of joint projects, represents another important step forward in enhancing the HCC's international activity and outreach.

The Memorandum is available [here](#)



On 04 October 2022, the Hellenic Competition Commission, in the context of its strategic planning to strengthen its international presence and influence on shaping competition policies, both at European and international level, along with its effort to extend cooperation with other national competition authorities at a bilateral level, proceeded with the signing of a Memorandum of Partnership with the Egyptian Competition Authority. The signing of the Memorandum of Partnership by the President of the Hellenic Competition Commission, Ioannis Lianos and the Chairman of the Egyptian Competition Authority, Mahmoud Momtaz, took place at the offices of the Egyptian Competition Authority in Cairo. The signing

ceremony of the Memorandum of Partnership was attended by the Ambassador of Greece to Egypt, Mr. Nikolaos Garilidis, the First Counselor for Economic and Commercial Affairs in Cairo, Mr. Periklis Davanelos, and the Head of the Trade Section of the EU Delegation in Egypt, Mr. Nikolaos Zaimis.

The Memorandum of Partnership is available [here](#).



### An HCC's initiative presented to UNCTAD

At the 20th meeting of the Intergovernmental Group of Experts on Competition Law and Policy of the United Nations Conference on Trade and Development (UNCTAD) held in Geneva, Switzerland from July 20-22, 2022, the President of the Hellenic Competition Commission was invited to present his proposal for addressing competition distortions in the global food supply chain for specific categories of basic food products not only for the European consumers but also for non-EU consumers.

The "Proposal for a Global Initiative for Competitive Food Value Chains" was presented and discussed in the section "Rethinking competition law enforcement: Lessons learnt from the COVID-19 pandemic" during the meeting of the Intergovernmental Group of Experts on Competition Law and Policy of the United Nations Conference on Trade and Development (UNCTAD). This initiative aims to tackle the current increase in food prices caused by the COVID-19 pandemic and geopolitical developments stemming from the war in Ukraine. The proposal focuses on mapping the global chain for specific categories of essential food items to identify existing problems and finding effective methods to address them through cooperation and joint action of authorities and entities on a global level.

### OECD

On 30 November 2022, the President of the Hellenic Competition Commission (HCC), Mr Ioannis Lianos, was re-elected as a regular member to the Bureau of the OECD Competition Committee for the year 2023. The President of the HCC will serve this office for a third consecutive term having successfully fulfilled his term for the years 2021 and 2022. It should be noted that the election of Mr Lianos as a regular member to the 2021 Bureau of the OECD Competition Committee has been the first time that a Greek official was elected to this office, representing the Hellenic Competition Commission.

Following his re-election, Mr Lianos stated: "The OECD Bureau plays an important coordinating role within the framework of OECD Competition Committee, setting the agenda for the discussions of the most prominent international competition organisation. It is a great honor for me to be re-elected to this office by the OECD Bureau members and to work with outstanding colleagues from other OECD Member States. I envisage this role as involving not only my task to represent the Hellenic Competition Commission, but also to continue my efforts to promote a progressive agenda on competition law at a time of drastic socio-economic and technological changes".

## Conferences- Fora organised by the HCC

### DGs Meeting and the Athena Competition Law & Policy Forum on June 28 and 29, 2022, held in Athens.

On June 28, 2022, the biannual meeting of the European Commission's Directorate-General for Competition (DGs Meeting) took place in Athens, attended by the heads of National Competition Authorities from all European Union Member States. It should be noted that it was the first time that the biannual meeting of the EU National Competition Authorities took place outside of Brussels and that the European Commission chose Athens to host the event. The Executive Vice-President of the European Commission and European Commissioner for Competition, Margrethe Vestager, attended the meeting, following an invitation by the President of the Hellenic Competition Commission, Ioannis Lianos.

On June 29, 2022, the first Athena Competition Law and Policy Forum (Athena Forum) was held with the participation of over 30 Competition Authorities' Presidents and representatives. The Athena Forum is an initiative of the Hellenic Competition Commission aimed at enhancing cooperation between

competition authorities worldwide, also including non-EU competition authorities. The aim of the forum is to create a strategy to address international soaring-price crisis, in particular monopolistic or closed oligopolistic situations that arise in certain global market hubs. Additionally, the forum seeks to address issues of global interest, such as protecting privacy from digital platforms, enabling small and medium-sized enterprises to access digital ecosystems, and strengthening sustainable development. During the Athena Competition Law and Policy Forum, the HCC President's proposal for a mapping of the global supply chain for specific categories of basic food products was thoroughly considered. The distortion of competition in the global food supply chain can only be addressed through close cooperation, not just among European countries but also with countries outside the European Union. The conference was addressed by Rebecca Kelly Slaughter, Commissioner of the US Federal Trade Commission, with the two competition authorities of the United States, the Federal Trade Commission and the Antitrust Division of the Department of Justice, being represented in Athens.





The HCC executive team that organized the Athena forum



### Article 102

The Hellenic Competition Commission (HCC), as part of its actions to promote and strengthen competition, organised an international webinar on December 19, 2022, on **“Article 102 TFEU and national equivalents: in search of a theory?”**. The webinar focused on the emerging landscape regarding the enforcement of Article 102 TFEU and national equivalent rules by the European Commission and the NCAs, not only in the digital sector, but also in more “traditional” economic sectors. Specifically, the different approaches followed by recent case law of the EU courts regarding the interpretation of this provision for various theories of harm were discussed, with the aim of understanding the overall theoretical framework that is emerging.

Furthermore, it addressed the way the European Commission and the NCAs have responded so far to the move during the last decade towards a “more economics approach” and the adoption of the Guidance on the Commission’s enforcement priorities for Article 102 TFEU, what has been their enforcement strategy, in view of the existence of various presumptions and more forms-based approaches for certain theories of harm, and how this emerging EU framework, if it is coherent, fares with regard to the debate in other jurisdictions, such as the US, concerning the reform of competition rules and standards applying to dominant undertakings or undertakings with monopoly power.

The workshop focused on a more explanatory approach by examining the recent case law of EU courts and the decisional practice of the NCAs regarding different theories of harm, with the aim to understand the overall framework that is emerging and then focused on the strategy to be developed by the various actors and the implications of this emerging framework for global convergence.

The webinar was joined by prominent academics of international standing.

### Participation of HCC officials in the following conferences/seminars/webinars:

#### President of the HCC, Mr. I. Lianos, participated as a key speaker in the following conferences held during the period 1/1/2022-31/12/2022.

- On April 4, 2022, the President of the Hellenic Competition Commission, Ioannis Lianos, participated as a speaker in the Enforcers Summit in Washington DC, USA, co-organised by the Federal Trade Commission (FTC) and the Department of Justice (DoJ) of the United States. Co-hosted by Assistant Attorney General for Competition Matters, Jonathan Kanter, and FTC Chair, Lina M. Khan, as well as senior staff from both agencies, the Enforcers Summit mainly covered two themes: 1) merger reform to meet the challenges and realities of the modern economy, and 2) lessons interagency collaboration. During his presentation, the President of the Hellenic Competition Commission, Ioannis Lianos, analysed issues concerning the dynamic analysis in merger control, especially with respect to digital economy. In addition, during his visit to Washington DC, Ioannis Lianos held meetings with FTC Chair, Lina Khan, as well as with DoJ’s high ranked officials, where they discussed, inter alia, issues concerning the more effective cooperation between the US Antitrust authorities and the Hellenic Competition Commission, the development of training programmes between the Authorities and the exchange of know-how in various areas related to competition law.
- On April 6-8, 2022, the President of the Hellenic Competition Commission, upon invitation by the American Bar Association, participated in the 70th Annual Antitrust Law Spring Meeting held in Washington DC. It is noted that more than 3,300 attendees from over 65 countries participated in the Spring Meeting, to exchange views on various aspects of competition law, consumer protection, and data privacy protection. Furthermore, during his visit to the US, the President of the Hellenic Competition Commission gave interviews to Antitrust

Magazine Online on "[Key recent achievements by the Hellenic Competition Authority\(HCC\)](#)", to the Exclusive Documentary of the Competition Policy International (CPI) on "Is merger control working?" as well as in the Competition Compliance Course: Update and roundtable discussion of the Concurrences on: "Listen to antitrust enforcers, Learn from your peers," thus contributing to strengthening the international presence of the Hellenic Competition Commission.

- On May 4th, 2022, the President of the Hellenic Competition Commission participated in the ICN 2022 Annual Conference, held in Berlin, and made a presentation on "Enabling effective international enforcement cooperation through advocacy".
- On May 19, 2022, in London, the President of the Hellenic Competition Commission participated in the International Mergers Conference, held in London, and made a presentation on "Latest developments in mergers assessment: What consequences on substance and procedure?"

- On June 16, 2022, the President of the Hellenic Competition Commission participated in the conference "Antitrust Between European Law and National Law", held in Treviso, and made a presentation on "Reconstructing Article 102 TFEU."
- On August 31st, 2022, the President of the Hellenic Competition Commission participated in the SIXTEENTH ANNUAL COMPETITION LAW, ECONOMICS & POLICY CONFERENCE, held in South Africa, and gave a presentation on "Digital markets: Do we have the correct toolbox?" He also took part in a Book launch, the 'Global Food Value Chains and Competition Law' (Cambridge University Press, 2022).
- On September 14, 2022, in New York, the President of the Hellenic Competition Commission participated in the Fordham Competition Law Institute (FCLI) Heads of Authority (HoA) Workshop, held in New York, chairing a panel consisted of, among others, the Director-General of the European Commission's Directorate-General for Competition and the Chair of the United States Federal



[www.epant.gr/en/102tfeu](http://www.epant.gr/en/102tfeu)

LIVE WEBINAR  
MONDAY 19 DECEMBER - 15.30 CET (16.30 Athens Time)

**WEBINAR**

**Article 102 TFEU and national equivalents  
in search of a theory?**

Trade Commission and the President of the Australian Competition Commission, also making a presentation on "THE CHALLENGE OF DIGITAL MARKETS AND THE ROLE OF COMPETITION LAW".

- On September 22, 2022, the President of the Hellenic Competition Commission participated in the Lear Competition Festival, held in Rome, and joined the National Competition Authority Chair's Table.
- On September 28, 2022, in Croatia, the President of the Hellenic Competition Commission participated in the CCA International Conference on: 25 YEARS OF CHALLENGES AND SUCCESS and made a presentation on "20 years of Regulation 1/2003".
- On October 19, 2022, in Brussels, the President of the Hellenic Competition Commission participated in the Competition, Digital Regulation & Society, A Trans-Atlantic Dialogue between Civil Society, Academia and Regulators, and made a presentation on "Setting the scene: Online harms, off-line societal effects."
- On 3/11/2022, the President of the Hellenic Competition Commission participated in the 6th International Competition Law Conference, held in Athens, and made a presentation on "Actions of the Competition Commission in 2022" as well as a presentation on the "New Article 1A of Law 3959/2011".



#### HCC members participated in the following conferences / workshops / webinars:

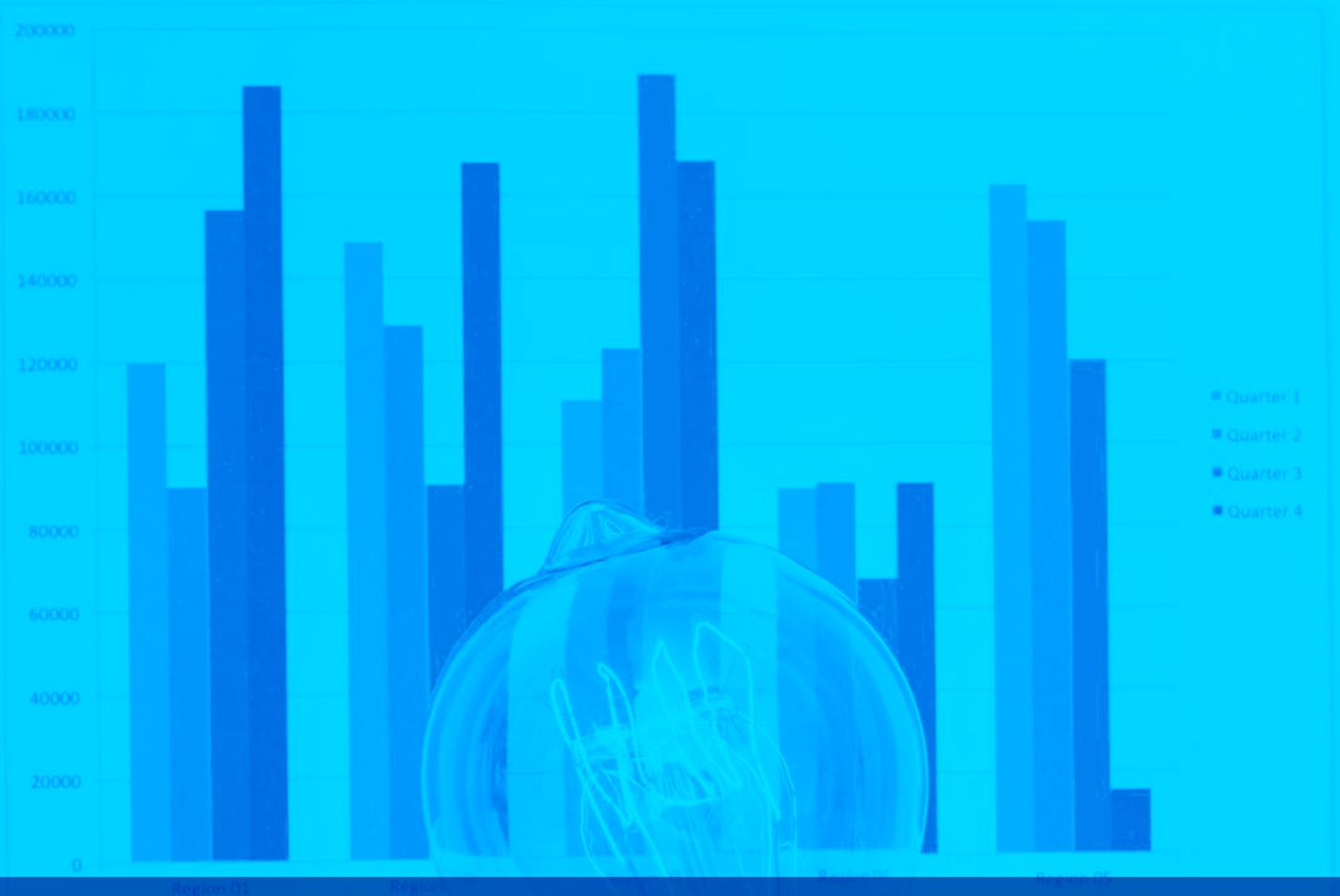
- On 10-14 June 2022, at the CRETE22 Conference on "Research on Economic Theory and Econometrics" held in Crete, Mr. Panagiotis Fotis, Rapporteur/Member of the Competition Authority, made a presentation "On the effectiveness of Settlement Procedure in the presence of partial ownerships" (in-person participation).
- On June 22, 2022, at the ABA International/TEI Program - Competition/Environmental Policy held online, Ms. Athanasia Gavala, Director-General for Competition, participated as a speaker in a panel discussion on "Greening Competition: A Global Perspective."
- On September 12, 2022, at the online meeting of the National Council for Consumer and Market held in Thessaloniki, Ms. Athanasia Gavala, Head of the Directorate-General for Competition, made a presentation on "Actions of the Competition Commission in the Energy Sector"
- On September 22, 2022, at the premises of the Association of Elevator Installers and Maintainers of Northern Greece in Thessaloniki, and on September 26, 2022, at the Association of Elevator Installers and Maintainers in Athens, Ms. Christina Dimitropoulou, Head of Competition Advocacy Unit, made a presentation on "Competition: Benefit for All" to the business associations.
- On September 22, 2022, during the Working Visit of the Competition Authority of North Macedonia held in Athens, Mary Chamilou, Head of the HCC's International Relations and Communications Directorate, made a presentation on "Cooperation between HCC, European Competition Network, and European Commission."
- On November 3, 2022, at the 6th International Conference on Competition Law, held in Athens, Ms. Athanasia Gavala, Director-General for Competition, made a presentation on "Developments in the practice of the Competition Commission."

- On November 4, 2022, the Vice-President of the HCC, Ms. Hara Nikolopoulou, and the Head of the Legal Department, Ms. Eftychia Karkani, made a presentation on “Tools: AI/new platform used by HCC/ anonymous whistleblowing/ cooperation with other public authorities” at the 6th International Conference on Competition Law, organised by Nomiki Vivliothiki and the Economia Group under the auspices of the Hellenic Competition Committee.
- A team project of a group of students from the Erasmus School of Law at the University of Rotterdam, as part of the Law Clinic of the LLM in International and European Union Law programme, conducted on behalf of the Directorate-General for Competition. The project focused on addressing questions raised by the Head of the DGC's Chief Legal Officer Directorate regarding the extraterritorial applicability of national competition law. The project was carried out under the cooperation agreement between the DG for Competition and the Erasmus School of Law, and is part of a broader series of initiatives aimed at strengthening the relationship between the academic community and the HCC. This initiative aims at enhancing the activities of the DG for Competition and enriching the educational process.
- On November 18, at the annual ACE conference on “2022 Association of Competition Economists

Conference” held in Lisbon, Mr. Panagiotis Fotis, Rapporteur/ Member of the Hellenic Competition Commission, made a presentation on “DELIVERY HERO GREEK ONLINE INTERMEDIATION PLATFORM MERGER” (in-person participation).

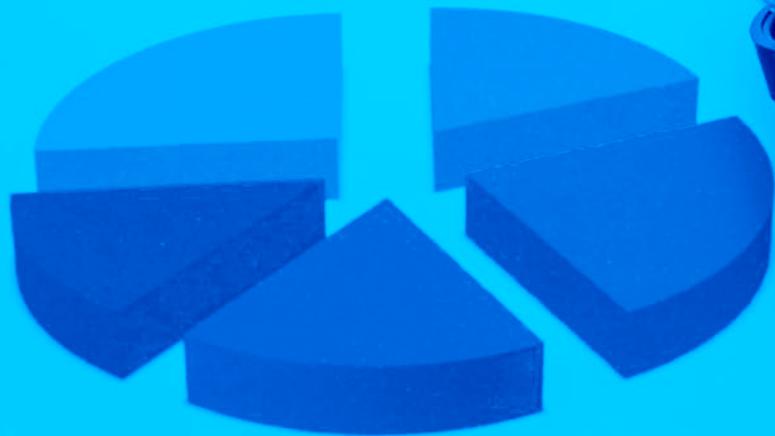
- On November 29th, 2022, Mary Chamilou, Head of International Relations and Communications Directorate at the Hellenic Competition Commission, and Anna Gatziou, Head of the Legal Documentation Department at the Directorate of Energy and Transport, made a presentation on “Director Disqualification and Bidder Exclusion - Greece” at the OECD Competition Committee’s “Roundtable on Director Disqualification and Bidder Exclusion”, held in Paris.
- On December 2, 2022, Eftichia Karkani, Head of the Chief Legal Officer Directorate, participated in SESSION III: INTERACTIONS BETWEEN COMPETITION AUTHORITIES AND SECTOR REGULATORS of the OECD Global Forum on Competition.
- On December 10, 2022, Stefania Kollia, Head of the Department of Economic Analysis and Market Impact Analysis at the Directorate of Energy and Transport, participated in the Workshop on Competition in Maritime Transport, held in Chios, by making a presentation on the competences of the Hellenic Competition Commission and recent HCC Decisions concerning maritime transport.





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## ANNEX NEWSLETTER



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**ΕΠΙΤΡΟΠΗ ΑΝΤΑΓΩΝΙΣΜΟΥ**  
HELLENIC COMPETITION COMMISSION

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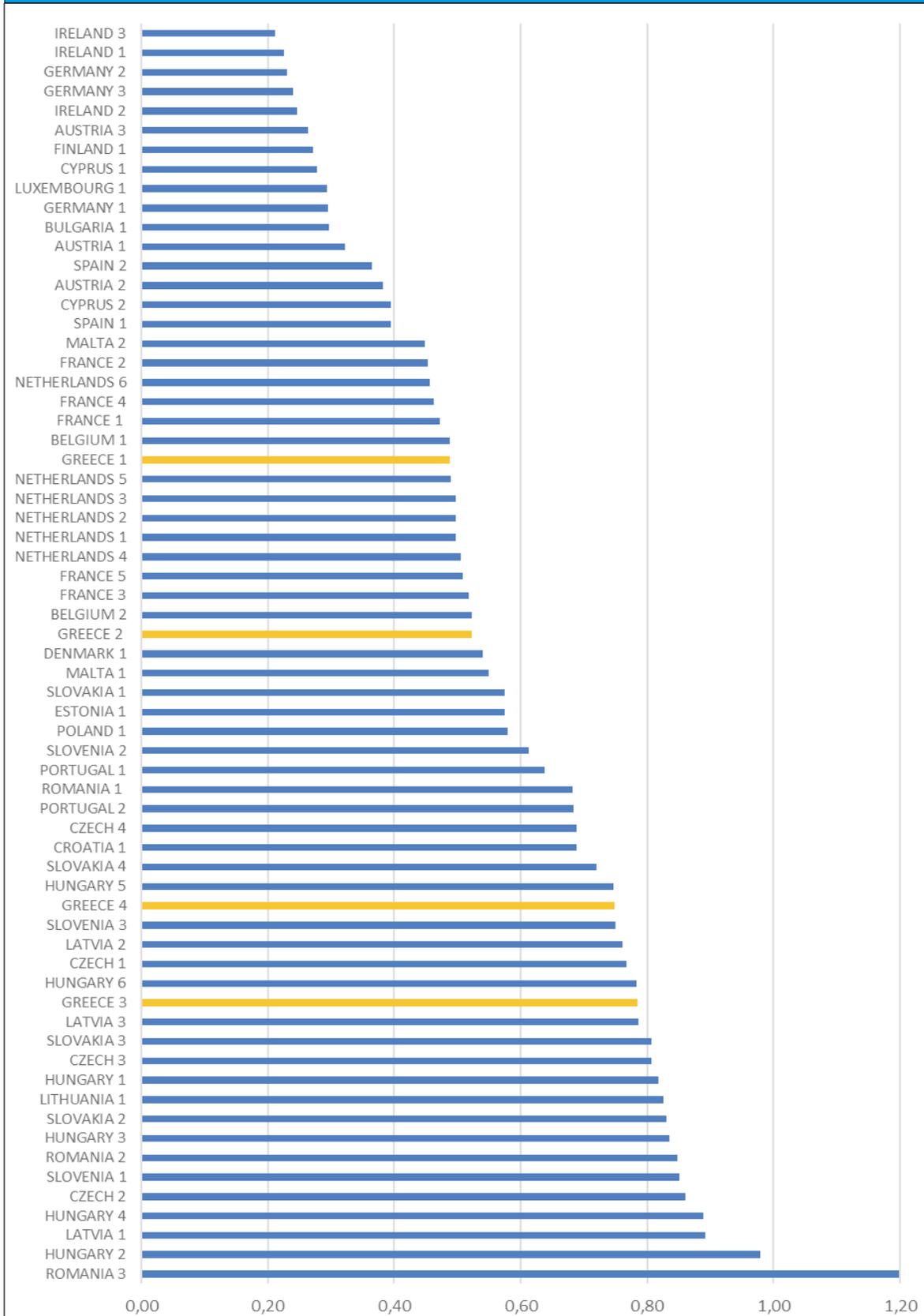
ARIEL PODS (09.01.2023) <sup>5</sup>

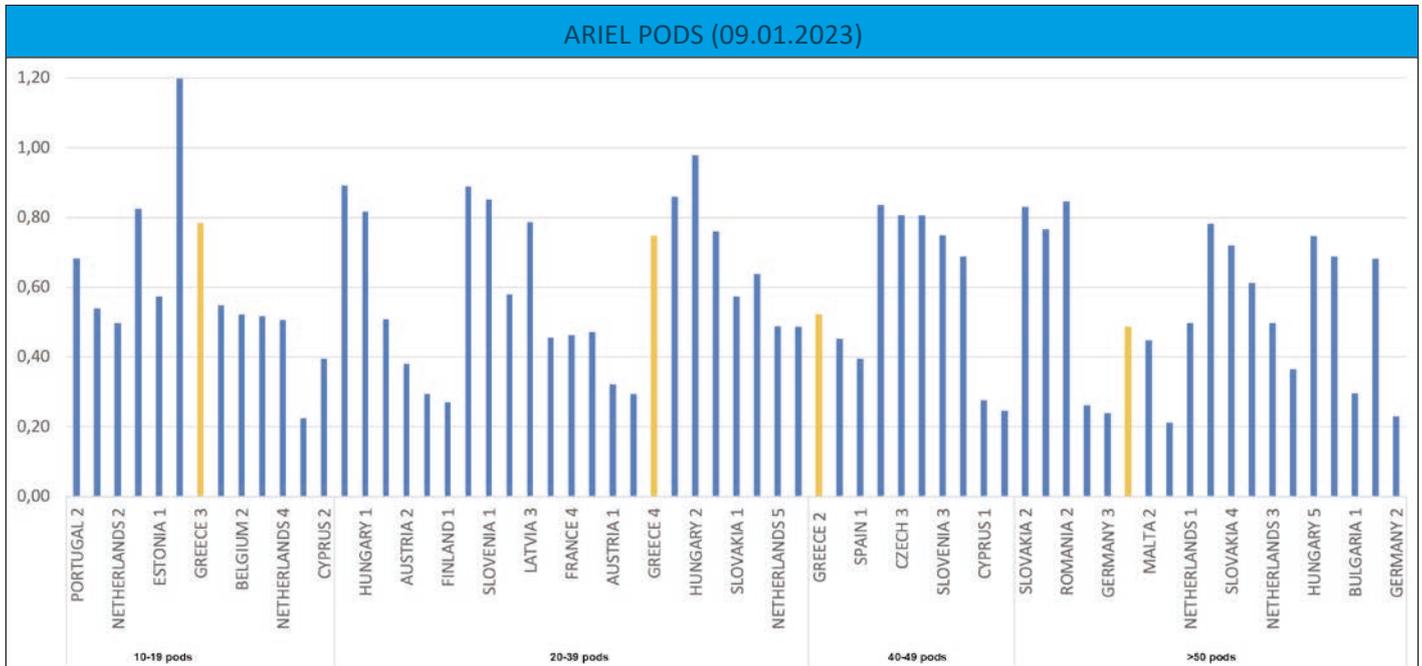
Country	Price/pod	Price/pod(ppp)	No of pieces	Price	% difference from the cheapest
Romania 3	0.58	1.20	14	8.16	466.18%
Hungary 2	0.55	0.98	36	19.95	362.01%
Latvia 1	0.68	0.89	20	13.69	321.13%
Hungary 4	0.50	0.89	24	11.97	320.01%
Czechia 2	0.65	0.86	35	22.72	306.29%
Slovenia 1	0.75	0.85	24	17.88	302.28%
Romania 2	0.41	0.85	51	20.68	300.23%
Hungary 3	0.47	0.84	44	20.68	294.81%
Slovakia 2	0.68	0.83	50	33.99	292.26%
Lithuania 1	0.56	0.83	13	7.29	289.99%
Hungary 1	0.46	0.82	20	9.23	286.41%
Czechia 3	0.61	0.81	44	26.86	281.28%
Slovakia 3	0.66	0.81	44	28.99	280.72%
Latvia 3	0.60	0.79	26	15.69	271.59%
<b>Greece 3</b>	<b>0.66</b>	<b>0.78</b>	<b>14</b>	<b>9.25</b>	<b>270.57%</b>
Hungary 6	0.44	0.78	63	27.43	269.61%
Czechia 1	0.58	0.77	50	28.92	262.53%
Latvia 2	0.58	0.76	36	20.79	259.20%
Slovenia 3	0.66	0.75	44	29.09	254.01%
<b>Greece 4</b>	<b>0.63</b>	<b>0.75</b>	<b>34</b>	<b>21.56</b>	<b>253.72%</b>
Hungary 5	0.42	0.75	72	29.93	252.81%
Slovakia 4	0.59	0.72	63	36.99	240.35%
Croatia 1	0.46	0.69	44	20.31	225.11%
Czechia 4	0.52	0.69	72	37.19	225.03%
Portugal 2	0.60	0.68	10	5.99	222.93%
Romania 1	0.33	0.68	96	31.84	222.14%
Portugal 1	0.56	0.64	38	21.22	201.40%
Slovenia 2	0.54	0.61	63	34.19	189.64%
Poland 1	0.33	0.58	24	7.89	173.58%
Estonia 1	0.48	0.57	13	6.18	171.23%
Slovakia 1	0.47	0.57	36	16.99	171.12%
Malta 1	0.49	0.55	15	7.34	159.14%
Denmark 1	0.75	0.54	10	7.53	154.69%
<b>Greece 2</b>	<b>0.44</b>	<b>0.52</b>	<b>40</b>	<b>17.58</b>	<b>147.04%</b>
Belgium 2	0.60	0.52	15	8.99	146.46%
France 3	0.56	0.52	15	8.35	144.72%
France 5	0.55	0.51	20	11.06	140.35%
Netherlands 4	0.61	0.51	15	9.19	138.95%

<sup>5</sup> All prices are expressed in euros and in Purchasing Power Parity (PPP) equivalents based on the relevant Eurostat index (see <https://ec.europa.eu/eurostat/web/purchasing-power-parities>)

Country	Price/pod	Price/pod (ppp)	. No of pieces	Price	% difference from the cheapest
Netherlands 3	0.60	5.60	55	38.54	135.50%
Netherlands 5	0.P9	0.60	34	52.99	146.61%
Greece 1	0.40	0.09	66	52.46	130.51 °%
Belgium 1	0.P6	0.09	65	51.95	160.05 °%
France 1	0.46	0.04	16	64.56	122.66%
France 4	0.56	0.06	25	13.0	118.60 °%
Netherlands 6	0.55	0.06	65	64.40	115.61%
France 2	0.45	0.05	45	69.40	164.05%
Malta 2	0.40	0.01	P6	11.66	111.64%
Spain 1	0.64	0.01	53	15.9P	86.66%
Cyprus 2	0.54	0.06	66	6.61	86.65%
Austria 2	0.45	0.05	55	9.09	85.10%
Spain 2	0.46	0.05	55	66	76.57%
Austria 1	0.46	0.56	64	16.49	55.66%
Bulgary 1	0.44	0.50	54	26.P2	50.65%
Germany 1	0.55	0.50	41	6.5P	49.45%
Luxembourg 1	0.60	0.55	66	13.99	38.61%
Cyprus 1	0.60	0.54	14	11.59	36.16%
Finland 1	0.44	0.56	55	6.69	25.65%
Austria 3	0.41	0.56	15	16.64	21.50%
Ireland 2	0.56	0.5P	56	61	16.05%
Germany 3	0.66	0.56	43	13.9P	16.16%
Germany 2	0.54	0.46	55	26.9P	8.85%
Ireland 1	0.66	0.46	56	6	6.41%
Ireland 3	0.46	0.40	56	66	0.01%

ARIEL PODS (09.01.2023)



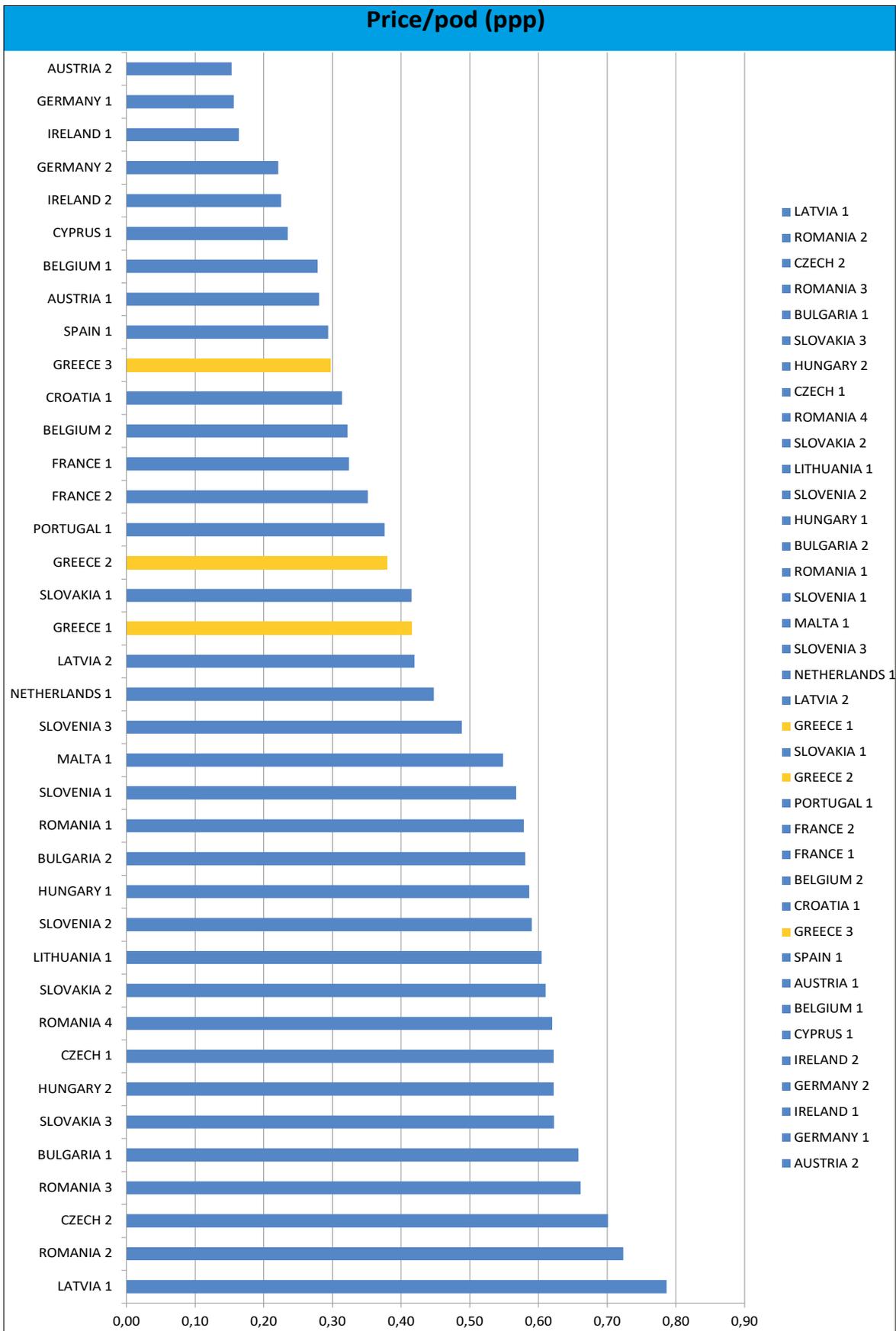


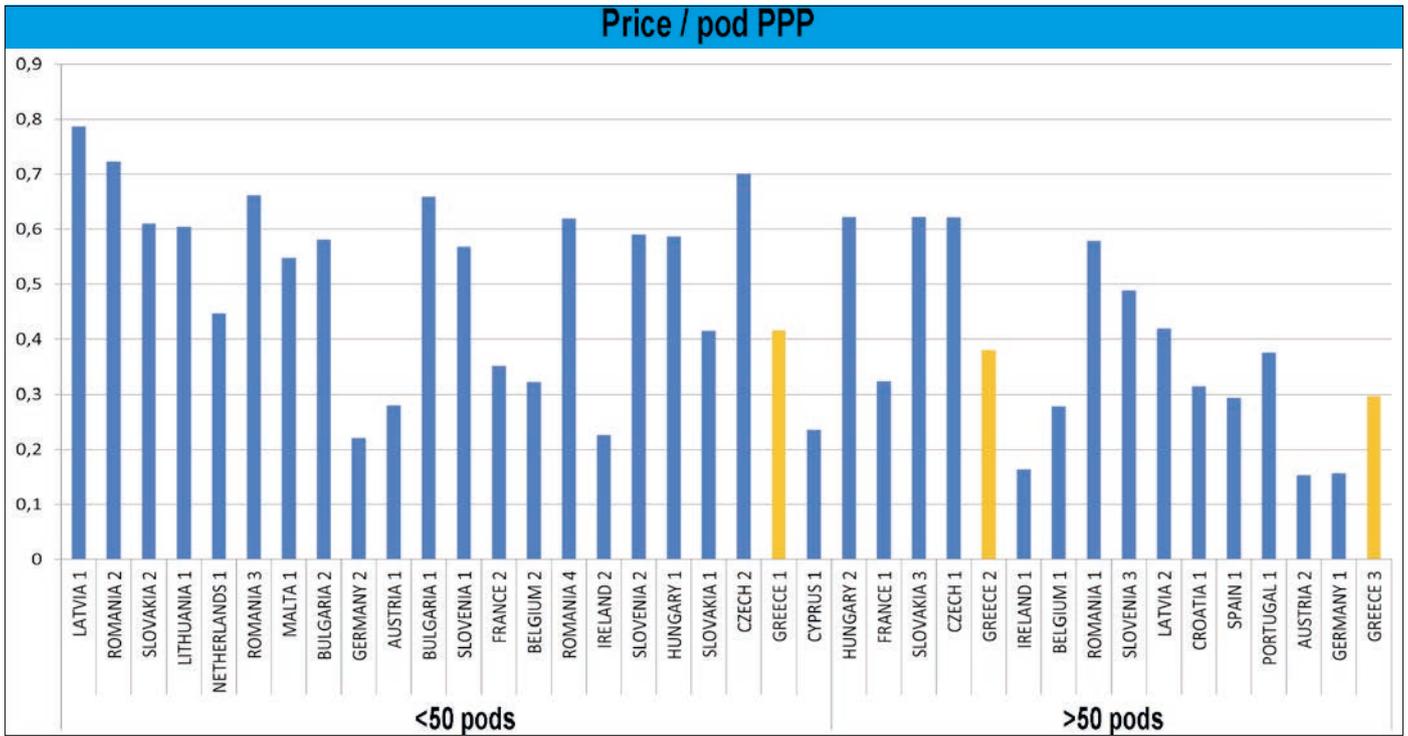
**Observation 1:** In the above graphs, Greece 1 refers to a package of 54 pieces at a price of 22.25 euros (with a price per piece of 0.41 euros). Greece 2 refers to a package of 40 pieces at a price of 17.58 euros (with a price per piece at 0.44 euros). Greece 3 refers to a package of 14 pieces at a price of 9.25 euros (with a price per piece at 0.66 euros). Greece 4 refers to a package of 34 pieces at a price of 21.56 euros (with a price per piece at 0.63 euros).



ARIEL POWDER (09.01.2023)

Country	Price/wash	Price/wash (ppp)	Items	Price	% price difference from lowest price
Latvia 1	0.60	0.79	4	2.39	414%
Romania 2	0.35	0.72	4	1.40	373%
Check Rep. 2	0.53	0.70	50	26.65	358°%
Romania 3	0.32	0.66	20	6.40	332%
Bulgaria 1	0.34	0.66	36	12.24	330%
Slovakia 3	0.51	0.62	70	35.99	307%
Hungary 2	0.35	0.62	60	21.22	307%
Check Rep. 1	0.47	0.62	70	32.80	306%
Romania 4	0.30	0.62	40	12.00	305%
Slovakia 2	0.50	0.61	18	8.93	299%
Lithuania 1	0.41	0.60	18	7.29	295%
Slovenia 2	0.52	0.59	45	23.49	286%
Hungary 1	0.33	0.59	45	14.99	284%
Bulgaria 2	0.30	0.58	22	6.63	280%
Romania 1	0.28	0.58	80	22.00	278%
Slovenia 1	0.50	0.57	36	17.88	271%
Malta 1	0.49	0.55	20	9.87	259%
Slovenia 3	0.43	0.49	80	34.19	219%
Netherlands 1	0.54	0.45	18	9.69	193%
Latvia 2	0.32	0.42	80	25.99	174%
<b>Greece 1</b>	<b>0.35</b>	<b>0.42</b>	<b>50</b>	<b>17.58</b>	<b>172%</b>
Slovakia 1	0.34	0.42	45	15.49	171%
<b>Greece 2</b>	<b>0.32</b>	<b>0.38</b>	<b>70</b>	<b>22.25</b>	<b>149%</b>
Portugal 1	0.33	0.38	92	29.99	146%
France 2	0.38	0.35	39	14.65	130%
France 1	0.35	0.32	69	24.09	112%
Belgium 2	0.37	0.32	39	14.49	110%
Croatia 1	0.21	0.31	80	16.99	105%
<b>Greece 3</b>	<b>0.25</b>	<b>0.30</b>	<b>140</b>	<b>35.51</b>	<b>94%</b>
Spain 1	0.29	0.29	80	23.32	92%
Austria 1	0.33	0.28	30	9.99	83%
Belgium 1	0.32	0.28	77	25.02	82%
Cyprus 1	0.22	0.23	50	10.75	54%
Ireland 2	0.33	0.23	40	13.00	47%
Germany 2	0.24	0.22	25	5.95	45%
Ireland 1	0.24	0.16	75	18.00	7%
Germany 1	0.17	0.16	130	21.95	2%
Austria 2	0.18	0.15	100	17.99	0%





**Observation 2:** In the above graphs, Greece 1 refers to the package of 50 pods/washes at a price of 17.58 euros with a price per wash at 0.35 euros. Greece 2 refers to the package of 70 pods/washes with a price per package at 22.25 euros and a price per wash at 0.32 euros, and Greece 3 refers to the package of 140 pods/washes with a price per package at 35.51 euros and a price per wash at 0.25 euros.



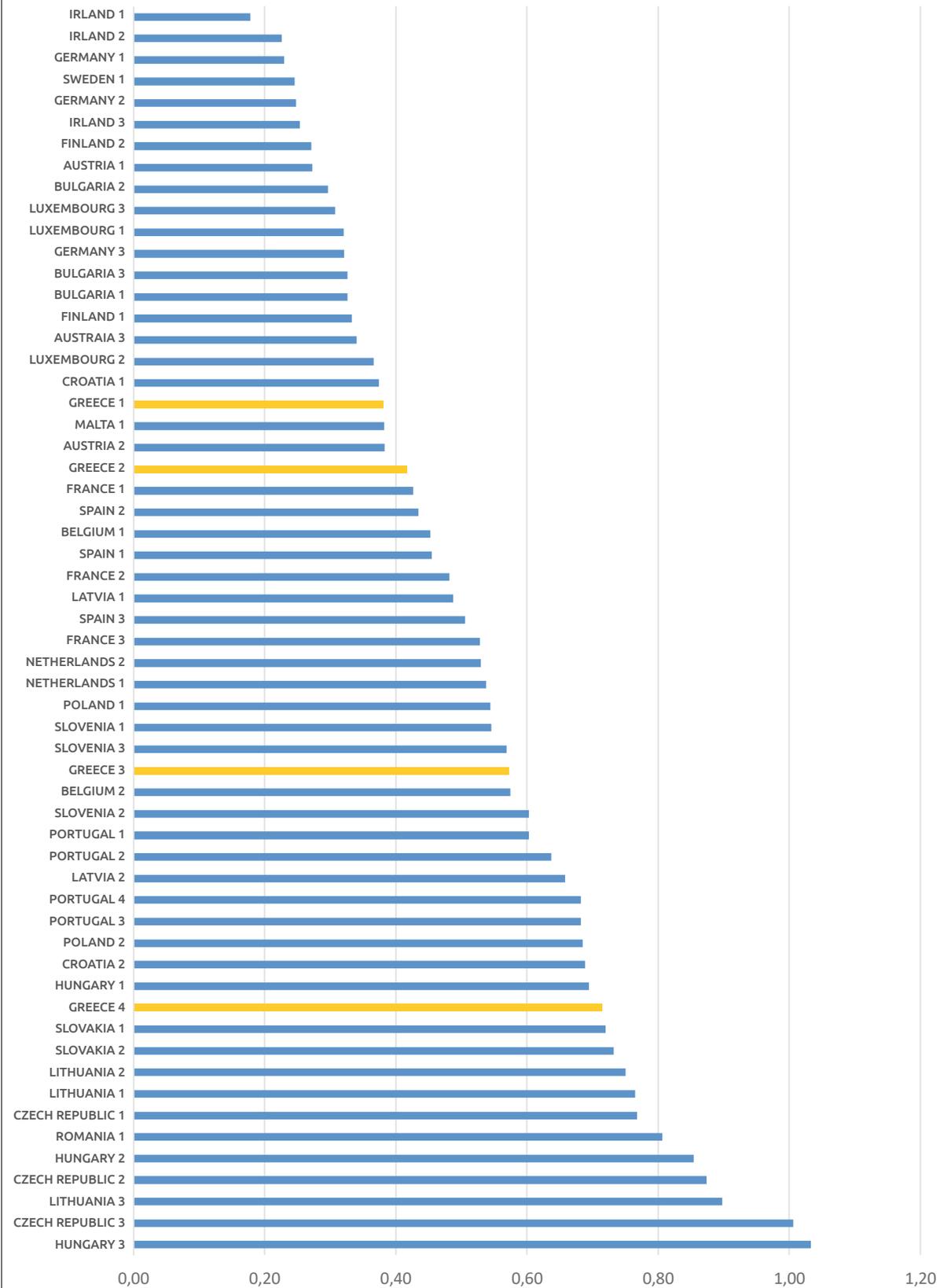
SKIP/PERSIL/OMO PODS (09.01.2023)

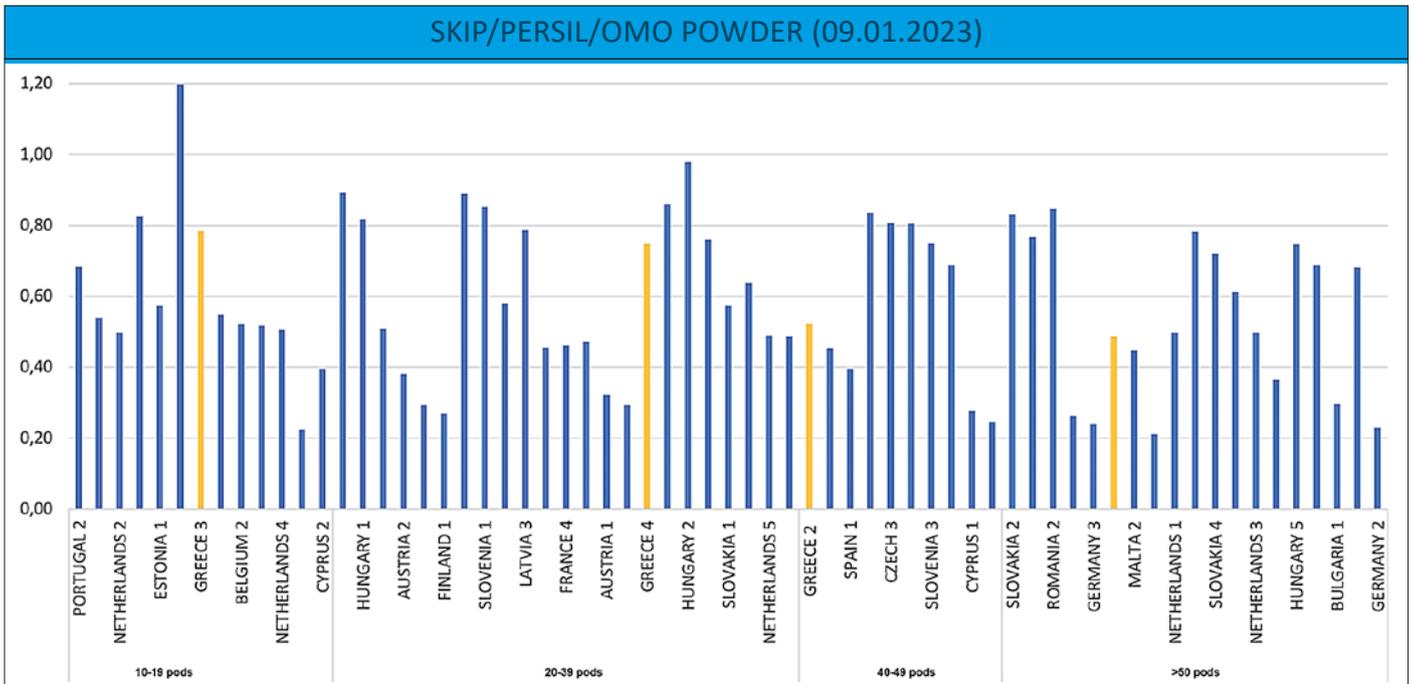
Country	Price/pod	Price/pod (ppp)	No. per item	Price	% difference from cheaper
HUNGARY 3	0.58	1.03	11	6.37	479.52%
CZECH 3	0.76	1.01	22	16.8	464.70%
LITHUANIA 3	0.61	0.90	11	6.69	403.73%
CZECH 2	0.66	0.87	41	27.05	390.39%
HUNGARY 2	0.48	0.85	41	19.48	379.61%
ROMANIA 1	0.39	0.81	30	11.57	352.48%
CZECH 1	0.58	0.77	60	34.84	330.95%
LITHUANIA 1	0.52	0.76	40	20.99	329.41%
LITHUANIA 2	0.51	0.75	22	11.29	321.15%
SLOVAKIA 2	0.60	0.73	70	41.99	310.88%
SLOVAKIA 1	0.59	0.72	46	26.99	304.03%
<b>GREECE 4</b>	<b>0.60</b>	<b>0.71</b>	<b>15</b>	<b>8.95</b>	<b>301.10%</b>
HUNGARY 1	0.39	0.69	52	20.48	289.68%
CROATIA 2	0.46	0.69	28	13.01	286.47%
POLAND 2	0.39	0.68	14	5.5	284.34%
PORTUGAL 3	0.60	0.68	42	24.99	282.87%
PORTUGAL 4	0.60	0.68	15	8.99	282.87%
LATVIA 2	0.50	0.66	40	19.99	269.43%
PORTUGAL 2	0.56	0.64	54	29.99	257.34%
PORTUGAL 1	0.53	0.60	66	34.99	238.20%
SLOVENIA 2	0.53	0.60	60	31.98	238.20%
BELGIUM 2	0.66	0.57	13	8.59	222.50%
<b>GREECE 3</b>	<b>0.48</b>	<b>0.57</b>	<b>23</b>	<b>10.96</b>	<b>220.88%</b>
SLOVENIA 3	0.50	0.57	11	5.49	219.06%
SLOVENIA 1	0.48	0.55	46	21.98	206.29%
POLAND 1	0.31	0.54	28	8.8	205.50%
NETHERLANDS 1	0.65	0.54	15	9.79	201.65%
NETHERLANDS 2	0.64	0.53	25	15.99	197.01%
FRANCE 3	0.57	0.53	15	8.49	196.37%
SPAIN 3	0.50	0.51	22	10.95	183.61%
LATVIA 1	0.37	0.49	80	29.99	173.38%
FRANCE 2	0.52	0.48	26	13.62	170.37%
SPAIN 1	0.45	0.45	46	20.9	155.24%

SKIP/PERSIL/OMO PODS (09.01.2023)

Country	Price/pod	Price/pod (ppp)	No. per item	Price	% difference from cheaper
BELGIUM 1	0.52	0.45	25	12.99	154.09%
SPAIN 2	0.43	0.43	28	11.9	143.90%
FRANCE 1	0.46	0.43	38	17.52	139.17%
GREECE 2	0.35	0.42	50	17.5	133.97%
AUSTRIA 2	0.45	0.38	20	8.99	114.79%
MALTA 1	0.34	0.38	38	12.76	114.52%
<b>GREECE 1</b>	<b>0.32</b>	<b>0.38</b>	<b>38</b>	<b>12.08</b>	<b>113.92%</b>
CROATIA 1	0.25	0.37	70	17.25	110.04%
LUXEMBOURG 2	0.56	0.37	15	8.46	105.53%
AUSTRIA 3	0.40	0.34	28	11.29	90.93%
FINLAND 1	0.43	0.33	15	6.39	86.70%
BULGARIA 1	0.33	0.33	46	15.3	83.01%
BULGARIA 3	0.33	0.33	60	19.9	83.01%
GERMANY 3	0.35	0.32	20	6.95	80.31%
LUXEMBOURG 1	0.49	0.32	38	18.43	79.84%
LUXEMBOURG 3	0.47	0.31	26	12.18	72.50%
BULGARIA 2	0.30	0.30	70	21	66.38%
AUSTRIA 1	0.32	0.27	44	13.99	52.74%
FINLAND 2	0.35	0.27	30	10.6	51.97%
IRELAND 3	0.37	0.25	15	5.5	42.31%
GERMANY 2	0.27	0.25	50	13.45	39.10%
SWEDEN 1	0.31	0.25	40	12.24	37.75%
GERMANY 1	0.25	0.23	100	24.95	28.79%
IRELAND 2	0.33	0.23	26	8.5	26.92%
IRELAND 1	0.26	0.18	66	17	0.00%

SKIP/PERSIL/OMO POWDER (09.01.2023)



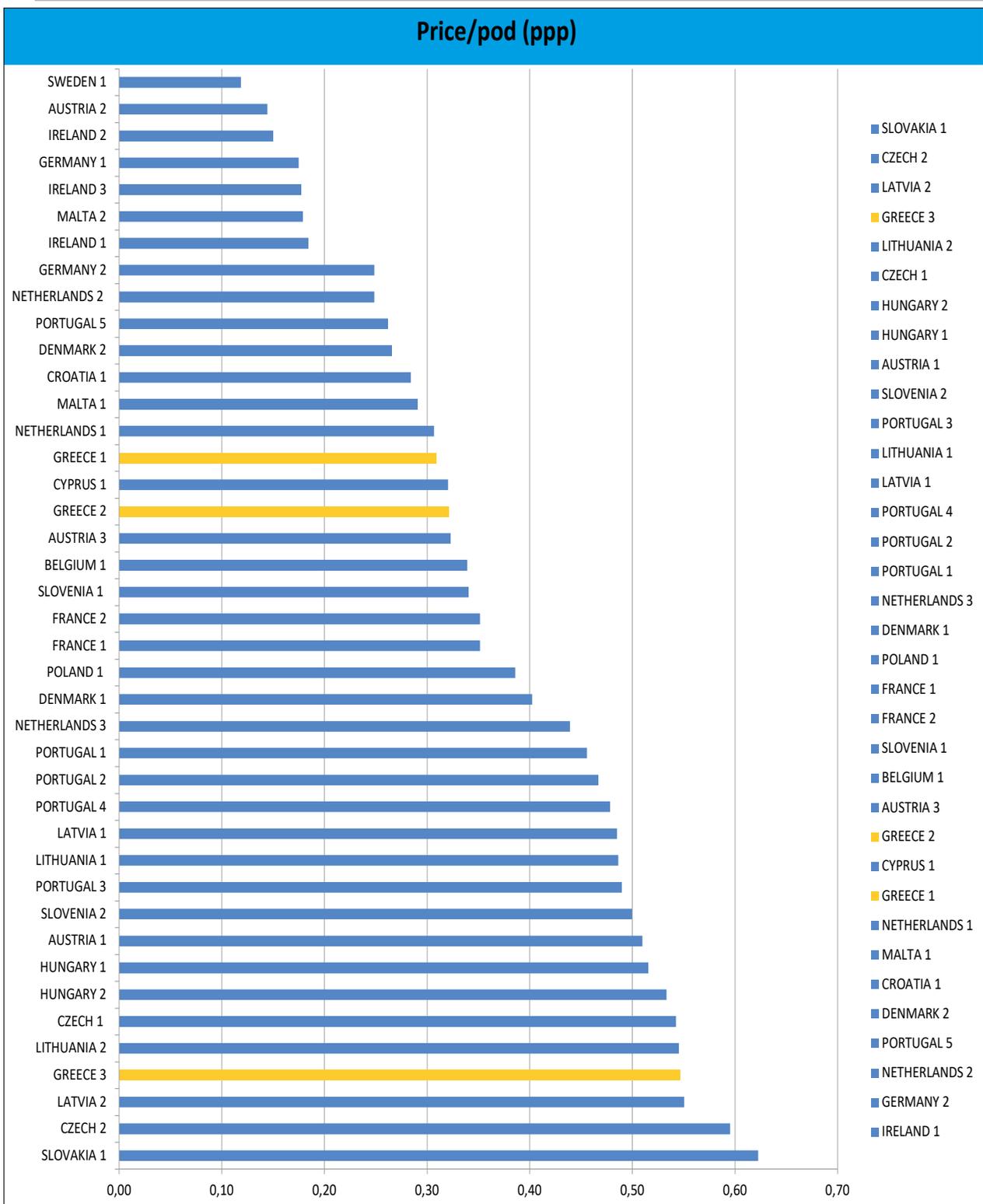


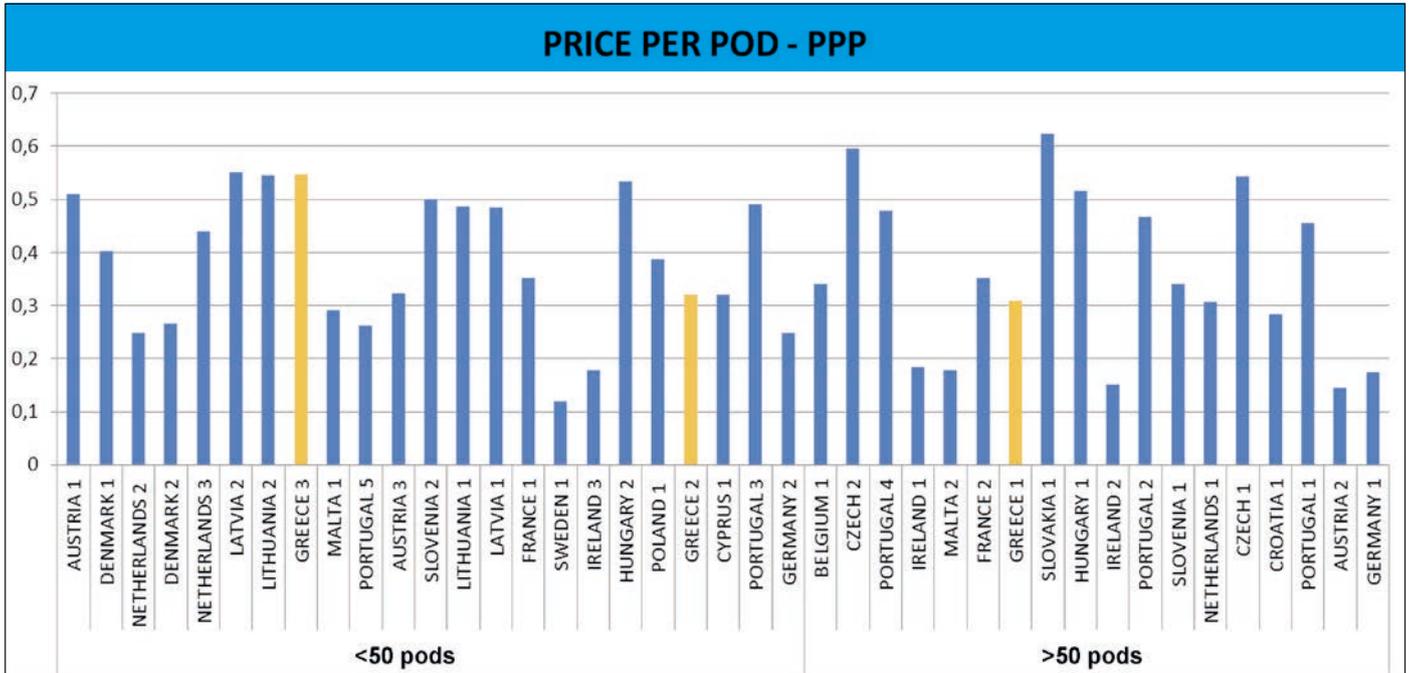
**Observation 3:** In the above graphs, Greece 1 refers to a package of 38 items priced at 12.08 euros, with a price per item of 0.32 euros. Greece 2 refers to a package of 50 items priced at 17.5 euros, with a price per item of 0.35 euros. Greece 3 refers to a package of 23 items priced at 10.96 euros, with a price per item at 0.38 euros. Finally, Greece 4 refers to a package of 15 items priced at 8.95 euros, with a price per item at 0.60 euros.



SKIP/PERSIL/OMO POWDER (09.01.2023)

Country	Price/pod	(ppp)	No of items	Price	% price difference from the cheapest
SLOVAKIA 1	0.51	0.62	70	35.99	425%
CZECH 2	0.45	0.60	60	27.05	402%
LATVIA 2	0.42	0.55	18	7.49	364%
<b>GREECE 3</b>	<b>0.46</b>	<b>0.55</b>	<b>20</b>	<b>9.28</b>	<b>361%</b>
LITHUANIA 2	0.37	0.55	18	6.69	360%
CZECH 1	0.41	0.54	85	34.84	357%
HUNGARY 2	0.30	0.53	45	13.50	349%
HUNGARY 1	0.29	0.52	70	20.46	334%
AUSTRIA 1	0.60	0.51	5	2.99	330%
SLOVENIA 2	0.44	0.50	36	15.98	321%
PORTUGAL 3	0.43	0.49	46	19.99	313%
LITHUANIA 1	0.33	0.49	36	11.99	310%
LATVIA 1	0.37	0.49	36	13.19	309%
PORTUGAL 4	0.42	0.48	60	24.99	303%
PORTUGAL 2	0.41	0.47	80	32.49	294%
PORTUGAL 1	0.40	0.46	100	39.99	284%
NETHERLANDS 3	0.53	0.44	17	8.99	270%
DENMARK 1	0.56	0.40	9	5.06	239%
POLAND 1	0.22	0.39	45	10.11	225%
FRANCE 1	0.38	0.35	39	14.79	196%
FRANCE 2	0.38	0.35	61	22.89	196%
SLOVENIA 1	0.30	0.34	80	23.98	187%
BELGIUM 1	0.39	0.34	57	22.19	186%
AUSTRIA 3	0.38	0.32	26	9.99	172%
<b>GREECE 2</b>	<b>0.27</b>	<b>0.32</b>	<b>45</b>	<b>12.08</b>	<b>170%</b>
CYPRUS 1	0.30	0.32	45	13.38	170%
<b>GREECE 1</b>	<b>0.26</b>	<b>0.31</b>	<b>67</b>	<b>17.50</b>	<b>160%</b>
NETHERLANDS 1	0.37	0.31	80	29.99	158%
MALTA 1	0.26	0.29	21	5.42	145%
CROATIA 1	0.19	0.28	90	17.25	139%
DENMARK 2	0.37	0.27	16	5.85	124%
PORTUGAL 5	0.23	0.26	22	4.99	121%
NETHERLANDS 2	0.30	0.25	14	4.19	110%
GERMANY 2	0.27	0.25	50	13.45	110%
IRELAND 1	0.27	0.18	60	16.00	55%
MALTA 2	0.16	0.18	60	9.56	51%
IRELAND 3	0.26	0.18	42	11.00	50%
GERMANY 1	0.19	0.18	130	24.95	47%
IRELAND 2	0.22	0.15	77	17.00	27%
AUSTRIA 2	0.17	0.14	120	19.80	22%
SWEDEN 1	0.15	0.12	40	6.12	0%





**Observation 4:** In the above graphs, Greece 1 refers to a package of 67 pods priced at 17.50 euros, with a price per pod at 0.26 euros. Greece 2 refers to a package of 45 pods priced at 12.08 euros, with a price per pod at 0.27 euros. Finally, Greece 3 refers to a package of 20 pods priced at 9.28 euros, with a price per pod at 0.46 euros.



