

# **SPANISH COMPETITION** *Highlights ...*

***Weekly follow-up: 17 – 23 June***

## **The CGC drafts a report about the degree of implementation of the competition compliance culture in Galicia**

The Galician Competition Authority ("CGC") has recently published a report on the degree of commitment and implementation of competition compliance programmes in the Galician business sector.

In particular, the report aims to show the effort and resources allocated by the business sector in Galicia to ensure compliance with the competition culture.

In order to prepare the report, the CGC carried out a consultation, in the form of a telematic questionnaire, to the 125 main Galician companies and organisations.

### **Conclusions of the report**

The following conclusions can be drawn from the answers given by the Galician companies:

- 87% of the respondents have an area dedicated to compliance, with 75% of respondents having a general compliance programme in place.
- 43% identify having a competition compliance programme in place and 56% of the programmes include competition infringements.
- In relation to contractual relations with third parties, 56% recognise that they control anti-competitive behaviour.
- With regard to the Whistleblower channel, 93% of the respondents have it in force.

### **Antitrust compliance programmes**

Compliance programmes are tools that enable economic operators to prevent and detect in a preliminary stage competition law infringements. These programmes have experienced a significant development in Spain over the past years.

In the field of antitrust rules, the definitive impulse for regulatory compliance policies came from the implementation by Spanish national and regional competition authorities the prohibition of contracting with public administrations for companies sanctioned for serious infringements provided in Article 71.1.b) of Law 9/2017 on Public Sector Contracts.

In order to implement a rigorous and effective compliance programme, it is important to have legal advice, with the objective of introducing appropriate measures in line with the assessment criteria identified in the National Competition Authority's Guide to Compliance Programmes in relation to antitrust.