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Comparative Guides

Cyprus: Cartels

This country-specific Q&A provides an overview to cartels laws and regulations that may occur in Cyprus.

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Contributing Firm

HARRIS KYRIAKIDES LLC

Authors

Michalis Kyriakides
Partner
The Legal 500
m.kyriakides@harriskyriakides.law

Panagiotis Tsangaris
Senior Associate
The Legal 500
p.tsangaris@harriskyriakides.law

Kleoniki Savvidou
Junior Associate
The Legal 500
k.savvidou@harriskyriakides.law
1. **What is the relevant legislative framework?**

The Cypriot competition rules are laid down in the Law for the Protection of Competition of 2008 (13(I)/2008) as amended by the Law 41(I)/2014 ("the Competition Act"). The Competition Act incorporates in the national law the substantive provisions of the articles 101 and 102 of the Treaty for the Functioning of the European Union (TFEU). Although the term ‘cartel’ is not mentioned as such in the Competition Act, cartels fall under the prohibition of anticompetitive agreements and concerted practices of section 3 of the Competition Act.

Also, the legal framework for the prohibition of cartels in Cyprus includes the Law 83(I) of 2014 for the Control of concentrations between Undertakings ("the Concentrations Act") which contains the rules for the control of concentrations in order to ensure that they do not result in the distortion of effective competition in the market.

In addition to the Competition Act and the Concentrations Act, the Law 113(I)/2017 on Actions for Damages for Infringements of Competition Law came into force on 21 July 2017 and transposed into Cyprus law the Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union.

The Competition Act in article 7, excludes from its application (i) agreements relating to wages, terms of employment and working conditions, and (ii) undertakings entrusted with the operation of services of general economic interest or state monopolies in so far as the application of the Competition Act obstructs the performance in law or in fact of the particular tasks assigned to them by the State.

The Council of Ministers can issue, after reasoned Opinion of the CPC, which render the section 3 of the Competition Act on the prohibition of restrictive practices inapplicable to specific practices. As on the European level, such Orders introduce block exceptions from the application of section 3 of the Competition Act for some categories of practices in the automotive, the transport, the agriculture and the insurance sector. There is also a number of orders giving block exceptions in certain sectors, subject to the satisfaction of certain conditions. These include certain categories of agreements, decisions and practices in the insurance sector, certain categories of agreements and concerted practices in the motor vehicle sector, vertical agreements and concerted practices, technical cooperation in the field of transport, agreements, decisions and concerted practices in the field of road transports, agreements, decisions and concerted practices between liner shipping companies, agreements between air transport undertakings concerning consultations on passenger tariffs on scheduled air services and slot allocations at the airports, agreements decisions and concerted practices in relation to the production or trade in agricultural products and liner conferences in maritime transport.
2. **To establish an infringement, does there need to have been an effect on the market?**

According to section 3 of the Competition Act, cartel violations are unlawful *per se*. The Cyprus Competition Authority applies the EU principle and decision practice concerning a by-object or by-effect infringement.

3. **Does the law apply to conduct that occurs outside the jurisdiction?**

Cyprus Competition Law applies to actions which take place outside Cyprus jurisdiction when they have as their object or effect the prevention, restriction or distortion of competition in Cyprus. In the case where the Commission of the Protection of Competition (“CPC”) considers that a cartel may affect trade between Member States, it can apply the provisions of article 101 of the TFEU.

4. **Which authorities can investigate cartels?**

The principal authority involved in the enforcement and supervision of the Competition Act is the CPC. The CPC is an independent body which is competent for the implementation and enforcement of both the Competition Act and the Concentrations Act. CPC. The CPC is assisted in the execution of its duties by a body of staff members (“the Commission’s Service”) which is entrusted with wide powers to investigate cases of cartels whether at its own initiative or as a result of a complaint filed by a third party having a legitimate interest. In addition, the Commission’s Service introduces complaints and submits recommendations to the CPC, makes the necessary communications and publications and grants to the CPC every possible facilitation in order to fulfil its competences, powers and duties.

Furthermore, the parties affected by a decision of the CPC have 75 days from the issue of decision to file an administrative recourse to the Administrative Court, which is empowered to examine the legality of actions or omissions of any organ, authority or person exercising executive or administrative authority such as the CPC and to validate or nullify any such decision, action or omission. Any decision of the Administrative Court can be appealed against to, before the Supreme Court of Cyprus within 42 days from the date that the decision is issued but such an appeal may only be made on legal grounds. The decision of the Supreme Court is final.

5. **What are the key steps in a cartel investigation?**

The CPC commences an investigation acting either on its own initiative or as a result of a complaint submitted to it or following an application for leniency. Ex officio investigations are typically initiated by conducting dawn raids at undertakings’ business premises. The Commission’s Service carries out a preliminary investigation of the case on the basis of which the Commission decides whether the case merits further investigation. If this is indeed the case, the CPC will inform the relevant parties that they are officially under investigation and will request their cooperation and the submission of relevant information.
After the conclusion of the investigation, the CPC will forward a statement of objections to the undertakings concerned which sets out the facts upon which it relies, its reasoned provisional conclusions and the action likely to be taken. The undertakings concerned are allowed to have access to the CPC’s file in order to prepare their written submissions to the CPC. In addition to submitting their written submissions they can also request an oral hearing before the CPC in order to orally support their case. If the CPC concludes that it has sufficient evidence to support a finding of prohibited cartel behaviour, it will issue a fully reasoned infringement decision. The CPC may also, subject to its discretion, arrange state of play meetings either by ex officio or by the parties’ request at any point during the proceedings.

6. What are the key investigative powers that are available to the relevant authorities?

The CPC has extensive investigative powers which include the following:

**Right to request the submission of information/documents and to demand responses to specific questions.**

The CPC may collect information that is necessary for the exercise of its competences, powers and duties, both on its behalf as well as on behalf of other Competition Authorities, by addressing to that effect a written request to undertakings, associations of undertakings, natural persons or public or private entities. When sending a request, the CPC shall specify the required information, the reasoning of the request, a reasonable time-limit for the provision of information which may not be less than twenty days and the possible sanctions in the event of non-compliance with the above obligation for the provision of information. The undertakings, associations of undertakings, natural persons or public or private entities to which the request by the CPC is addressed to, shall be bound to provide, in due course, in full and accurately all the information required within the time-limit fixed.

Where the reply is incomplete or there is a need for further clarifications and/or investigation, the CPC may submit a new request to obtain clarifications and/or explanations. The time-limit for the provision of this information and/or clarifications may not be less than 7 days.

**Right to carry out compulsory interviews with individuals**

The CPC in the exercise of its competences, powers and duties under the Competition Act can conduct interviews with any natural or legal person that consents to it, in order to take statements regarding the subject of the investigation that is conducting.

**Dawn raids**
The CPC has the power to carry out unannounced inspections (dawn raids) at any office, premises, land and means of transport of undertakings or associations of undertakings. It may examine all archives, books and records relating to the business, make copies of all such books and records and/or ask any officer or employee for explanations which may be recorded. The dawn raids are carried out by the Service on request of the CPC and may be accompanied by other public officers that CPC deems necessary. The request of the CPC to the Service shall be in writing and shall specify the subject matter and the purpose of the investigation, the date to commence, the basis of the inspection and the sanctions if the undertaking(s) fail(s) to comply.

The information received by the CPC during the dawn raid may be used only for the purpose for which the inspection is allowed, with the exemption of those cases where this proves necessary for the application of the European Union competition law. The information obtained during the investigation that contains business secrets and information of a confidential nature are protected and the officials who perform the investigation have a duty of secrecy and are bound not to communicate and/or publish such information, except when this is necessary for proving an infringement of sections 3 and/or 6 of the Competition Law and/or Articles 101 TFEU and/or 102 TFEU or for implementing the provisions of the Competition Act.

Every person to whom questions are submitted or from whom explanations are requested during the investigation has the obligation to provide the investigating officer with any facilitation, any information, and any declaration on whether the information he provides to the investigating officer is true.

An inspection of private premises requires the issue of a duly reasoned judicial warrant. In such cases, the CPC may apply to the Court to issue a warrant, ordering the conduct of an inspection, as long as there are reasonable suspicions that in that place there are records, accounts, books, other records related to the business or other particulars relating to the investigation of the case.

**Power to conduct investigations in sectors of the economy or types of agreement**

The amendments made to the Competition Act granted a further power to the CPC. More specifically, the CPC has the power, after the amendment of the Competition Act in 2014, to carry out sector inquiries in specific sectors of the economy or specific types of agreements when the trend of trade, the rigidity of prices or other circumstances create suspicion that competition may be restricted or distorted in the Republic.

7. **On what grounds can legal privilege be invoked to withhold the production of certain documents in the context of a request by the relevant authorities?**

The position of in-house legal advice and whether it is protected by privilege has been
addressed by the Cyprus courts in cartel cases. The position would seem to be similar to that currently prevailing in the EU terrain – there is no privilege for in-house lawyers’ communications. However, also in compliance with the ECJ case law, the communication between an undertaking and external legal counsel, even if qualified outside jurisdiction, is always covered by the privilege of confidentiality.

8. What are the conditions for a granting of full immunity? What evidence does the applicant need to provide? Is a formal admission required?

According to section 24 of the Competition Act, the CPC may exempt and/or reduce the amount of the administrative fine which would have been imposed on an undertaking or association of undertakings, according to the criteria and conditions of article 46, if the said undertaking or association of undertakings co-operates and/or gives such assistance or proof which will assist the CPC to prove the infringement.

In 2011, regulations pursuant to section 26 of the Competition Law were published related to the Leniency Programme. According to the Leniency Programme, the CPC shall grant full immunity from administrative fine which would have otherwise been imposed to an undertaking disclosing its participation in an alleged restrictive collusion when the undertaking making the application for immunity is (a) the first to submit evidence which is sufficient to initiate inspection or (b) the first to submit evidence which allows the Commission to find an infringement of section 3 of the Competition Act or/and Article 101 of the TFEU. In both cases, the information/evidence shall be provided to CPC before the CPC has already gained such information.

According to Regulation 5 of the Leniency Programme, in order for an undertaking to qualify for immunity from an administrative fine, it shall cooperate fully, actively and on a continuous basis with the CPC, from the date of submission up until the completion of the procedure and in particular:

(a) provide the Commission, willingly and promptly, with all relevant information and evidence it possesses or is available to it, or that came to its possession later on, in relation to the alleged collusion;

(b) remain at the CPC’s disposal to answer, willingly and promptly, to any request that may contribute to the establishment of the relevant facts;

(c) make current (and, if possible, former) employees and directors available for interviews with the CPC or any member of the Service;

(d) not destroy, falsify or conceal relevant information or evidence relating to the alleged restrictive collusion and
(e) not disclose the fact or any of the contents of its application before the CPC has issued a statement of objections in the case, unless otherwise agreed.

Further, the applicant must satisfy the following requirements: (i) must take effective steps to be agreed with CPC to terminate its participation in the illegal activity, (ii) must do nothing to alert its former associates that it has applied for immunity under the Leniency Programme, (iii) must not have incited other undertakings to participate in the infringement.

9. **What level of leniency, if any, is available to subsequent applicants and what are the eligibility conditions?**

According to Regulation 16 of the Leniency Programme, in order for an undertaking to meet the relevant conditions for the reduction of an administrative fine that would have been otherwise imposed, it must provide the CPC with evidence of the alleged infringement which represent significant added value with respect to the evidence already in the Commission’s possession and must meet the cumulative conditions set out in Regulation 5. There is a scale applied for the leniency provided to the subsequent applicants, particularly (i) for the first undertaking which complies with Regulation 16: a reduction of 30-50%, (ii) for the second undertaking which complies with Regulation 16: a reduction of 20-30%, (iii) for subsequent undertakings which comply with Regulation 16: a reduction of up to 20%.

10. **Are markers available and, if so, in what circumstances?**

The CPC operates a marker system for undertakings wishing to apply for immunity from administrative fine. The CPC shall grant a marker, on the basis of which an immunity applicant shall secure its place in the priority, for a period to be specified by the CPC, on a case-by case basis, in order to allow for the gathering of the necessary information and evidence. To be eligible to secure a marker, the applicant must provide the CPC with the information referred to in Annex II of the Leniency Programme including: the name and address of the applicant undertaking, the name of the person submitting the application and contact details, the parties participating in the alleged restrictive collusion, the affected products/services, the geographic market, the duration of the alleged restrictive collusion, the nature of the conduct in question, any previous or possibly future applications for lenient treatment to National Competition Authorities of other Member States and/or the European Commission, in relation to the alleged restrictive collusion and a justification of the application for granting a marker.

Where a marker is granted, the CPC shall determine the period within which the applicant undertaking must perfect the marker, by submitting the information and evidence required to meet the relevant threshold for immunity. If the applicant perfects the marker within the period set by the CPC, the information and evidence provided shall be deemed to have been submitted on the date when the marker was granted.
11. What is required of immunity/leniency applicants in terms of ongoing cooperation with the relevant authorities?

As already mentioned in section 3.1, Regulation 5 of the Leniency Programme sets the continuous cooperation as a requirement in determining the level of fine reduction by the CPC. The applicant for immunity must cooperate fully, actively and on a continuous basis with the CPC from the date of submission up until the completion of the procedure.

Any statement made to the CPC in the context of the Leniency Programme constitutes part of the file of the CPC and it cannot be used or disclosed for any purpose other than an enforcement of action under the Competition Act. The level of cooperation of an applicant will be noted in CPC’s decision and the confidentiality is granted by the Competition Act so that the CPC cannot disclose the leniency application to any private litigants. The cooperation obligation starts with the application for leniency and ceases only when the investigations are finished.

12. Does the grant of immunity/leniency extend to immunity from criminal prosecution (if any) for current/former employees and directors?

In order for current/former employees and to qualify immunity by cooperate fully, actively and on a continuous basis with the CPC, from the date of submission up until the completion of the procedure.

13. Is there an ‘amnesty plus’ programme?

No.

14. Does the investigating authority have the ability to enter into a settlement agreement or plea bargain and, if so, what is the process for doing so?

The Competition Act does not provide for a settlement procedure for the handling of cartel cases on which the parties would agree on the nature and the extent of the infringement and the sanction to be imposed. However, according to article 25 of the Competition Act in case the CPC intends to issue a decision demanding that an infringement of the provisions in sections 3 and/or 6 of the Competition Law and/or Articles 101TFEU and/or 102 TFEU be brought to an end, and the undertakings or associations of undertakings concerned offer to undertake commitments to meet the Commission’s concerns in its preliminary assessment, the CPC may, by a decision, make these commitments binding on the undertakings or associations of undertakings concerned and conclude that there are no longer reasons to take any further action.

15. What are the key pros and cons for a party that is considering entering into settlement?
16. **What is the nature and extent of any cooperation with other investigating authorities, including from other jurisdictions?**

According to section 23(B) of the Competition Act the CPC may cooperate with regulatory or other authorities that exercise control in specific sectors of the economy of the Republic and offers its assistance, upon their request and may request the assistance of the above regulatory or other authorities, when exercising its powers. The CPC may enter into Cooperation Protocols with other EU national competition authorities. The investigative powers vested in the CPC based on section 30 of the Competition Act may be exercised by the CPC either under its own name or on behalf of and for other EU national competition authorities which so requested.

The level of the cooperation between CPC and other investigative authorities outside Cyprus has increased after the establishment of European Competition Network (ECN) by Regulation (EC) No. 1/2003. The EU Commission and competition authorities from EU member states cooperate with each other through the ECN by informing each other of new cases and envisaged enforcement decisions, coordinating investigations, where necessary, helping each other with investigations, exchanging evidence and other information and discussing various issues of common interest.

In addition, the CPC is member of the International Competition Network (ICN), an informal network aiming at the application of competition policy worldwide. In particular, through dialogue and common approach by the national competition authorities, ICN encourages the dissemination of experiences and practices followed by either competition authority.

The CPC is also a member of the European Competition Authorities Network (ECA), an informal network of cooperation among the National Competition Authorities of the European Economic Area aiming to the exchange of views and the constructive discussion on competition issues.

17. **What are the potential civil and criminal sanctions if cartel activity is established?**

The CPC has the statutory power to impose administrative fines in respect of infringements of section 3 and/or section 6 of the Competition Act and/or articles 101 and/or 102 of TFEU. The CPC determines the level of a fine according to the gravity and duration of the infringement which should not exceed 10% of the combined annual turnover of the undertaking or association of undertakings in the preceding financial year.

The CPC has also the power to compel the undertaking or association of undertakings to cease the infringement within a specific period of time and to avoid any repetition of the infringement and in the case where the infringement is terminated before the issue of a
decision by CPC, the latter only makes a finding of reconnaissance.

The CPC may decide on the immunity or the reduction of a fine imposed, according to the criteria specified in the Leniency Programme. In case the Commission intends to issue a decision demanding that an infringement of the provisions in sections 3 and/or 6 of the Competition Law and/or Articles 101TFEU and/or 102 TFEU be brought to an end, and the undertakings or associations of undertakings concerned offer to undertake commitments to meet with the CPC’s concerns in its preliminary assessment, the CPC may, by a decision, make these commitments binding on the undertakings or associations of undertakings concerned. In case where the undertakings or associations of undertakings concerned, do not comply with the commitments they undertook to comply with, and which have been deemed binding according to the CPC’s decision an administrative fine of up to 10% of the turnover of the preceding financial year can be imposed.

Among its administrative powers, the CPC can impose terms and measures of a behavioural and/or corrective manner in order for an infringement to end. In the case where the infringement continues, the CPC can impose a fine up to 5% of the average daily turnover of the preceding financial year per day the infringement continues.

The CPC may order the taking of interim measures and impose such terms which under the circumstances deems necessary. Such measures, whether mandatory or not, must be of temporary and conservative nature and their extent must not exceed what is absolutely necessary under the circumstances.

Criminal sanctions may only be imposed by the National Courts in cases when undertakings and their representatives fail to comply with the orders of the CPC or the provisions of the Competition Act (for instance failure to comply with an unannounced dawn raid order, alteration, destruction, conciliation of documents or records, provision of incorrect or misleading information or refusal to provide information during a dawn raid).

18. What factors are taken into account when the fine is set? In practice, what is the maximum level of fines that has been imposed in the case of recent domestic and international cartels?

The fine imposed should not exceed 10% of the combined annual turnover of the undertaking or association of undertakings in the preceding financial year.

The Commission determines the level of a fine according to the gravity and duration of the infringement. Further, the CPC takes into consideration: the impact of the infringement and/or the impact that the infringement continues to have on the market; the anti-competitive results which may have been caused or which may be caused in the market, given also the economic power of the undertakings which have infringed the competition rules in the relevant market; and the extent of it. As such, any economic benefit or other benefit that such
undertakings may have gained or sought to have gained, is also factored into the consideration. Mitigating factors include the absence of any prior infringement of competition rules by an undertaking, the fact that an undertaking does not repeat a previous offence, and the cooperative behaviour of an undertaking with the CPC during the proceedings. Aggravating factors include a prior offence, repeated offences and the fact that the undertaking in question could have foreseen the consequences of its action given its circumstances, assuming that it is ‘normally informed and sufficiently attentive.

In recent domestic cartel cases CPC imposed huge fines up to €31.000.000 on payment processing company JCC and 8 commercial banks for colluding to squeeze FBME Card Services out of the card payments processing market.

19. Are parent companies presumed to be jointly and severally liable with an infringing subsidiary?

Yes. The CPC applies the parental liability doctrine as confirmed in its decision practice.

20. Are private actions and/or class actions available for infringement of the cartel rules?

No class actions are permissible within the Cyprus legal system. Multiple/representative actions may be consolidated however, under Order 14 of the Civil Procedure Rules; where 2 or more actions are pending in the same court (between the same or different claimant or defendants) which involve a common question of law or fact of such importance in proportion to the rest of the matters, the court may order that the actions are consolidated on the application of 1 of the parties to the actions.

21. What type of damages can be recovered by claimants and how are they quantified?

In case of an action for damages brought by any person who has suffered loss and/or financial injury from any acts or omissions of an undertaking or associations of undertakings done in contravention of sections 3 and/or 6 of the Competition Law and/or Articles 101 TFEU and/or 102 TFEU, an irrevocable decision of the CPC or of other Competition Authority or of the European Commission, ascertaining the said infringement shall constitute a rebuttable presumption about the truth of its context.

The claimant has the right to apply to the Court and request rehabilitation in the situation in which he would have been if the breach of the competition rules would not have taken place. He can request general and / or special damages and / or loss of earnings, as well as payment of interest due from the moment the damage was incurred and until payment of the indemnity.

22. On what grounds can a decision of the relevant authority be appealed?
A party having a legitimate interest may file an appeal to the Administrative Court of Cyprus against a decision of the CPC. The Administrative Court examines whether the decision of the CPC was taken according to the provisions of the administrative law in force. Grounds for recourse include a claim that the CPC acted wrongly vis-à-vis the true facts of the case or erred in applying the provisions of the law.

23. **What is the process for filing an appeal?**

Any decision issued by the CPC may be subject to an appeal filed within 75 days from the date the decision of the CPC is issued. If the decision of the Administrative Court does not satisfy the party then the later may file an appeal to the Supreme Court in relation to that decision, which will be heard by a panel of 3 judges or an extended composition of the Supreme Court, depending on the circumstances. The appeal before the Supreme Court shall be filed within 42 days from the date that the decision is issued and such an appeal may only be made on legal points. The decision of the Supreme Court would be final.

24. **What are some recent notable cartel cases (limited to one or two key examples, with a very short summary of the facts, decision and sanctions/level of fine)?**

Between June 2017 and March 2018, the CPC has issued 43 decisions, 29 of which concerned examination of notifications of concentrations between undertakings, issuing clearance decisions to 27 of them in Phase I and to one of them in Phase II on the basis of certain terms and conditions and one decision for infringement of Competition Law.

The last few years the CPC has imposed huge fines in cartel cases. It imposed on JCC Payment Systems Limited, Bank of Cyprus Public Company Ltd, Marfin Popular Bank Public Co Ltd, Hellenic Bank Public Co Ltd, USB Bank Plc, Alpha Bank Cyprus Ltd, Emporiki Bank of Cyprus Ltd, National Bank of Greece (Cyprus) Ltd and Societe Generale Cyprus Ltd, total administrative fines amounting to €31.009.766 for the infringement of Articles 3(1)(a) and 6(1)(a) and (b) of the Protection of Competition Law.

In the decision 51/2017, the CPC imposed a total fine of €20.775.630 on the Cypriot based fuel companies ExxonMobil Cyprus Ltd, Hellenic Petroleum Cyprus Ltd, Petrolina Holdings (Public) Ltd και Lukoil Cyprus Ltd after an investigation carried out on its own initiative. The CPC unanimously decided that the above four companies during the period from 1.10.2004 to 22.12.2006 breached section 3 (1) (a) of the Law on the Protection of Competition (equivalent to Article 101 (1) TFEU) by engaging – through their vertical agreements with their respective service station dealers – in direct or indirect resale price maintenance. It was decided that such anticompetitive practice had the object or effect to prevent, restrict or distort the competition within the Republic of Cyprus. The infringement of the companies extends until 3 December 2015, as it did not appear from the data before the CPC that it had ceased before that date. The CPC imposed administrative fines on ExxonMobil Cyprus Ltd, Hellenic Petroleum Cyprus Ltd, Petrolina (Holding) Public Ltd and Lukoil Cyprus Ltd of €8.7 million, €5 million, €5.7 million and €1.4 million, respectively. The decision of the CPC has
been appealed before the Administrative Court and the decision of the decision of the Court is now pending.

In addition, in its decision in the case 29/2018, the CPC announced that, the companies Alfa Concrete Public Company Ltd, Athinodorou & Poullas Super Beton Ltd, Top Mix Concrete Ltd, Skyramix Ltd, K Kythreotis Skyrodemata Ltd, Matheos Ioannou Etimo Beton Ltd, Betoman Limited, I & S Kritonis Limited and Psaroudis Beton Limited have infringed Section 3(1)(a) and 3(1)(c) of the Competition Law on price fixing and market sharing in the market for concrete, especially as regards various government tenders. In particular, the CPC’s own-initiative investigation relates to possible manipulation of specific public tenders announced by the Ministry for Transport Communications and Works for the provision and transport of ready-made concrete through (1) agreement for allocation of the tenders between the various tenderers and (2) direct or indirect price fixing. The CPC imposed fines to abovementioned companies €50.000 to €300.000 to each company and instructed the companies to immediately terminate the infringement and avoid any repetition of the cartel behavior in the future.

25. **What are the key recent trends (e.g. in terms of fines, sectors under investigation, applications for leniency, approach to settlement, number of appeals, etc.)?**

Notable recent instances of the CPC imposing sanctions include a €20.8 million fine on retail oil companies for fixing prices and a €31 million fine on 8 banks as referred above. In the last few years CPC imposed fines in airport management services sector, the pay-TV sector, the ready-mix concrete sector and the fresh cow milk sector.

26. **What are the key expected developments over the next 12 months (e.g. imminent statutory changes, procedural changes, upcoming decisions, etc.)?**

The CPC has been involved in the national preparations and groundwork in relation to the Proposal for a Directive of the European Parliament and of the Council to empower the competition authorities of the member states to be more effective enforcers and to ensure the proper functioning of the internal market. On 14 January 2019, the Directive 2019/1 was published aiming to fulfill the above scope. It is now up to the Republic to transpose the Directive into Cypriot national legislation.