

30 March 2011: Public roundtable on draft guidance on antitrust fines

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Pursuant to the public consultation launched in January 2011, the *Autorité de la concurrence* has today held a public roundtable with stakeholders on its draft guidelines on antitrust fines

> *Version française* 

On 17 January the *Autorité de la concurrence* launched a public consultation on Draft Guidelines on Antitrust Fines, whose first phase (written contributions) closed on 11 March. Almost 25 contributions to the consultation were received, from a broad range of stakeholders (professional associations, consumer representatives, law practices, economists, academics, etc) who expressed very diverse views.

To follow up the first phase of the public consultation, a stakeholders roundtable discussion was organized today by the *Autorité* in the ENA (*Ecole nationale d'administration*) premises, in Paris (See [agenda of the meeting](#)).

Bruno Lasserre, head of the *Autorité*, seized the occasion of this roundtable meeting to present the first outcomes of the consultation. Hubert Legal, Legal Director of the Council of the European Union and former Judge in the General Court of the European Union, shared with participants his own experience in the Community courts in the field of guidelines on fine setting. A fruitful debate followed, during which stakeholders had the opportunity to exchange their views and the *Autorité* gained, as a valuable input to its work, stakeholders' feedback and insights.

By now, the *Autorité* will finalize its guidelines, in the light of the comments and suggestions received during the whole consultation process.

Final Guidelines on Antitrust Fines will be published in May on the *Autorité's* website, as well as the written contributions (with the consent of respondents).

The aim of the guidelines being prepared is to increase transparency on the methodology followed to determine antitrust fines and the factors that may be taken into account in this regard. The guidelines will enrich discussions between the companies and the investigation services before a decision is taken by the Board of the *Autorité*. The proposed methodology provides predictability, flexibility and pragmatism. It strikes a balance between individualization of the fine and deterrence, through the determination of a fine that has to be, for each case, proportionate to the gravity of the offense, the extent of the damage caused to the economy and the specific characteristics of the sanctioned entity or company or the group to which it belongs.

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