

# 13 January 2012: Leisure, culture and tourism engineering sector

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The *Autorité de la concurrence* has just issued a decision sanctioning the **Géfil** trade association and ten consulting firms in the leisure, culture and tourism engineering sector with a fine of 660,700 euros for having decided and issued pricing instructions to the profession.

## **The leisure, culture and tourism engineering sector**

The consulting firms bring their expertise to local and regional authorities, tourist information centres or businesses tasked with promoting and enhancing tourist, cultural or leisure facilities such as places of accommodation and catering, museums, châteaux, religious buildings, marinas or amusement parks.

## **A "fair price" had to be charged by consulting firms that are members of the trade association**

Between 2002 and 2010, the *Syndicat national de l'ingénierie des loisirs, de la culture et du tourisme* (**Géfil** - national trade association of leisure, culture and tourism engineering) and several consulting firms drew up a sheet entitled "Fair pricing" listing fees deemed "reasonable" or "decent" and circulated it to the profession. This sheet, which was used as a benchmark for price quotations filed by consulting firms in response to calls for tenders, aimed to avoid "dumping" and a "price war" between firms and thereby "drive up the sector's prices".

## **Price checks guaranteeing compliance with the anticompetitive agreement by the participants**

The pricing instructions were accompanied by measures aimed at ensuring the observance of the set prices. Price checks were organized by **Géfil** to ascertain

that the prices charged matched those set jointly. The local authorities issuing invitations to tender were alerted when certain quotations were deemed "abnormally low" by the trade association.

### **The financial penalties**

Through their participation in this anticompetitive agreement, Géfil departed from its remit of defending its members and distorted the competitive procurement procedures initiated by their sponsors. The Autorité de la concurrence has also sanctioned certain consulting firms that participated directly in the anticompetitive agreement in their capacity as Géfil Board members. The financial penalties reflect the participants' individual involvement in the anticompetitive agreement, the length thereof and their ability to pay. In view of Géfil's limited resources, the Autorité has imposed a symbolic penalty on it.

#### *Organizations / Financial penalties:*

Géfil: €15,000

Arc essor: €8,500

Assaï: €800

Deloitte conseil: €510,000

Action conseils hotels: €24,700

Maîtres du rêve: €28,400

Médiéval: €12,000

Mérimée conseils: €2,600

Philippe Caparros Développement: €8,000

Promotour consultants: €800

Somival: €49,900

Full text of decision 12-D-02 of 12 January 2012 on practices in the leisure, culture and tourism engineering sector