

WHAT IS THE SCOPE OF THE ACT NO. 4054 ON THE PROTECTION OF COMPETITION?

- ▶ Agreements, Concerted Practices and Decisions Limiting Competition
- ▶ Abuse of Dominant Position
- ▶ Mergers and Acquisitions

WHAT ARE THE RISKS ARISING FROM INFRINGEMENTS OF COMPETITION LAW?

- ▶ Administrative fines imposed on the undertakings
- ▶ Administrative fines imposed on managers and employees
- ▶ Invalidity of agreements infringing competition law
- ▶ Damage claims by those suffering from infringements of competition law
- ▶ Loss of Reputation

COMPETITION COMPLIANCE PROGRAM

WHAT IS A COMPETITION COMPLIANCE PROGRAM?

Competition Compliance Program is a process aiming at compliance by the undertaking as well as its managers and employees with the liabilities arising from competition law. The process may only be devoted to compliance with competition law or it may form a part of a more comprehensive compliance process carried out to ensure compliance with sector specific regulations.

WHY IS COMPLIANCE PROGRAM IMPORTANT?

It is possible to make a list of numerous conducts that may lead to infringement of competition law during the operations of your undertaking in the market. The conduct of employees may sometimes lead to infringements of competition with no prior knowledge of the senior management. In addition, you may also suffer damages caused by infringements of competition resulting from conduct by your competitors or suppliers.

A successful Competition Compliance Program is important as it enables you to use competition law as an effective instrument both to avoid investigations that may lead to high administrative fines and get rid of problems you face during your operations in the market.



HOW TO DESIGN AN EFFECTIVE COMPETITION COMPLIANCE PROGRAM?

There is no standard Competition Compliance Program applicable to all undertakings. It is important to design a Competition Compliance Program tailor-made for each company by taking account of the relevant factors such as the characteristics of the company, nature of the market where the company operates and the position of the company in the market. The initiative of the senior management is decisive in determining the scope and content of the Competition Compliance Program

THE MAIN COMPONENTS OF THE COMPETITION COMPLIANCE PROGRAM



Having the experience regarding competition law enforcement, **ENRE** implements **Competition Compliance Program** appropriate for the needs of the undertakings and based on risk analysis

- 1 Identification of the Risks** The risks within the scope of competition law are identified by taking account of the size and characteristics of the undertaking and the nature of the relevant market
- 2 Risk Assessment** The levels of the risks are assessed and employees of the undertaking are categorised into different levels of risk groups
- 3 Risk Management** Policies and procedures are developed and necessary trainings are held to prevent risks from turning into problems or to cope with emerging problems efficiently
- 4 Monitor and Review** The first three steps are repeated regularly and it is ensured that the undertaking has a certain competition culture