

Press release

Monopolies Commission presents its Main Report

The Monopolies Commission has submitted its twenty-first Biennial Report (*'Hauptgutachten'*) pursuant to § 44(1) of the Act Against Restraints on Competition (ARC) to the Federal Minister of the Economy and Energy. The Report is entitled:

"XXIst Main Report – Competition 2016".

The subject matters of the Report encompass the following:

- The analysis of company concentration and the competition authorities' decision practice, as provided by law;
- The following additional subjects: the **ministerial proposal for a 9th amendment to the German ARC**, the **regulation of airports**, the **central marketing of football broadcasting rights**, and **digital markets: the sharing economy and FinTechs**.

Separate Press Releases (PR) are available for the relevant sections of the Report.

The Monopolies Commission's recommendations relate to the following, among others:

- The intensified monitoring of interests of institutional investors in several undertakings in one market (PR Company Concentration);
- The extension of the scope of application of German merger control by means of a new – transaction volume based – notification threshold (PR 9th Amendment to the ARC);
- The facilitation of damage claims for companies and consumers harmed by a cartel (PR 9th Amendment to the ARC);
- The removal of liability gaps allowing corporate groups to escape cartel fines (PR 9th Amendment to the ARC);
- The increased ex-post evaluation of decisions adopted by the competition authorities (PR Case Practice);
- The regulation of airport charges by an independent central agency, the use of market-based instruments for the allocation of airport slots (time slots for take-off and landing), and the continued liberalisation of the ground handling services at airports (PR Airport Regulation);
- The allocation of clearly defined broadcasting rights in the German football league (*Bundesliga*), and the increased coordination of EU competition authorities when they review varying broadcasting models (PR *Bundesliga* Broadcasting Rights);
- The prevention of competition distortions between established service providers, such as taxi and private hiring vehicle (PHV) operators, and new service providers operating in the sharing economy, such as transportation services involving private drivers, by means of a revision of the existing regulation, and by introducing an adequate regulatory framework for novel services (PR Digital Markets);

- The development of standards and compatible solutions for digitally rendered financial services, e.g., through access to IT interfaces, and with account taken of the effects that regulatory measures have on the development of cross-border services, e.g., as regards mandatory customer information (PR Digital Markets).

The Report is accessible at the Monopolies Commission's [home page](#) as of now. An English summary of the Report and an English translation of individual chapters will be published later this year.

The Monopolies Commission is a permanent, independent expert committee, which advises the German government and legislature in the areas of competition policy making, competition law and regulation. Its legal responsibilities encompass, among others, the preparation of a Main Report analysing the development of competition on a bi-annual basis. The Monopolies Commission has five Members appointed by the Federal President based on a proposal of the German government. Prof. Achim Wambach, Ph.D., is the chairman of the Monopolies Commission.