

## **PRESS RELEASE**

### **The CNMC investigates possible anticompetitive practices in the provision of library, archive and document management services**

**Madrid, 27 June 2019.** The CNMC is investigating possible anticompetitive practices in the provision of library, archive and document management services. These may consist of allocation of contracts put out to tender by public administrations for the provision of the aforementioned services.

On-site inspections were conducted on 25th and 26th June at the head offices of various companies operating in the aforementioned market. These inspections are part of the investigation opened by the CNMC after having been made aware of the possible existence of anticompetitive practices in which certain companies in the sector may have been involved.

The inspections represent a preliminary step in the process of investigating the alleged anticompetitive conduct and do not prejudge the result of the same or the culpability of the companies inspected. If indications of practices prohibited by the Defence of Competition Act are found as a result of the inspection, steps will be taken to formally initiate a disciplinary action.

Agreements between competitors constitute a very serious violation of competition law. They may entail fines of up to 10% of the total turnover of the offending companies.

Investigating cartels is one of the CNMC's action priorities, given that they have particularly serious consequences for consumers and proper market operation.

To that end, among other things, it has in place a [leniency programme](#), which allows companies that form part of a cartel to obtain an exemption from payment of the fine. This is on condition that they provide evidence that enables the CNMC to uncover the cartel. In addition, it may be possible to obtain a reduction in the amount of any fine which may be imposed if information with significant added value is provided relating to an investigation already initiated by the CNMC.

Additionally, a reminder that companies that apply for leniency are exempt from the prohibition from obtaining contracts set forth in Article 71 of Act 9/2007, on Public Sector Contracts, for those fined for a serious offence relating to the falsification of competition. Article 72.5 of the aforementioned law indicates that the prohibition from obtaining contracts does not apply to companies applying for leniency.

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