

PRESS RELEASE

The CNMC initiates disciplinary proceedings against several companies in the library services and file and document management market.

- The CNMC investigates possible manipulation of public tenders

Madrid, 17 October 2019 - The CNMC has initiated disciplinary proceedings, pursuant to Article 49.1 of Anti-Trust Law 15/2007 of July 3, in response to actionable evidence of breach of Article 1 of said law.

Specifically, the Commission is investigating possible anti-competitive practices involving the concerted manipulation of public tenders in the market for providing library and file and document management services, between 2016 and 2019.

The companies that are being investigated as part of these proceedings are: Bibliodoc Servicios Documentales, S.L., Pandora Gestión Documental, S.L., Libnova, S.L. and Ms. S.L.R.

The initiation of these proceedings does not prejudge the final result of the investigation. A maximum period of 18 months is now open for the CNMC to investigate and resolve the case.

Agreements between competitors constitute a very serious violation of anti-trust law and can lead to fines of up to 10% of the total turnover of the infringing companies.

The investigation of cartels is one of the CNMC's top priorities, given the particular seriousness of their consequences on consumers and on the proper operation of the markets.

To this end, the CNMC has a [Leniency Programme](#), through which companies that are part of a cartel can receive immunity from fines in exchange for providing information to the CNMC that allows it to identify the cartel. It can also entail a reduction in the amount of the fine that could be imposed if the company provides information of significant value related to an investigation already initiated by the CNMC.

In addition, the CNMC has an [online whistleblower platform](#) to identify cartels that allows the public to provide anonymous information on possible secret agreements between competing companies for pricing or other commercial conditions, the distribution of markets or customers, or the fraudulent distribution of public or private tenders.

We also note that companies that request clemency are exempt from the contracting prohibition specified in Article 71 of [Law 9/2007 on Public Sector Contracts](#), which is applicable to companies that are sanctioned for serious infringements involving the distortion of competition. Article 72.5 of the aforementioned Law states that companies that request clemency cannot be prohibited from contracting.

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