

PRESS RELEASE

The CNMC investigates possible anti-trust practices involving access to ATM networks by certain banks

Madrid, 30 September 2019 - The CNMC is investigating possible anti-trust practices that violate articles 1 of the Anti-Trust Law and 101 of the TFEU, involving the systematic and unjustified denial of access to certain financial entities to a network of ATMs under the same favourable conditions as those offered to other banks. This practice has reportedly been in effect for several years and is intended to damage the ability of certain entities to compete in the market for providing payment methods.

From 25 to 27 September, on-site inspections were conducted at the headquarters of several companies, both banks and network administrators, operating in this market. These inspections are part of the investigation opened by the CNMC following the receipt of a complaint, which is currently being processed under reference number S/0034/19.

The inspections comprise a preliminary step in the process of investigating the alleged anti-trust behaviours and do not presume the outcome of the investigation or the guilt of the companies inspected. If the inspection finds signs of practices prohibited by the Anti-Trust Law, then disciplinary proceedings will be formally initiated.

[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 its consequences on consumers and on the proper operation of the markets.

To this end, the CNMC offers a [clemency programme](#), which allows companies that are part of a cartel to avoid having to pay a fine as long as they provide evidence that allows the CNMC to identify a cartel, or to have the amount of the potential fine reduced if they provide information that is of significant value to an ongoing CNMC investigation.

The CNMC has an online platform for whistleblowers to report cartels. Individuals can use it to provide information anonymously about possible confidential agreements between competing companies involving pricing or other commercial conditions, the distribution of markets or customers, or the fraudulent distribution of public or private tenders.

Unofficial document intended for the media. Not binding on the CNMC. For more information:

Tel. +34 91 787 22 04 <http://www.cnmc.es> Email: <mailto:prensa@cnmc.es>
