

PRESS RELEASE

The CNMC opens a public consultation to prepare a guide on compliance programmes

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Madrid, 3 February, 2020 – One of the CNMC's duties is to [promote competition in all markets and production sectors](#) by way of different instruments, such as the preparation of reports, studies, position documents, or guidelines. By virtue of these responsibilities, and in order to provide citizens with information on how the regulations are enforced, the CNMC will launch a guide on **compliance programmes** as these relate to ensuring fair competition.

The CNMC has written a **preliminary work document** and is interested in knowing the opinion of stakeholders: public regulators and managers, companies, lawyers and citizens. To this end, the draft guide is being presented for **public consultation** ([accessible at this link](#)) until **29 February**.

The publication of this guide is intended to ensure the transparency of the basic criteria that the CNMC deems relevant for a given compliance programme to be effective.

Compliance programmes are tools that allow economic operators to prevent and identify their involvement in illicit behaviour that is likely to result in criminal and administrative liability and affect their reputation. These behaviours include practices that are contrary to the rules of fair competition, the violation of which is causing increased social outcry due to the damage this causes to society as a whole.

To be truly effective, compliance programmes must rely on a series of instruments, mechanisms and actions to guarantee the existence of a true commitment. In other words, they must be implemented into the daily decision-making processes of both the individuals who, as de jure or de facto representatives of a company, are involved in commercial trade, as well as of the company's personnel as a whole. In addition, these tools must allow anti-competitive practices to be identified or prevented.

In addition, the CNMC has been exploring compliance policies for public-private collaboration for four years, delving into the complementarity between the deterrent elements of competition policy and preventive measures in the business environment. Called the "Compliance Spaces" (formerly "Compliance Dialogues"), they are held on a monthly basis and have turned into a discussion forum for corporate enforcement officers.

[Access the public consultation on compliance](#)