

## PRESS RELEASE

### **The CNMC initiates disciplinary proceedings against Funespaña, S.A., a subsidiary of the Mapfre Group**

- The company did not inform the CNMC that it was purchasing the Alianza Canaria funeral home prior to doing so.
- The Anti-Trust Law states that companies must inform the CNMC of any merger before they are executed.
- The CNMC required Funespaña to report the merger and, after analysing it, approved it in phase I.

**Madrid, 5 March 2021** - On 26 February 2021, the CNMC initiated disciplinary proceedings against Funespaña, S.A., a subsidiary of the Mapfre Group, for failing to report its purchase of the Alianza Canaria funeral home.

This practice, known in anti-trust jargon as “*gun jumping*”, is a breach of Article 9, paragraph one, of Law 15/2007 of 3 July, the Anti-Trust Law, which requires companies to notify the CNMC of a merger before executing it.

On 19 November 2020, the CNMC required, ex officio, Funespaña to report its purchase of Alianza Canaria, since it exceeded the market share threshold established by Law for companies to report an operation of this type.

Specifically, the thresholds were met, at least, in the retail market for funeral services in San Bartolomé de Tirajana, in accordance with the market definitions in force in the precedents of the funeral sector at the time the operation was executed.

On 2 March 2021, after analysing the operation, the CNMC cleared in the phase I, and with no commitments, the aforementioned purchase by Funespaña (C/1155/20 Funespaña/Alianza Canaria), now subject to sanction for failure to report.

The initiation of these proceedings does not prejudge the final result of the investigation. A maximum period of 3 months is now open for the CNMC to investigate and resolve the case.

*Unofficial document intended for the media. Not binding on the CNMC. Reproduction authorised only if the source is cited*