

The CNMC investigates several companies for a possible allocation of tenders issued by AENA for the lease of facilities intended for fixed-base operators (FBOs) at airports

- Between 28 and 31 May, the CNMC inspected the premises of several companies operating in this market.
- The CNMC is investigating possible agreements or concerted practices to share out tenders issued by the airport operator.
- Dawn raids or inspections are a preliminary step leading to the possible formal initiation of infringement proceedings.

Madrid, 4 June 2024.- The CNMC is investigating several companies for possible agreements or concerted practices to share out the tenders issued by Aena to lease facilities intended for fixed-base operators (FBOs) at airports.

Between 28 and 31 May 2024, the CNMC conducted dawn raids at the premises of several companies.

Inspections or dawn raids are a preliminary step in the investigation process of alleged anti-competitive practices and **do not prejudge the outcome of the investigation** or the culpability of the concerned companies. If, as a result of the inspection, evidence of prohibited practices is found, infringement proceedings will be formally initiated.

Very serious infringements

Agreements between competitors **constitute a very serious infringement** of competition law, which 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 priorities for action, given the particularly serious consequences for consumers and the proper functioning of the markets.

Leniency Programme and citizen collaboration

The CNMC has a [Leniency Programme](#), which allows companies that are part of a cartel to be granted **immunity from fines**, as long as they provide evidence that enables the CNMC to detect such a cartel, or to benefit from a reduction in the amount of the possible fine if they provide information with significant added value in relation to an investigation already initiated by the CNMC.

Companies applying for leniency are exempted from the prohibition to enter into contracts with public entities laid down in Article 71 of Law 9/2017, of 8 November 2017, on Public Sector Contracts, transposing into Spanish law the Directives of the European Parliament and of the Council 2014/23/EU and 2014/24/EU, of 26 February 2014, for undertakings sanctioned for a serious infringement in relation to distortion of competition, pursuant to Article 72.5 of the aforementioned Law, which states that it is not appropriate to prohibit leniency applicants from entering into contracts.

The CNMC also has an **online citizen collaboration platform** for cartel detection. This platform, called [Sistema de Informantes de Competencia Anónimos \(SICA or Anonymous Competition Whistleblower System\)](#), allows anonymous reporting of anti-competitive practices, such as agreements between competing companies to fix prices or other commercial conditions, market or customer allocation, or fraudulent allocations of public or private tenders.

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