

Consumer protection in the digital economy, more efficient merger procedures, cooperation with undertakings

A number of current hot topics of competition law, such as the challenges created by the digital economy, the renewed merger regime and the opportunities for cooperation with the competition authority, were presented and discussed at the joint event of the Hungarian Competition Authority (GVH) and the Hungarian Competition Law Association.

In the opening speech of the Hungarian Competition Law Forum, which has now been held for the second time, **Juhász Miklós, President of the Hungarian Competition Authority** announced that the authority is paying close attention to the phenomena of digital space, with particular regard to their consumer protection aspects. The GVH has been focusing on three main topics this year: addressing the questions arising in connection with the data-based economy through the use of a number of tools available to the competition authority, the client-friendly management of the growing number of merger processes, and the feasible cooperation opportunities existing between the GVH and SMEs.

In his opening presentation, **Hegymegi-Barakonyi Zoltán, the president of the Hungarian Competition Law Association** highlighted that the digital revolution has led to a paradigm shift in most markets and industries, and also to the creation of new challenges for competition authorities. He stated that it is crucial that law enforcement authorities apply the rules prohibiting competition restriction in competition cases in a way that does not hinder, but rather promotes, the development of technology.

In his introductory presentation the keynote speaker of the conference, **Andreas Mundt, President of the German Federal Competition Authority (Bundeskartellamt)** focused on big data and the data-based economy related anti-competitive behaviours, illustrating with examples cases where data protection and unfair terms of contract issues may be relevant from a competition law perspective.

With the moderation of Paul Csiszár, Director of the European Commission's Directorate-General for Competition, members of the panel on changes in the merger regime agreed that the purpose of the renewed procedure is to accelerate concentrations which are non-problematic from a competition point of view. The panel also dealt with how the competition authority could proceed more efficiently in those concentration cases that raise competition concerns.

Michiel Denkers, the director of Dutch Competition Authority, spoke in his presentation about the problem solving approach that the Dutch authority applies to market supervision, and how agency effectiveness may be enhanced by using different tools and by creating a culture of cooperation with defendants. Based on the competition law case law of the European Union, **Barna Berke, judge of the EU General Court** presented about the continuous discussion that is taking place concerning the nature and intensity of judicial review, explaining that although most of the cases of the EU General Court are not competition cases, but the General Court still plays a significant role, when it makes assessment according to the criteria of economic and market competition in other groups of cases.

The possible **forms of cooperation with the competition authority, for example through the mechanisms of leniency, settlement, or commitment** foster the effective investigation of anti-competitive acts and the effective closure of competition supervisory procedures. Discussing this topic, the panel members agreed that such cooperation could be beneficial to both parties, since it increases the effectiveness of the authority while those who are under the proceeding may face less severe sanctions or, in some cases, may avoid conviction.

From 15 June the presentations of the Hungarian Competition Forum will be available on the GVH [website](#).

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