



GAZDASÁGI  
VERSENYHIVATAL

## **The Hungarian Competition Authority initiated a public consultation on the draft of the Hungarian merger notification form and on the draft of the informal meetings related to the merger review**

At the beginning of 2011, the Gazdasági Versenyhivatal (GVH - Hungarian Competition Authority) undertook to reconsider its notification form and moreover, its merger review procedure. On 19 May 2011, as a first step of the proceeding, the GVH launched a public consultation in order to gain knowledge of the practical experiences of the private sphere.

The GVH received many meaningful comments during the consultation. In the past few months, by using all of the information gained, the GVH prepared the new draft version of the notification form, and its "Best practices" document related to the informal meetings during the notification procedure. In the course of the second public consultation initiated by the GVH today, many of the stakeholders concerned are expected to provide some more information and to make proposals with regard to the draft documents.

By developing its own notification procedure - with regard to the comments received - the GVH paid special attention to the original aims of the revision, which were: transparency and the promptness of the procedure and the reduction of administrative burdens. Therefore, the draft of the new notification form consists of two separate parts. The second (specified) part of the form has to be fulfilled only in that case if the transaction (possibly) affects the markets concerned by creating significant overlap (horizontal relations) or vertical connection between the merging parties.

The draft version of the new notification form has less formal restrictions in relation to the data that must be provided. For example, it is not compulsory to fill in most of the tables contained in the form. It also reduces administrative burdens as parties are not obliged to provide registry court's documents as an annex of their notification. Additionally, a certified translation is only required by the GVH if the documents concerned relate to the establishment of the transaction and its competitive assessment. Presumably it will be a major relief for the representatives of the global mergers that, according to the draft version of the form, they only have to submit data with regard to the market participants who are actively involved and the activities conducted on the Hungarian market. The new form was also tested by using the data provided by former merger cases and the results of the test were applied for the purpose of developing the drafted notification form.

The draft of the abovementioned "Best practice" document on informal (pre-notification and state of play) meetings was created for the purpose of serving the transparency of the GVH's own merger review. In order to accelerate the process, the GVH recommends a pre-notification meeting for the merging parties. Furthermore, the document demonstrates those cases where state of play meetings can be requested and it sets out the best practices regarding to the initiation, the course and the participants of the state of play meetings.

Within the framework of this consultation, the GVH is inviting stakeholders to submit written comments and observations until 15 November 2011. The comments can be sent by e-mail

to [fuzio\\_konzultacio@gvh.hu](mailto:fuzio_konzultacio@gvh.hu). The consultation documents can be downloaded from the website of the GVH ([www.gvh.hu](http://www.gvh.hu)).

Budapest, 14 October 2011

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