

Hungarians benefit from the decisions of the GVH

10 June 2021, Budapest – eMAG has begun issuing vouchers to its users in accordance with its obligations included in the decision adopted by the GVH in May. Such commitments made during the proceedings of the Hungarian Competition Authority (GVH) benefit consumers and represent an important law enforcement tool as well.

The distribution of eMAG discount vouchers to the affected consumers began last week as [ordered by the GVH](#). The vouchers are valid for six months and provide a HUF 3000 discount on purchases over HUF 10,000 to every consumer who shopped on eMAG's platform at any time during last year. The voucher will be received by every entitled user in an email message and can be automatically linked to their eMAG account with a single click. The undertaking is going to send reminder messages 4 times during the validity period of the vouchers to users who have not yet used their discounts.

The group of undertakings made its voluntary commitments regarding the compensation of consumers during a competition supervision proceeding concluded in May 2021, which was taken into account by the competition council of the GVH as a factor reducing the fine imposed. In addition to or instead of imposing a fine, the GVH has recently been taking it into consideration when an undertaking voluntarily commits to remedy the competition-related concerns raised and compensate consumers. Last year, besides the record-high amount of HUF 8.4 billion imposed as fines, the total value of compensation commitments accepted by the GVH, which directly benefit consumers, also exceeded HUF 2.1 billion. It can be similarly beneficial to both consumers and the public interest if, in addition to establishing the fact of an infringement (and possibly imposing a fine), the GVH recognises the voluntary compensation commitments of undertakings by reducing their fines, such as in the case of eMAG.

These commitments allow the proceedings to be concluded in a flexible manner since they are generally not followed by prolonged court disputes. In such cases, the decision can often also serve as guidance to other market players as well. Another advantage of these solutions is that they can even affect areas where the GVH would otherwise be unable to enforce its decisions such as in the case of the commitments of eMAG regarding the promotion of the expansion of Hungarian undertakings on foreign markets via other platforms operated by the group.

'The GVH assesses the commitments of the affected undertakings individually in the case of each proceeding, the option of which is provided under the law in force effective. In 2020, the GVH accepted such commitments made by undertakings in 20% of its cases, thus closing these proceedings without establishing the existence (or the absence) of an infringement. The competition council does not accept such commitments in the case of the most severe competition law infringements, that being cartels, and only accepts them in exceptional cases if the commercial practice under investigation affects a vulnerable group of consumers (e.g. the elderly, children, people suffering from illnesses). The actual fulfilment of the accepted commitments, which are then included in the resolution of the Authority as well, is a mandatory administrative obligation for these undertakings in all cases. These resolutions always provide a detailed description of the exact obligations, the deadline for their fulfilment, and the manner in which their fulfilment can be proven. Following the expiry of the deadline, the GVH performs an ex officio follow-up investigation and checks it down to the last penny whether the

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provisions of the relevant resolution have been complied with and can even impose a fine in the case of partial or non-performance’ warned Csaba Balázs RIGÓ, President of the GVH.

GVH Press Office