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Annual Report on Competition Policy Developments in Spain

-- 2021 --

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Table of contents

Spain	3
Executive Summary	3
1. Changes to competition laws and policies, proposed or adopted	4
1.1. Summary of new legal provisions of competition law and related legislation	4
1.2. Other relevant measures, including new guidelines	4
1.3. Government proposals for new legislation	5
2. Enforcement of competition laws and policies	5
2.1. Action against anticompetitive practices, including agreements and abuses of dominant positions	5
2.2. Mergers and acquisitions	7
3. The role of competition authorities in the formulation and implementation of other policies, e.g. regulatory reform, trade and industrial policies	10
4. Resources of competition authorities	10
4.1. Resources overall (current numbers and change over previous year):	10
4.2. Human resources (person-years) applied to:	13
4.3. Period covered by the above information:	13
5. Summaries of or references to new reports and studies on competition policy issues	13
5.1. Market reports:	13
5.2. Reports on public procurement and Competition Law:	14
5.3. Reports on regulatory initiatives from a Competition Law perspective:	14
5.4. Reports on public aids:	14
5.5. Preliminary drafts.	14

FIGURES

Figure 1. Organizational chart	11
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TABLES

Table 1. CNMC Staff	12
Table 2. Non-administrative Staff	13

Spain

Executive Summary

1. This report covers the competition enforcement and advocacy activities carried out in 2021 by the Spanish National Commission of Markets and Competition (“CNMC”).
2. Again, this year the evolution of the COVID 19 pandemic and other unexpected events such as the energy crisis which was already showing some signs in 2021 caused another atypical year for the CNMC. Still, the CNMC activity kept the previous year's rhythm in both enforcement and advocacy of competition. Likewise, 2021 saw the appointment of the new Director of the CNMC Competition Division, Ms. Marisa Tierno Centella.
3. On enforcement, in 2021 the CNMC started nineteen investigations and opened five formal proceedings. In particular, three investigations have been opened for alleged infringements of Article 1 of the Spanish Competition Act (anticompetitive agreements) and the remaining two because of possible violations of Article 3 of this Act (distortion of free competition by unfair acts).
4. In 2021 the CNMC imposed fines in seven cases and five proceedings were finalized under the commitment procedure (no fines and no declaration of infringement, following immediate end of the suspected practice and some behavioral commitments). As for the fining proceedings, the seven of them had to deal with cartels and, within those seven, six involved bid rigging in public tenders: railway security and communication services, public road system maintenance, professional consultancy services, online real state intermediation, PET (Positron Emission Tomography) radiopharmaceutical sold to private and public hospitals, bus transport services in the Spanish region of Cantabria and library and file management services.
5. The fines imposed by the CNMC amounted a total of €203.5 million.
6. On the merger side, in 2021 a total of 102 deals were notified to the CNMC and 105 deals were analysed and cleared, denoting an important increase from the 70 deals analyzed in 2021 and 86 in 2019 (preCOVID). Almost 90 percent of the mergers notified used the pre-notification procedure and 60 percent were filed using the simplified form. Likewise, the CNMC carried out investigations on 23 deals to determine if they were concentrations that needed to be filed and eight of the merger clearances were made subject to conditions and/or commitments. Last, the CNMC imposed total fines of €2,28 million for failure to notify in one case (gun jumping) and for failure to comply with previous commitments adopted within a merger notification procedure.
7. As regards advocacy, the CNMC issued 23 reports on draft regulations in progress. These reports are addressed to other authorities to improve, from the competition perspective, new regulatory measures at the drafting stage. Also, another nine reports not related to draft regulations were adopted (four of them deriving from article 321 of the Public Procurement Act, another one concerning the wine sector in the Spanish region of Castilla-LaMancha, three related to professional services and the annual report on State Aid).
8. Similarly, in 2021, the CNMC published on its own initiative one sectoral study, one position paper and two guides: the online advertising study; the report on collective waste management services; and the guides: one providing recommendations to the public

authorities for an intervention in favor of market competition and an inclusive economic recovery (“Decalogues”); and the other one on the benefits of competition and regulation for consumers.

1. Changes to competition laws and policies, proposed or adopted

1.1. Summary of new legal provisions of competition law and related legislation

9. In April 2021, the Royal Decree Law 7/2021 came into force which amends the (i) Law 15/2007, on the Defense of Competition (“Spanish Competition Act”), (ii) the Law 3/2013, on the Creation of the Spanish National Markets and Competition Commission (“Law 3/2013”), (iii) the Regulation on the Defense of Competition and (iv) the Royal Decree 2295/2004, on the application in Spain of the European competition rules for the correct and full transposition of the Directive 2019/1 (“the ECN+ Directive”).

10. The objective of the ECN+ Directive is to ensure the enforcement of the Competition Law efficiently by providing the NCAs with sufficient means to this purpose, as well as to harmonize the powers of NCAs and guarantee the proper functioning of the internal market.

11. In this regard, the most relevant amendments on the Spanish Competition Act are the following:

- Strengthening the tools for cooperation between the NCAs of the EU Member States and the European Commission, ensuring the effective enforcement of Articles 101 and 102 of the Treaty on the Functioning of the European Union and the proper functioning of the internal market.
- Extension of the duties of information to any accessible information (computers, mobiles, cloud).
- Power to conduct interviews to any person who may be in possession of relevant information.
- Rules on the confidential treatment of leniency applications.
- Power to prioritize complaints.
- Modifications in the sanctioning framework, to increase the amount of the sanctions.
- Suspension of the prescription in case of jurisdictional review and other investigations regarding the same conducts.

1.2. Other relevant measures, including new guidelines

12. In 2021 were approved two new guidelines:

1.2.1. The benefits of competition for consumers: questions and answers.

13. As the benefits of competition are sometimes indirect to consumers and users, and can be difficult to understand, it has been approved this Guide, which aims to be a tool to bring consumers and users closer to issues such as what competition is, how it benefits us all, when competition may be at risk, how competition is related to economic regulation and what regulation should be, what is the role of the CNMC and how to collaborate with CNMC.

14. The Guide consists of a set of frequently asked questions on competition and good regulation, which it aims to answer in an instructive way, incorporating notes and real cases. Moreover, it is part of action 14.3 of the CNMC Action Plan for 2020 (revised in the context of the Covid-19 crisis).

1.2.2. Recommendations to the public authorities for an intervention in favour of market competition and an inclusive economic recovery

15. The Covid-19 pandemic has caused a strong contraction of the global economy, with a particularly significant impact on the Spanish economy. The economic effects of the crisis have been felt throughout the world, particularly affecting the most disadvantaged groups.

16. The efficient use of public intervention instruments is a key tool. Competition policy is one of the public intervention measures that are required in order to promote a lasting economic recovery. Raising the levels of competition in markets where it is possible to do so benefits society. These benefits materialize directly for the public in the form of lower prices, higher quality and greater variety of available products.

17. To promote effective market competition and bring about a solid, inclusive and sustainable economic recovery, the CNMC has made available to all public authorities three sets of 10 recommendations (called "decalogues") on the areas where public intervention can have the greatest impact on competition: market regulation, public support and public procurement.

18. The CNMC's competition advocacy functions focus on these three areas, based on the agency's cumulative experience, which it is sharing with all public authorities.

1.3. Government proposals for new legislation

19. Additional amendments to the Spanish Competition Act are expected during the parliamentary procedure of the transposition of the Directive ECN+, such as the establishment of the settlements procedure; the modification of the deadlines, both in competition enforcement and merger control or the revision of the market share threshold for merger notifications.

20. In addition to this, the preliminary draft law for the transposition of the Whistleblowing-Directive was published by the Government on the 4 March. The parliamentary procedure is still pending. The CNMC already has in operation an encrypted and anonymous channel for whistleblowers, known as SICA.

2. Enforcement of competition laws and policies

2.1. Action against anticompetitive practices, including agreements and abuses of dominant positions

2.1.1. Summary of activities the competition authorities

21. In 2020 the CNMC imposed fines in seven cases and five proceedings were finalized under the commitment procedure (no fines and no declaration of infringement, following immediate end of the suspected practice and some behavioral commitments). Additionally, the CNMC adopted thirteen decisions non-fining decisions (closing and filing proceedings).

22. As for the fining proceedings, the seven of them had to deal with cartels and, within those seven, six involved bid rigging in public tenders: railway security and communication services, public road system maintenance, professional consultancy services, online real state intermediation, PET (Positron Emission Tomography) radiopharmaceutical sold to private and public hospitals, bus transport services in the Spanish region of Cantabria and library and file management services.

23. The total of cartel fines in 2021 was 203.5 million euros, a figure considerably higher than that of 2020.

24. In addition, the Competition Directorate formally opened five new cases in 2021. Two of them involve cartel cases (Military equipment and Database Marketing) and another one (non-cartel) involves digital platforms (Amazon / Apple Brandgating).

25. Regarding abuse of dominant position, in 2021, 6 cases continue to be formally under investigation:

- LEADIANT (pharma)
- ENEL GREEN (energy)
- SOCCER RIGHTS
- ROYAL CANINE SOCIETY
- MSD (pharma)
- CORREOS (postal services)

26. In addition to this, the Spanish Competition Law includes also the possibility of sanctioning the distortion of the free competition by unfair acts (article 3 of the Spanish Competition Act). This has been a very useful instrument in the past, when the liberalization process was taking place. Now it is currently being used again for unfair conducts detected in the Covid-19 period. Four cases continue to be formally under investigation in 2021.

- ICO COVID (bank credits)
- AUDAX (energy)
- DKV (insurances)
- CONSUMO ESTRATEGICO (boicot)

2.1.2. Description of significant cases, including those with international implications

27. The highest sanction imposed by the CNMC corresponds to **the Railway Safety and Communications file**, in which the main companies involved in safety, signalling and communications systems for the AVE (high speed), medium distance and commuter rail network in Spain were fined with more than 127.8 million euros.

28. In the **Road Maintenance** sector, the CNMC fined 12 companies with a total of 61.3 million euros for the alteration of tenders for road maintenance and operation services of the State Road Network.

29. The CNMC also fined 22 **consultancy** firms and 13 of their executives with a total of 6.3 million euros for manipulating public tenders.

30. In the **Proptech** resolution, several companies were fined 1.25 million euros for imposing minimum commissions in the real estate brokerage market. In addition to the

franchising companies, the real estate software suppliers that enabled the conduct were also sanctioned.

31. In all four cases, a reduction of the fines was applied to several companies that took advantage of the leniency program.

32. On the other hand, the two main **pharmaceutical** companies producing PET radiopharmaceuticals in Spain were fined with 5.76 million euros for the distribution of contracts for the supply of radiopharmaceuticals to public and private hospitals.

33. Likewise, the CNMC fined with a total of 1 million euros several **passenger transports companies** in a Spanish region for market sharing and non-competition agreements, as well as an association for having made a collective price recommendation.

34. Finally, the CNMC fined four companies engaged in the provision of **library services and file management** with a total of 161,855 euros for manipulating public tenders.

2.1.3. Judicial Review

35. In 2021, the National Court **confirmed 14 decisions** of the CNMC for 36 firms and **annulled 7 decisions** related to 26 firms. Among the confirming decisions there are significant cases such as the identified cartels in international removal services and in modular buildings sector; the agreements and concerted action in acquiring, reselling and using broadcasting rights by Telefónica and DTS or the anticompetitive agreements between RENFE Group and Deutsche Bahn Group. The National Court has confirmed as well the abuse of dominant position by RENFE in the provision of traction services.

36. On the other hand, the 7 annulled decisions are, mainly, related with the requirements of a single and continuous infringement, the lack of evidence of the infringement and procedural issues, such as the company's invalid consent in dawn raids or the absence of jurisdiction of the authority concerned to deal with the matter, considering the existence of national and regional competition authorities in Spain.

37. In sum, **66,7% of the CNMC's decisions** subject to review by the National Court in 2021 have been confirmed.

38. In 2021, the Supreme Court has **upheld the 100% of the cases** (3 decisions for 15 companies). The cases are related with 3 different unlawful cartels discovered in the car manufacturers and dealer's sector.

39. Although there is still room for improvement, it is unquestionable that the trend is improving.

40. The cartel cases upheld by the Supreme Court have triggered the damages actions in the car sales.

2.2. Mergers and acquisitions

2.2.1. Statistics on number, size and type of mergers notified and/or controlled under competition laws

41. In 2021, 102 merger transactions were notified to the CNMC, the highest number in the history of the CNMC.

42. According to the Competition Act, phase II is initiated when the merger may hinder the maintenance of effective competition in all or part of the national market. In these cases,

the Competition Directorate opens a second phase. In 2021, 4 mergers were cleared in phase II:

- 2 mergers were approved subject to the fulfilment of certain commitments proposed by the parties (MEMORA / REKALDE / IRACHE – funeral services sector and MOORING PORT SERVICES / CEMESA AMARRES BARCELONA - mooring services in the Port of Barcelona),
- 2 other transactions were subordinated to the fulfilment of certain remedies imposed by the CNMC (BOYACÁ / SGEL / JV - wholesale distribution and transport of newspapers and magazines and SANTA LUCÍA / FUNESPAÑA - funeral services sector).

43. In addition to this, 4 mergers were cleared in phase I, subject to remedies proposed by the parties.

2.2.2. Summary of significant cases

44. As abovementioned, 8 cases were approved subject to commitments. Please, find here below a brief description of the risks to competition that were detected in the 8 cases and the remedies approved:

C/1171/21 - BOYACÁ / SGEL / JV

45. The transaction entails the creation of a JV for the wholesale distribution of periodicals and their transport in Spain. The merger helps secure the medium-term sustainability of the business and the survival of the periodical's distribution network, especially in areas where they are deficient.

46. The parties must comply with certain conditions imposed by the CNMC to keep the same conditions with publishers, distributors and traditional points of sale for daily newspapers, magazines, and collectables, for the next three years.

C/1086/19 - SANTA LUCÍA / FUNESPAÑA

47. Santa Lucía acquired the exclusive control of the assets of Funespaña, a Mapfre Group subsidiary. The transaction affects the funeral services and prepaid funeral plan sectors. Santa Lucía and Mapfre are competitors in the insurance market.

48. The transaction was approved subject to compliance with part of Santa Lucía's commitment proposal, related to the deceased's next of kin being free to choose a funeral home when they first contact the insurer so that they are not automatically directed to one of the insurance group's funeral homes.

49. In addition to this, the CNMC has established that Mapfre must dispose of its 25% share in the resulting entity and that Santa Lucía will have to provide entry to a competitor in a specific village to avoid a monopoly.

50. In October 2021, the companies announced publicly that they had decided to abandon the transaction due to the aforementioned remedies.

C/1128/20 – ENOPLATIC / SPARFLEX

51. **Enoflex** acquired the exclusive control of Sparflex. These companies are active in the manufacturing of light metal and plastic containers and packaging. During the analysis of the acquisition, a risk to competition was identified in the national market for two-piece capsules for sparkling wines and champagne, with a significant horizontal overlap resulting

from the acquisition. The commitments submitted by the acquirer were considered sufficient to accept the acquisition. Specifically, these commitments consist of the divestment of a production and business unit, as well as the commitment not to carry out the integration of both companies until the divestment is completed.

C/1144/20 – CAIXABANK / BANKIA

52. The transaction consisted of the absorption of BANKIA (absorbed company) by CAIXABANK (absorbing company). The effects of the operation are focused on the banking sector in general, although competition risks arise in the retail banking market and its different segments and the ATM market. The CNMC authorised the merger subject to the compliance of several commitments submitted by the companies. Among these commitments, certain divestments, and obligations to inform the customers of the absorbed company were agreed upon.

C/1170/2- SOFISPORT / GRUPO MAXAM

53. Sofisport acquired exclusive control of the hunting and sport shooting cartridges business and certain related assets of the Maxam Group.

54. The CNMC identified several risks arising from the merger, the most relevant being the disappearance of the main and, in some cases, the only alternative to supply third parties with the components (gunpowder, primers and cases) used to manufacture non-metallic hunting and sport shooting cartridges in Spain and the European Economic Area.

55. Thus, Sofisport shall assign the necessary assets for the production of cartridges to a competitor — Fiocchi Munizioni, S.P.A. (Fiocchi) — so that it can increase its non-metallic cartridge production capacity and thus become an alternative supplier to the merged entity in the medium term. Sofisport will be Fiocchi's supplier until Fiocchi becomes an alternative supplier.

C/1194/21-UNICAJA BANCO / LIBERBANK

56. The effects of the operation primarily concern the banking sector; specifically, the retail banking market. The authorisation of the merger was subject to certain commitments as some risks to effective competition in the branch market were identified at the regional level. The risks identified concerned the worsening of commercial conditions in the products and services contracted by former Liberbank customers.

57. To mitigate the aforementioned risks, Unicaja undertakes to transparently notify Liberbank's customers of any possible modification of the commercial conditions in the products and services contracted by former Liberbank customers, and, secondly, to offer its products under commercial conditions that are not worse than those offered by the resulting entity in the postal code that has the largest presence of physical branches of competing financial institutions for a period of three years.

C/1151/20- MEMORA / REKALDE / IRACHE

58. The merger consists of the acquisition by Memora of several companies engaged in the provision of funeral services, mortuary, crematorium and cemetery management. The merger was authorised subject to the divestment of certain local assets to prevent a virtual monopoly or high market shares arising from the transaction.

C/1134/20 MOORING & PORT SERVICES, S.L. / CEMESA AMARRES BARCELONA, S.A

59. The merger entails the creation of a joint venture with full functions by MOORING and CEMESA for the provision of mooring and unmooring services in the Port of Barcelona.

60. The joint venture companies specifically committed to not worsening trading conditions and not increasing the prices of the existing mooring and unmooring services at the Port of Barcelona before the companies joined together

61. In addition, the CNMC authorized two mergers affecting the banking and insurance sector related to the CAIXABANK/BANKIA merger that were authorized in Phase I without commitments:

3. The role of competition authorities in the formulation and implementation of other policies, e.g. regulatory reform, trade and industrial policies

62. The CNMC functions comprise both the competition and the regulatory powers.

63. In accordance with article 5 of Law 3/2013, of June 4, on the creation of the CNMC, the Spanish competition authority has the following functions in the formulation and interpretation of other policies:

- Adopt measures and decisions to implement the mechanisms for cooperation and case allocation with the European Commission and other NCAs.
- Assigning files with the European Commission and other NCAs, as provided for in Regulation 1/2003 of December 16, 2002, on the application of the competition rules provided for in Articles 81 and 82 of the Treaty establishing the European Community, and in Council Regulation (EC) No. 139/2004 of January 20, 2004, on the control of concentrations between undertakings and its implementing rules.
- Promote and carry out studies and research on competition matters, as well as general reports on economic sectors.
- The CNMC will act as an advisory body in matters related to the maintenance of effective competition and the proper functioning of markets and economic sectors.
- The CNMC has functions in the electronic communications and audiovisual communications markets, in the electricity and natural gas sectors, in the railway sector, in airport tariffs and in the postal market.

4. Resources of competition authorities

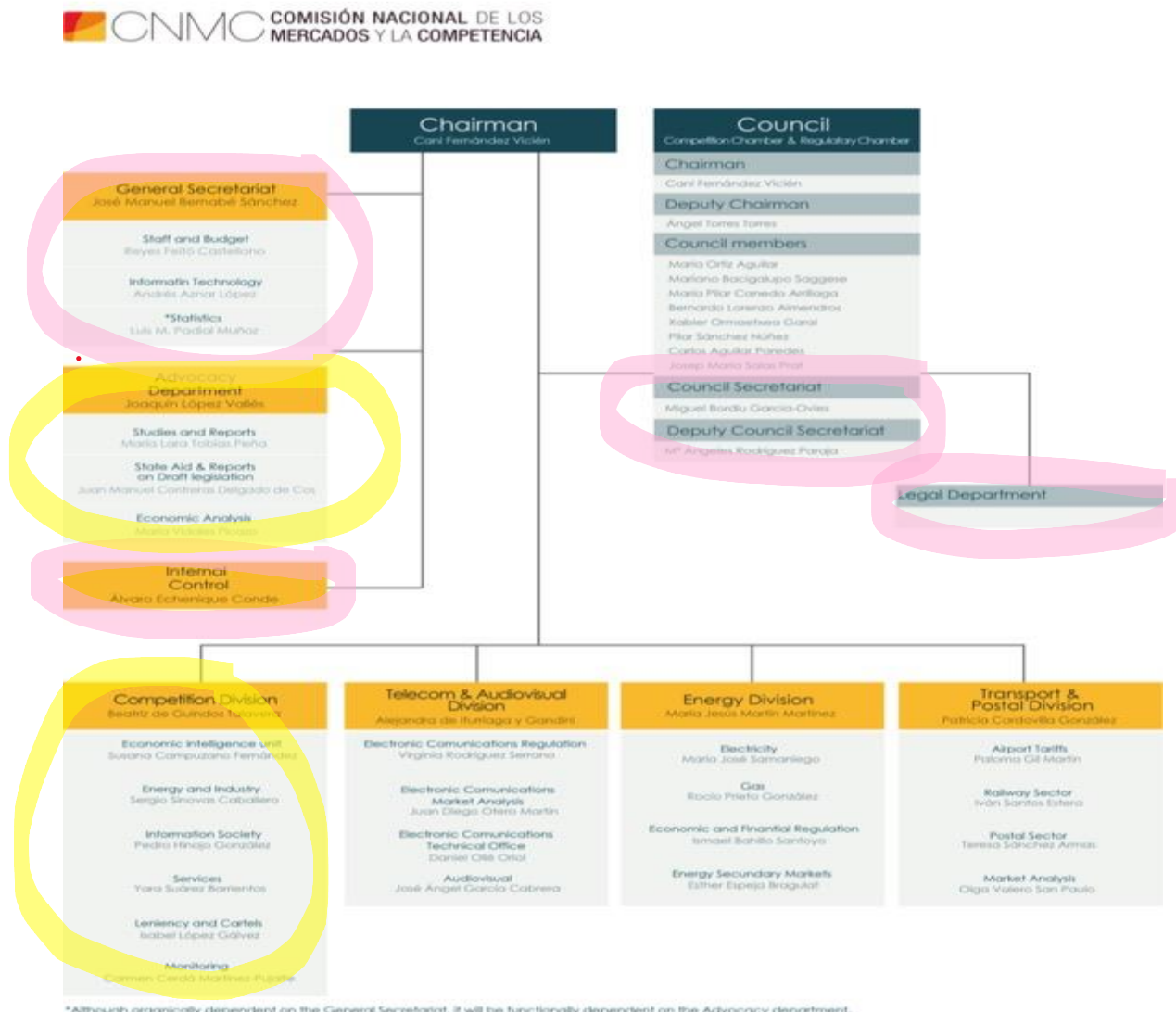
4.1. Resources overall (current numbers and change over previous year):

64. It is important to highlight some CNMC particularities beforehand looking at its resources. This Commission is both the competition policy enforcement agency and the regulatory authority in the audio-visual, energy, telecoms, transport, and postal services sectors. Therefore, its overall personnel and budget data cannot be compared to those of other European Competition Authorities. Likewise, some adjustments must be made to include within the Competition Policy figures the allotted part of the overall budget and personnel of the cross-cutting services such as training, legal service, economic analysis

unit, IT services, cabinet, media department, human resources, etc., that are shared by all the Divisions (both Competition and regulatory Divisions).

65. To this end, the Organization chart of the CNMC might help understand the CNMC’s composition and structure:

Figure 1. Organizational chart



66. Following the above, the data included in this part of the survey will incorporate the ones assigned exclusively to the Competition Division and the Advocacy Department, and the proportionate part of the horizontal services that are shared with other Divisions.

67. Therefore, for example, even if the total staff of the CNMC comprises 502 persons, only 105 are directly and exclusively engaged in competition policy. Another 38 staff members of the cross-cutting services can be added proportionally according to the weight of competition policy in the overall CNMC. To this extent, we can record a total of 143 staff members of the CNMC engaged in competition policy.

68. These figures (both 502 and 143) do not include the members of the CNMC Council, as they are high-level officials which do not form part of the CNMC “staff”. There are ten council members among which five are devoted to the Competition Chamber, including our President. The remainder five, including the Vice-president, are devoted to the regulatory chamber, and normally do not deal with competition investigation except in those files where both competition and regulatory matters are involved.

4.1.1. Annual budget (in your currency and USD):

69. The total annual budget available to the CNMC for the year 2021 related to competition policy activities and personnel was €16.06 million.

4.1.2. Number of employees (person-years):

70. A total of 143 people in the CNMC work on competition policy: 81 people work directly in enforcement, 24 work in advocacy and 38 in the cross-cutting units (legal department, chief economic advisor’s unit, media department, human resources, information technologies, etc). This number concerning the cross-cutting units, has been obtained following the weight of the Competition Directorate and Advocacy Department staff on the total staff of the CNMC.

Table 1. CNMC Staff

Total Staff of CNMC engaged in competition policy	143*
Antitrust	81
<i>Men</i>	26
<i>Women</i>	55
Advocacy	24
<i>Men</i>	16
<i>Women</i>	8
Cross-cutting services*	38
<i>Men</i>	17
<i>Women</i>	21

Note: * This number of staff members has been artificially established as the proportion of the time devoted by the staff working at the cross-cutting units to competition policy. Therefore, we cannot establish accurately how many of them would be men and how many women. However, we can apply the overall percentage of male and female workers overall at the CNMC (56% women, 44% men).

71. As explained above, the numbers included in this table only show personnel that works within the Competition Directorate or the Advocacy Department and the human resources consumed by this Divisions from the cross-cutting services (38, following the weight of the Competition Directorate and Advocacy Department staff on the total staff of the CNMC.

72. Regarding staff qualifications, out of the total 143 people working on competition policy, 84 are non-administrative staff, of which 63 work in antitrust and 21 in advocacy.

Table 2. Non-administrative Staff

Total non-administrative staff working on competition	84
Enforcement	63
Advocacy	21

- Economists: 22 people, 4 of them holding a Phd in Economics.
- Lawyers: 40 people, 2 of them holding a Phd in Economics.
- Other professionals: 22 employees working as data scientist, IT experts, engineers, pharmacists, physicists among other roles.
- Support staff: A total of 59 employees working as administrative staff.
- All staff combined. A total of 143 employees.

4.2. Human resources (person-years) applied to:

73. Please note that the Competition Directorate of the CNMC has a sectorial organization (energy and industry, information society and services), so all the Units work both in anticompetitive practices and merger control enforcement, except for the Cartels and Leniency Unit and the Monitoring Unit. Both of them only carry out enforcement work and not merger analysis. It must be noted, however, that the Monitoring Unit does not investigate articles 1 and 2 (similar to articles 101 and 102 of the TFUE) of the Spanish Competition Act, nor article 3 infringements (unfair practices that considerably restrict competition affecting the public interest).

74. The advocacy department does not carry out enforcement nor merger analysis activities.

75. Therefore:

- Only enforcement against anticompetitive practices: 81.
- Enforcement and Merger analysis: 61 (the previous 81 minus the people working at the Cartels and Leniency Unit and the Monitoring Unit)
- Advocacy efforts: 24

4.3. Period covered by the above information:

76. 2021

5. Summaries of or references to new reports and studies on competition policy issues.

77. Please find below a list of the most relevant reports and market studies carried out by the CNMC during 2021:

5.1. Market reports:

78. “Study on the competition conditions in the online advertising sector in Spain” dated July 7, 2021, number of file E/CNMC/002/2019 (English and Spanish version available at <https://www.cnmc.es/expedientes/ecnmc00219>)

5.2. Reports on public procurement and Competition Law:

79. “Report issued at the request of the SEPE (“*Servicio Público de Empleo Estatal*”) related to the contracting by several companies of the Spanish Postal Group in accordance with the provisions of article 321.6 of Law 9/2017 on Public Sector Contracts” released by the CNMC’s Council dated December 21, 2021, number of file INF/CNMC/154/21 (available at <https://www.cnmc.es/expedientes/infcnmc15421>)

80. “Report related to the contracting by several companies of the Hinosa’s Group in accordance with the provisions of article 321.6 of Law 9/2017 on Public Sector Contracts” released by the CNMC’s Council, dated July 13, 2021, number of file INF/CNMC/063/21 (only Spanish version available at <https://www.cnmc.es/expedientes/infcnmc06321>)

81. “Preliminary report on the process of receiving bids for the new first rfe competition for various territories” released by the CNMC’s Council, dated July 6, 2021, number of file INF/CNMC/079/21 (only Spanish version available at <https://www.cnmc.es/expedientes/infcnmc07921>)

5.3. Reports on regulatory initiatives from a Competition Law perspective:

82. “Consultation on the creation of the national body of experts of the general council of official colleges of technical engineers in computer science” issued by the CNMC’s Council, dated 4 May 2021, number of file INF/CNMC/042/21 (only Spanish version available at <https://www.cnmc.es/expedientes/infcnmc04221>)

83. “Report on market stabilization measures on the wine sector of the Spanish region Castilla La Mancha” issued by the CNMC’s Council, dated March 2, 2021, number of file INF/CNMC/107/20 (only Spanish version available at <https://www.cnmc.es/expedientes/infcnmc10720>)

84. “Report on the preliminary law on services for consumers and users acting as clients” issued by the CNMC’S Council, dated December 21, 2021, number of file IPN/CNMC/047/21 (only Spanish version available at <https://www.cnmc.es/expedientes/ipncnmc04721>)

5.4. Reports on public aids:

85. “CNMC Report on the public aids during 2020” dated December 18, 2020, number of file IAP/CNMC/01/20 (only Spanish version available at <https://www.cnmc.es/expedientes/iapcnmc00120>)

5.5. Preliminary drafts.

86. “Preliminary draft of a guideline on the quantification on damages on Competition Law infringements” released jointly by the CNMC’s Competition Promotion Area and the Economic Analysis Sub directorate (only Spanish version available at <https://www.cnmc.es/ambitos-de-actuacion/promocion-de-la-competencia/mejora-regulatoria/consultas-publicas/consulta-cuantificacion-de-danos>)