

NATIONAL COMPETITION POLICY

*Competition priorities for 2021—
cartels and restrictive
practices—digital economy—
professional mobility and
corporate innovation*

🔗 Anti-competitive practices;
Cartels; Competition policy;
Coronavirus; E-commerce;
National competition authorities;
Pandemics; Portugal

First things first: the Portuguese competition watchdog releases its Competition Policy Priorities for 2021

On December 30, the Portuguese Competition Authority (PCA) published its Competition Policy Priorities for 2021 (Priorities). According to the Priorities, the PCA will maintain its focus on the fight against cartel and other restrictive practices, as it intends to consolidate the momentum of its investigations. The PCA will also remain particularly vigilant in its mission of detecting and punishing any other abuses or anti-competitive practices (such as price fixing or market sharing agreements) that may exploit the current situation which, being weakened by the pandemic, affects all levels of the supply chain, including e-commerce. For its 2021 resolutions, the PCA targeted, once again, the digital environment, which was already an enforcement priority in 2020. This comes as no surprise following both the creation in 2020 of an inter-departmental digital task force and, as a result of the COVID-19 pandemic, the boost given to e-commerce and the digitalisation of the economy which, as declared by the PCA, are likely to shift some of the anti-competitive abuse and collusion risks towards e-commerce. Therefore, the PCA will continuously and closely monitor the digital economy (also a policy priority of the European Commission). In this regard, the PCA noted that it will provide support to the Portuguese Presidency of the Council of the European Union on competition matters. On another topic but with the same vigilant promise, the PCA announced economic recovery as one of its top priorities. Accordingly, it intends to focus on and promote the elimination of any structural and legal barriers (already identified by the 2018 OECD/PCA study, for a set of liberal professions) by amending the legislative and regulatory framework, in particular those provisions governing professional mobility and corporate innovation.

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