

Portugal

ANTI-COMPETITIVE PRACTICES

Investigation—land surveying market—decision by association of undertakings—price coordination

☞ Portugal; Price fixing; Professional bodies; Surveyors

Decisions of Associations of undertakings under the spotlight once again: the PCA issues a Statement of Objections against the National Association of Land Surveyors

On 11 November 2020, the PCA issued a SO against the National Association of Land Surveyors (“NALS”) for allegedly fixing prices in the services of land surveying market.

The PCA found that the NALS adopted and published on its website a price schedule which provided detailed criteria for determining fees for land surveying services (e.g., by area covered and hours worked), together with minimum fees. The PCA takes the view that the NALS intended to standardise the prices practised by its the members (729 members which provide, inter alia, surveying services to civil construction and public works in Portugal). The investigation was opened in May 2020 following a complaint.

The PCA has been attentive to competition law infringements committed by associations of undertakings, having imposed, on 20 October 2020, a €3.6 million fine against APAP (*Associação Portuguesa de Agências de Publicidade, Comunicação e Marketing*) for allegedly restricting competition in advertising services.

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