



**HELLENIC REPUBLIC
COMPETITION COMMISSION**

Athens, 31 December 2020

PRESS RELEASE

Subject: Decision on the ex-officio investigation in the relevant market of tenders for public works contracts of the prefecture of Fthiotida and in particular of the project "5th Lyceum of Lamia (Departments A1 and B), in order to determine whether there is an infringement of Article 1 of the Greek Competition Act and/or Article 101 TFEU

The Grand Chamber of the Hellenic Competition Commission (HCC), by its Decision No. 715/2020, decided that some of the firms which participated in the tender of the project "5th Lyceum of Lamia (Departments A1 and B), violated par. 1 of article 1 of Law No. 703/1977¹.

The HCC found the existence of a horizontal concerted practice of bid rigging, which, according to the case law, constitutes one of the most egregious violations of Art. 1, para 1 of Law No. 703/1977 [as well as of Law No. 3959/2011 currently in force].

The said decision of HCC concerns firms that participated in the above mentioned tender, but did not take part in the Settlement Procedure².

Particularly, in the light of the case-file evidence, the HCC:

¹ Which was in force during the time of the infringement.

² See. the 674/2018 Settlement Decision of HCC, available at <https://www.epant.gr/apofaseis-gnomodotiseis/item/27-apofasi-674-2018.html> (in Greek) and <https://www.epant.gr/en/decisions/item/1188-apofasi-674-2018.html> (in English).

A. Ascertains, unanimously, that the violation of par. 1 of article 1 of Law No. 703/1977, refers to the following firms a) ERGODYNAMIKI PATRON ATE, b) LAKON ATE, c) STATHIS KOKKINNIS TECNOLOGY 2020, d) VALTETSINIKO ATE and e) ILISSOS ATE.

A.1. Imposes, unanimously, fine in the involved firms, as follows:

a) ERGODYNAMIKI PATRON ATE, a fine of 63.234 €.

b) LAKON ATE, a fine of 12.584 €.

c) STATHIS KOKKINNIS TECNOLOGY 2020, a fine of 9.517 €.

d) VALTETSINIKO ATE, a fine of 7.077 €.

e) ILISSOS ATE, a fine of 46.212 €.

A.2. Threatens, unanimously, with a fine the involved firms, in case the HCC confirms, with a decision, the continuation or the repetition of the ascertained infringements.

B. Ascertains, overwhelmingly, that the violation of par. 1 of article 1 of Law No. 703/1977, refers to the following firms a) TEKAL ATE and b) XOROTECHNIKI ATE

B.1 Imposes, overwhelmingly, fine in the involved firms, as follows:

a) TEKAL ATE a fine of 22.556 €.

b) XOROTECHNIKI ATE a fine of 57.657 €.

B.2 Threatens, overwhelmingly, with a fine the involved firms, in case the HCC confirms, with a decision, the continuation or the repetition of the ascertained infringements.

C. Ascertains, unanimously, that the company PYTHAGORAS ATE did not violate par. 1 of article 1 of Law No. 703/1977.

The total imposed fee in Settlement Decision No 674/2018 and Decision No 715/2020, amounts to 461.819 €.