

**LUXEMBOURG REPORT ON COMPETITION POLICY
IN THE GRAND DUCHY OF LUXEMBOURG**

2002

1. Legislative developments

1. The Ministry of Economy finalised a bill dealing with a complete overhaul of the amended Act of 17 June 1970 on restrictive business practices.

2. In September 2002, the Council of Ministers adopted the bill calling for new competition legislation and creation of an independent Competition Council to enforce it, along with Articles 81 and 82 of the EC Treaty. The new legislation will be modelled on those Articles and take their future implementing regulation into account. The bill has been forwarded to the professional chambers, and to the Council of State, for opinions.

3. The bill provides that the Competition Council shall impose administrative fines, and it also introduces clemency rules that can result in immunity or reduced fines.

4. This independent Competition Council will be part of the future network of competition authorities set up by the new Regulation.

2. Commission on Restrictive Business Practices (CPCR)

5. In 2002, the CPCR was presented with a complaint in the area of petroleum product storage. Another case, involving an alleged abuse of dominant position by a Luxembourg firm in the realm of bank card pricing, is pending before the Commission.