

## PORTUGAL

*(1 January 1998 to 31 December 1998)-*

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## Summary

1. The most significant event during 1998 was the adoption of *Decreto Regulamentar* No 29/98, of 26 November, which foresees the legal nature, the activities and the departments of the *Direcção-Geral do Comércio e da Concorrência* – DGCC (Directorate-General for Trade and Competition), the new Portuguese Competition Authority.
2. The Government proposal about the creation of a specialised Court of Appeal – the *Tribunal de Comércio* – is expected to be approved in 1999.
3. During this period of time, the DGCC investigated 81 cases, received 3 prior evaluation cases from the Competition Council (CC) to analyse and initiated 9 formal infringement proceedings.
4. The CC took 4 prior evaluation decisions and 3 decisions resulting from legal infringement proceedings.
5. The DGCC examined 33 mergers, 29 of which were approved. The activities of the undertakings involved on the notified mergers during this period of time were mostly related with manufacturing and distribution (15 merger operations) and wholesale and retail trade (8 merger operations) sectors.

## I. Changes to competition law and policy, proposed or adopted

### 1. Summary of new legal provisions of competition law or related legislation

6. In May 1998, Portugal adopted the *Decree-Law* No.140/98, which modifies *Decree-Law* No.370/93, of 29 October, concerning the prohibition of individual trade restrictive practices. This new *Decree-Law* clarifies the concept of «sale below cost», introduces the concepts of «sale below cost at the consumer level» and «abusive business practices» and confers the DGCC the powers of investigation and decision on this matters.
7. In November 1998, it was adopted the *Decreto Regulamentar* No. 29/98, of 26 November, which foresees the legal nature, the activities and the departments of the *Direcção-Geral do Comércio e da Concorrência* – DGCC, the new Portuguese Competition Authority, created by the *Decree-Law* No 222/96, of 25 November.
8. During this year, were not adopted new acts or amendments to *Decree-Law* No 371/93 (hereinafter the Portuguese Competition Act).
9. This Act, that entered into force on the 1st January 1994, is based on the prohibition principle and is directly inspired in the EC competition rules.

### 2. Other relevant measures, including new guidelines

10. During 1998, DGCC adopted a set of internal guidelines on public services, bilateral co-operation and information and diffusion of competition policy in order to promote and facilitate the application of the Portuguese and community Competition Law and to spread information about competition policy and law issues.

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11. On the area of public services, the main purpose of these guidelines intended to assure a more intensive monitoring and surveillance of these specific markets that are, at present, being liberalised or that are already effectively subject to the rules of the market and, subsequently, subject to general competition rules.

12. The intensification of bilateral co-operation between the national Competition Authority and third countries' Competition Authorities was instituted as a priority of DGCC's activity. The meetings and the co-operation programmes with Angola, Poland, Russian Federation, Taiwan and Turkey carried out by DGCC during 1998 are a result of this new guideline.

13. The DGCC's activity on information and diffusion of competition issues assumes equally an important role inside the national borders, specially towards the entrepreneurial environment.

### **3. *Government proposals for new legislation***

14. The Government adopted a proposal which foresees the creation of a specialised Court of appeal – the Court of Commerce (*Tribunal de Comércio*).

15. At present, in the Portuguese Competition Act it is foreseen that the appeal against a decision of the Competition Council (CC) is addressed to the Lisbon District Court.

16. During 1998, DGCC gave several opinions about some government proposals for new legislation, related to the following subjects:

- the creation and specific powers of the above mentioned specialised court of appeal;
- price regulation;
- undertakers;
- the regulation of clean-up services;
- sale of phitopharmaceutical products;
- environmental matters;
- *in vitro* equipments.

## **II. Enforcement of competition law and policy**

### **1. *Action against anti-competitive practices, including agreements and abuse of dominant position***

17. The institutional structure of the Portuguese Competition Authority lays on two different organisms: i) the Directorate-General for Trade and Competition (DGCC) and ii) the Competition Council (CC).

18. The DGCC has the functions of identifying the restrictive practices, instituting and initiating the legal proceedings and ensuring that decisions taken by the Competition Council are carried out.

19. The CC decides the restrictive competition cases on the basis of the proceedings initiated by the DGCC.

20. The CC shall present to the Minister for Trade an annual report of its activities, to which shall be annexed all decisions reached by it; the report is to be published in the Portuguese Official Journal.

### 1.1. Activity of the Directorate-General for Trade and Competition

#### 1.1.1. Investigations

21. Article 22 of the Portuguese Competition Act foresees that when the DGCC takes notice, by any means, of any anti-competitive practice, it shall take steps to identify those practices and once it has credible evidence of their existence, it shall initiate the appropriate proceedings.

22. During this period of time, the DGCC investigated 81 cases, most of them raised by complaints. At the end of the year, 53 of these preliminary investigations were concluded, 28 stood under investigation, 2 gave origin to legal proceedings for infringements of the competition law and the other were filed.

#### 1.1.2. Exemptions – Prior evaluation proceedings

23. Under Article 5 of the Portuguese Competition Act, restrictive practices on competition may be subject to prior evaluation by the CC. In fact, undertakings may apply to the CC to be made a prior evaluation of an agreement or a concerted practice according to some specific criteria.

24. The DGCC is committed the task of initiating the legal proceedings and gathering the information necessary for the assessment of the impact on competition of the practices concerned and of submitting a report to the CC.

25. During 1998, the DGCC received 3 prior evaluation cases (the cases *SUMOLIS*, *PETROGAL* and *CODIFAR*) from the CC to be analysed:

26. *SUMOLIS* – *Companhia Industrial de Frutas e Bebidas, SA.* - prior evaluation request concerning the inapplicability of Article No 2 of Decree-Law No 371/93 of an exclusive distribution agreement on the distribution of refrigerants, mineral water, juice, nectar and bear to be concluded between *SUMOLIS* and their distributors.

27. *PETROGAL* – *Petróleos de Portugal, S.A.* and *SHELL portuguesa, Lda* – these undertakings notified an agreement concluded between them with the aim of establishing the construction and exploitation of a local gas station for distribution liquid fuel.

28. *CODIFAR* – *Cooperativa Distribuidora Farmacêutica, Lda* and *União dos Farmacêuticos de Portugal, C.R.L.* – notification of a joint venture in the sector of the whole distribution of pharmaceutical products.

#### 1.1.3 Formal infringement proceedings

29. After having concluded preliminary investigations, the DGCC initiates the legal infringement proceedings if it considers that there is enough evidence of an anti-competitive practice.

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30. During 1998, were initiated or were already under analysis 9 formal infringement proceedings by the DGCC to be sent to the CC and it was investigated one case that had been already sent to the CC in order to obtain further information. At the end of the period, were concluded and sent to the CC, to be decided, 4 of these proceedings and the other 5 remained under analysis.

**Table 1: Activities of DGCC in 1998**

	1997	1998	Observations
Cases under investigation	90	81	Most of them having raised by complaints
Investigations concluded	63	53	
Prior evaluation of restrictive practices	3	3	cases sent to the DGCC by the Competition Council
Opening of formal infringement procedures	4	9	- 4 of them were concluded and sent to the Competition Council - 5 remained under analysis in the DGCC

### 1.2 Decisions by the Competition Council

#### 1.2.1. Exemptions

##### APAN/AGENOR

31. APAN and AGENOR are associations representing navigation agents that submitted to the prior evaluation of CC an arrangement aiming at reducing the period of payment allowed to their clients not exceeding thirty days after the departure of the ship.

32. CC considered that the arrangement did not affect the competition between navigation agents in a significative way and that it may even give a contribution to the reduction of the delay of payment with benefits in such terms that a positive economic balance could be drawn in the light of article 5.1 of Decree-Law No. 371/93, of October 29.

33. CC decision may be valid for a three years period.

##### SUMOLIS- *Companhia Industrial de Frutas e Bebidas, SA*

34. SUMOLIS is an enterprise dealing with agro-industrial, food and beverage and related industries, including those of refrigerating, as well as connected trade activities. It submitted to the prior evaluation of the CC a standard contract according to which it intended to organise its distribution system. Among the main clauses of the contract were those that foresee that a zone for exclusive distribution is assigned to the distributor, which is allowed to make passive sales outside that zone. The distributor takes the obligation of

purchasing only SUMOLIS products for resale and of not trading other competing products. Distributors may fix freely their selling prices. SUMOLIS keeps the right to sell directly to large points of sale with centralised purchasing systems as well as to distribute directly to final consumer through beverages dispensing equipments.

35. CC decided the inapplicability of article 2 of Decree-Law No.371/93 to the contracts signed by SUMOLIS and its distributors, that correspond to the final version of standard contract.

*ADN- National Dietetic Association*

36. ADN is a professional association of enterprises that produce, import, export, distribute and sell dietetic products to the final consumer. The association submitted to the prior evaluation of the CC its deliberation on fixed selling price for dietetic products.

37. CC declared the unlawfulness of the deliberation on the grounds that it infringed article 2.1 a) of Decree-Law No. 371/93, of October 29, and it could not benefit from a positive economic balance.

*DAN CAKE(Portugal), SA*

38. DAN CAKE is an enterprise that produces various food products sold under its own brandt. It submitted to CC a standard contract according to which it intended to organise its distribution system. In accordance with the main clauses of the contract are those foreseeing that the distributor is assigned a particular geographic zone in which it will distribute and resell DAN CAKE products purchased in supplier's premises. The distributor is not authorised to sell to hypermarkets, supermarkets, "cash and carries" and chains with a centralised purchasing system. DAN CAKE will not appoint any other distributor to the assigned area, while the distributor will neither sell competing products nor will purchase "Dan Cake" products to suppliers others than DAN CAKE establishes prices discount and sale conditions, that it may modify freely, but there are no obligations foreseen as regards the resale conditions by the distributors. There is no time-limit for duration of the contracts but a three months notice for their ending.

39. Given both the effective competition in that sector of the market and the standard of the contract neither the prevention of competition nor the imposition to the distributors of unnecessary restrictions to the objectives aimed at with their co-operation are foreseeable.

40. CC decided that there was a solid ground for a positive economic balance in accordance with article 5.1 of Decree-Law nº 371/93, therefore the article 2 of the same Act was nor applicable to the standard distribution contract related to the products sold under "Dan Cake" brandt.

1.2.2 Formal infringement proceedings

*ANF-Associação Nacional das Farmácias*

41. ANF is an association of chemists owners of pharmacies to which practically all 2 500 pharmacies of the country are associates.

42. ANF intended to enter in the market of generic pharmaceuticals *via* two joint ventures with ARMZNEIMITTEL, one for the production (Farminústria), the other for the distribution (Farmtrading) of pharmaceuticals, dietetic and hygienic products, cosmetics etc.

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43. The association representing the producers of pharmaceuticals (APIFARMA) introduced a complaint before the CC saying that ANF as an employers' association was not allowed to produce goods and services for the market and owing to the fact that pharmacies have a legal monopoly as regards the selling of pharmaceuticals distortions of competition could occur as chemists might choose generic pharmaceuticals produced by ANF participated firms.

44. CC considered that ANF, through its intervention in generic pharmaceuticals market, infringed article 2.1 c) of Decree-Law No. 371/93, anyhow, under present circumstances, conditions for a positive economic balance occurred. This decision has a two years period of validity and the evolution of the market will be under current analysis by DGCC.

## AR LÍQUIDO

45. AR LÍQUIDO, Linde Sogás, GASIN and CNO are enterprises which supply medical gas to hospitals through public tender.

46. The companies have been accused of a territorial division of the market keeping the supply of certain hospital in the hands of the first winner of the tender (which normally has to make investment in equipments for the internal circulation of the gases) increasing the prices afterwards to levels above the supplies made for other public hospitals or for private hospitals and clinics.

47. By lack of evidence the proceeding was filed, but DGCC will keep under analysis the evolution of the prices of the gases in the market.

## FARIN

48. FARIN is a complementary grouping of enterprises aiming at the restructuring of milling sector and the distribution of the flour produced by its associates. As the grouping practically exerted no meaningful activity and as it has no means of operating there is no risk for the competition, therefore the CC decided to file the proceeding.

## **2. Mergers and acquisitions**

### **2.1. Statistics and comments**

49. The Competition Act foresees that concentrations which lead to the creation or the strengthening of a market share higher than 30 percent of the national market, or in a substantial part of it, or where the participating undertakings' turnover in Portugal in the preceding financial year was more than 30 billion escudos, after deduction of tax directly related to the turnover, are subject to prior notification to DGCC.

50. During the year of 1998, the DGCC examined 33 mergers, 31 of them were registered in 1998 and two were registered in 1997.

**Table 2: Number and categories of mergers notified and or/controlled under Competition Law**

	1998	Observations
Mergers notified or controlled by the DGCC	33	
Mergers procedures examined	32	29 were approved and 3 were filed because they couldn't be considered as merger operations under the Competition Act
Procedures pending at the end of the year	1	

51. The activities of the undertakings involved on the notified mergers and caught by the merger control provisions during the period mentioned above were the following:

**Table 3: Forms and sectors of the merger operations examined and approved in 1998**

SECTOR	TOTAL	Take-overs	Acquisitions	Joint-ventures	Other forms
- Manufacturing or distribution:	15	-	-	-	-
Tobacco	1		1		
Paper products	1		1		
Petroleum products	1		1		
Pharmaceuticals	2		2		
Ceramic	1		1		
Basic metals	1		1		
Metal products	1		1		
Machinery and equipment	5		5		
Optical instruments	1		1		
Magazines	1			1	
- Wholesale and retail trade:	8	-	-	-	-
Wholesale services	3		3		
Retail services	5		4		1
- Other services:	2	-	-	-	-
Advertising	1		1		
Health	1		1		
- Communication services	4	-	-	-	-
Audio-visual	1	1			
Broadcasting	1			1	
Database services	2	1	1		
- Construction:	4	-	-	-	-
Construction	4		3		1

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52. CC has given its opinion only on one operation notified, the acquisition by DIA PORTUGAL SUPERMERCADOS, SA, a discounter affiliated to PROMODÈS , of 100 percent of the capital of COMPANHIA PORTUGUESA DE LOJAS DE DESCONTO, SA , another discounter, affiliated to AUCHAN group, run under the trade mark of *Minipreço*.

53. In its opinion the CC concluded that for both the market of the product and the geographic market the operation did neither create nor strengthen a dominant position either in the national market or in a substantial part thereof which has as its objective or effect the prevention, the restriction or the distortion of the competition. The operation did not affect the competition, in the meaning of article 10.1 of Decree-Law No. 371/93, owing mainly *a*) to the fact that in every district there are effective and potential competitors with economic power most of them belonging to chains already established in the market; *b*) although some eventual barriers to entry exist the access to market is always possible by purchasing existing shops or by franchising ( there are already franchisers by DIA and by Minipreço); *c*) in spite of the different supply politics of DIA and Minipreço , given the the position of PROMODÈS and AUCHAN in wholesale and retail markets, the acquisition will not modify meaningfully the relations between those groups and their suppliers and last; *d*) as discounters are limited by the very character of the market, the diminishing of the competition originating a market power (if e.g. the prices increase another market will be at stake) and as in the discount market only economic agents with relevant dimension can operate, the pre-existing market share does not prevent the access to the market

### 2.2. *Summary of the most relevant cases*

#### *SPORT TV PORTUGAL, S.A./RTP/TV CABO/PPTV*

54. This merger was not notified, so the DGCC initiated an ex-officio proceeding. This operation consisted in the constitution of a joint-venture, the SPORT TV PORTUGAL, S.A., with the aim of instituting a codified sport T.V.channel.

55. This case was still under analysis at the end of 1998.

#### *SHELL PORTUGUESA/COMPANHIA PORTUGUESA DE LOJAS DE CONVENIÊNCIA, S.A.*

56. This merger consisted on the acquisition by SHELL Portuguesa of the whole capital of COMPANHIA PORTUGUESA DE LOJAS DE CONVENIÊNCIA, S.A..With this acquisition, SHELL Portuguesa intended to operate on the retail distribution of food products.

57. The DGCC considered that the effect of the proposed acquisition on the structure of the relevant market would be limited. The merger was, therefore, approved.

#### *CENTRO MÉDICO NACIONAL, LDA (NEFROSERVE SERVIÇOS/PRODUTOS MÉDICOS, S.A.)*

58. This operation consisted on the acquisition of 50 percent of the capital of NEFROSERVE by CENTRO MÉDICO NACIONAL, LDA, both of them acting in the health sector. Notwithstanding the fact that CENTRO MÉDICO NACIONAL, LDA market's share would increase from 44,4 percent up to 45,3 percent, it was considered that the merger would not restrict the competition at the domestic market, taking into account the important reduction of CENTRO MÉDICO NACIONAL, LDA market's share during the last years due to the intensification of the competition in this market.

*PINGO DOCE/OSMOP*

59. This proposed merger consisted on the acquisition by transfer of the supermarket OSMOP by PINGO DOCE. Both undertakings involved in the merger operated in the retail trade of food goods.

60. Taking into account the 10,23 percent market's share of *PINGO DOCE* and the specific features of this market, it was considered that this merger did not restraint competition and it was approved.

*ENGIL INVESTIMENTOS – S.G.P.S / SOCIEDADE COMERCIAL DE PLANTAS, S.A.*

61. The merger operation consisted on the acquisition by *ENGIL* of 66,7 percent of the share capital from *SOCIEDADE COMERCIAL DE PLANTAS, S.A.* These undertakings act on the construction, gardens and green spaces market.

62. Once the effects on the structure of the market were not sensible, the DGCC gave a favourable opinion to the operation.

*ARJO WIGGINS CARBONLESS PAPERS EUROPE, LIMITED/BOLLORÉ TECHNOLOGIES*

63. The proposed merger consisted on the acquisition to BOLLORÉ of the whole capital of the COPIGRAPH, S.A. by ARJO. These undertakings have a global market share of 40 percent in the copy paper market.

64. The proposed merger was approved.

**III. The role of competition authorities in the formulation and implementation of other policies****1. Regulatory reform***1.1. Relationship between Regulators and Competition Authorities*

65. In Portugal, as in other OECD countries, the regulatory reform process in the traditional monopolistic sectors led to the creation of several regulatory authorities that have the legal nature of public institutes with legal personality and administrative and financial autonomy. The institutes have the aim of regulating, supervising and monitoring the reform of these sectors.

66. The relationship between the Competition Authority and these regulatory authorities is characterised by a functional separation of the tasks: the Competition Act is applicable to all sectors of activity by the DGCC and the CC and the technical and economic aspects of the regulatory reform come within the scope of the regulatory authorities.

67. The only exception to this rule refers to credit institutions, financial and insurance companies whose merger operations are controlled by the *Banco de Portugal* and by the *Ministério das Finanças*, respectively.

68. In Portugal, there exists the following regulatory authorities:

- *Entidade Reguladora do Sector Eléctrico – ERSE* – (Regulatory Entity for the Electric Sector);

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- *Instituto de Comunicações de Portugal – ICP* – (Portuguese Communications Institute);
- *Alta Autoridade para a Comunicação Social – AACCS* – (High Authority for the Social Communication);
- *Instituto de Seguros de Portugal – ISP* – (Portuguese Insurance Institute);
- *Comissão do Mercado de Valores Mobiliários – CMVM* – (Stock Exchange Commission);
- *Instituto da Água – IA* – (Water Institute).

69. In the regulatory reform process, DGCC plays an important role, either proposing draft legislative acts to the Minister of the Economy or analysing draft legislative acts from other departments of the Government.

### 1.2. Price regulation

70. During 1998, the deregulation process in the price policy was pursued. At present time, all goods and services are excluded from the former declared price regime. The DGCC keeps, however, an accurate activity in surveillance price trends.

### 1.3. The liberalisation process

#### 1.3.1. The telecommunications sector

71. The European Union has had a strong influence in establishing the regulatory structure of the telecommunications sector in Portugal. Since the *Green Paper on the development of the common market for telecommunications and services* published in 1987, the European Commission has led the liberalisation process in European countries through its liberalisation and harmonisation directives.

72. In Portugal, the first phase of the privatisation process of *Portugal Telecom, S.A.* started in 1995 (approved by the *Decree-Law* No. 44/95, of 22 February) with the sale of 27,26 percent of the capital. The second phase (that was approved by the *Decree-Law* No 34-A/96, of 24 April), sold 21,74 percent of the capital. During the third phase, it was privatised 26 percent of the remaining capital (approved by *Decree-Law* No 226-A/97, of 29 August). And, finally, the fourth phase of the privatisation process will sell in 1999 no more than 13,5 percent of the capital through a public offering at the domestic market and a direct sale. After this fourth privatisation phase, the State will keep an equity share of 10 percent.

73. Although the Full Competition Directive (96/19/EC), of March 1996, set the deadline for full competition at 1 January 1998, it was approved a derogation decision applicable to Portugal by which fixed line business would only be liberalised on the 1st January 2000.

74. Until 2000, Portugal will have to carry out tariff rebalancing. The Price Convention, which was signed in September 1997 and will be in force until the end of the year 2000, sets up the procedures for tariff rebalancing.

75. The price system of the basic public telecommunications services are different in Portugal, regarding the other European Community countries.

76. Nowadays, it is negotiated an agreement between all the intervenients – the, so called, *Telecommunications Agreement* – where all the services and rules that must be followed are foreseen, when the operators (at this moment, *Portugal Telecom* only) want to have their prices changed (once a year).

77. At that time, they must do their list price and submit them to the national Regulatory Authority – *Instituto de Comunicações de Portugal* – and to DGCC.

78. The decision of those Institutions on accepting that list price depends on the respect of the *Telecommunications Agreement* provisions, since this agreement gives us the way how to calculate the increase *plafonds* that are supported on the Consumer Price Index.

79. The list of practices caught by this agreement (for instance, the existence of a cost accounting system and the availability of its description and of the quality services indicators), also interferes on the acceptance of the suggested tariffs.

80. In 1997, it was signed the third *Telecommunications Agreement* for the period 1998/2000 by DGCC, by the regulatory agency – *Instituto de Comunicações de Portugal* - and by the operator, *Portugal Telecom*.

### 1.3.2. The electric sector

81. The privatisation of *Electricidade de Portugal, S.A. – EDP* - began in 1997. The State owns, at this moment, a share of 50,8 percent but a new privatisation is envisaged during the year 2000.

82. The privatisation of this sector provoked the creation of several enterprises directed to different areas: production, transport and distribution.

83. This new structure foresaw the constitution of an independent regulatory entity and the coexistence of a dual system: public service and market system.

84. The access to the activities of production and distribution is free but it is submitted to the concession of a licence. The transport is exclusively assured by *EDP*.

85. The independent regulatory agency to the electric sector – *ERSE* – completed the sector' s regulatory framework in 1998, what will allow that in 1999 the electricity tariffs be fixed by the regulatory authority, taking into account the opinion of DGCC in the tariff' s fixing process.

### 1.3.3. Railways

86. The Portuguese railway transport sector has historically been subject to strong state intervention in both the rail infrastructure and the provision of railway transport services. Before 1997, all railway activities had been for some time undertaken by *CP – Caminhos de Ferro Portugueses* – a state-owned company. *CP* was a vertically integrated monopoly, receiving significant financial support from the Government.

87. Since 1997, the structure of the railways in Portugal has been changing. The former *CP* has been divided into two different companies, thus separating infrastructure from operation: *CP* now provides passenger and freight transport services while a new, state-owned company – *Rede Ferroviária Nacional – REFER* – manages the infrastructure. Furthermore, in 1998 it was created the *Instituto Nacional do Transporte Ferroviário*, an independent rail authority under the Minister for Transports responsibility, that assures the regulation and development of the rail transport sector. During this year, a new private company – *FERTAGUS* – won the bid for the operation of a new suburban passenger service in the *Eixo Norte-Sul*, that started operating in July 1999.

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88. This separation of the ownership of the rail infrastructure from the operation of train services is a first step intended for the introduction of competition in the operation of rail services. Within *CP*, different business units are being created, divided according to geographic and type of service criteria. Competition and private sector entry seem more likely to happen first in freight and some suburban passenger services.

### **2. Trade and distribution policies - Trade Units with Relevant Dimension**

89. The *Decree Law* No 218/97, of 3 August, introduced a new concept - *the Trade Units with Relevant Dimension – UCDR*, implemented by the *Portaria* No 739/97, of 26 September, changing the rules concerning the authorisation procedures for trade activity. This new legislation takes into consideration not only the area of the store, but also the buying and selling power of the entrepreneurial structure.

90. Under this new legal regime, the *UCDR* are subject to prior authorisation or communication and must be registered at the DGCC, through the fulfilment of a specific form.

91. In accordance with this new legislation, the DGCC participates in the mandatory municipal inspections, prior to the opening of the *UCDRs*.

92. Until the end of the year, 135 units were registered and 202 113 square metres of sale area were authorised, being adopted 70 ministerial authorisation decisions.

## **IV. Resources of the Directorate-General for Trade and Competition**

### **1. Number of employees**

-	Economists	56
-	Lawyers	8
-	Other experts with university degree	21
-	Support staff	113
-	All staff combined	198

### **2. Human resources**

Human resources applied to:

a) enforcement against anticompetitive practices and merger control	34
b) advocacy efforts	4

### **3. Period covered by the above information: 1998**

## **V. New reports and studies on competition policy issues**

93. During 1998, the DGCC published the following reports – only available in Portuguese, with the exception of the *Special Publication*:

*Boletim Legislação (Legislation Bulletin)* – published three times a year, it aims to divulge national and community legislation .

*Cadernos DGCC (DGCC Exercise Books)* – irregular publications that has the aim of publishing original reports about competition policy issues. During 1998, were published four DGCC Exercise Books about:

- *Defesa da Concorrência em Portugal (Competition in Portugal)*
- *Regras de Concorrência. Síntese de legislação (Competition Rules)*
- *Relacionamento Bilateral Portugal/Espanha (Bilateral Relation between Portugal and Spain)*
- *Legislação Nacional de Comércio – Itália (National Trade Legislation – Italy)*

*Comércio e Concorrência (Trade and Competition)* – periodic magasin (published four times a year) with several reports and articles of opinion about the competition policy issues, addressed to undertakings.

*Folha Informativa (News Letter)* – monthly publication that aims to shed the relevant activities and the new guidelines adopted by the DGCC.

*Relatório de Actividades 1997 (Annual Report of Activities 1997)* – It reports on the objectives, results and organisation of the DGCC.

*Special Publication – Competition Act – Portugal (Decree-Law No. 371/93, of 29 October)* – A publication where it can be found the Portuguese Competition Act both in Portuguese and English languages.

The CC published the annual report (it was recently published the annual report - 1997), which contains all the cases decided during that year.

In July 1998, the DGCC organised a conference about «Competition Policy and Small and Medium Enterprises» and a seminar about «Buying Power and its impact on Trade Relations between Production and Distribution».

DGCC has several reports of its activities and initiatives on its site on internet. The E-mail is: [dgcomconc@mail.telepac.pt](mailto:dgcomconc@mail.telepac.pt)