

Summary of the UOHS Newsletter - January 2025

This newsletter highlights key developments in competition policy, public procurement, and state aid, reinforcing the UOHS's commitment to ensuring fair market practices in the Czech Republic.

1. Meeting with Czech MEPs in Strasbourg

On January 21, 2025, UOHS Chairman Petr Mlsna met with Czech Members of the European Parliament in Strasbourg to discuss key competition and public procurement topics at both national and EU levels. The meeting included representatives across the political spectrum, highlighting a shared interest in the development of competition policy and market regulation within the EU framework.

During the discussion, Chairman Mlsna outlined the key priorities of UOHS and how they align with the evolving competition agenda of the European Commission. A central topic was the appointment of the new EU Commissioner for Competition, Teresa Ribera, and the potential policy shifts under her leadership. Mlsna noted that national competition authorities are monitoring how sustainability and environmental considerations will be integrated into competition policy, as outlined in Ribera's "mission letter" from European Commission President Ursula von der Leyen. There is growing anticipation regarding how the Commission will balance these goals with traditional competition enforcement.

Another focal point was the debate over the formation of so-called "national champions"—large, state-supported firms designed to compete globally. Mlsna cautioned against this approach, citing concerns that excessive state intervention and market concentration could distort competition and harm consumer choice. He referenced the Draghi Report, which explores ways for Europe to catch up with economic powerhouses like the U.S. and China, warning that increasing regulatory burdens could counteract the intended benefits of industrial policy.

The discussion also covered the effectiveness of current competition enforcement tools. Mlsna emphasized that existing regulations are often insufficient to address issues such as oligopolistic market structures, where a few dominant players can limit market competition without engaging in direct collusion. He pointed out that some EU countries are considering new legislative instruments to counteract such market distortions, and that a similar tool is currently under discussion in the Czech Republic. If adopted, this measure could strengthen UOHS's ability to intervene in cases where traditional competition laws fall short.

In the area of public procurement, the chairman highlighted the European Commission's ongoing review of EU procurement directives. While the review's potential outcomes remain unclear, Mlsna stressed the need for reforms that enhance transparency and reduce unnecessary administrative burdens. He also addressed the recent European Court of Justice ruling in the Kolin case, which clarified that suppliers from non-EU countries lacking a formal trade agreement with the EU do not have an automatic right to participate in EU public tenders. This

decision raises questions about how procurement rules should be adjusted to ensure fair competition while maintaining strategic economic interests.

The meeting concluded with an open discussion, where MEPs raised various concerns and inquiries. Topics included potential collaboration between UOHS and European institutions, the impact of competition law on the healthcare sector, and the challenges of regulating digital markets. Mlsna reaffirmed UOHS's commitment to working closely with policymakers and stakeholders to foster a competitive and transparent market environment.

2. Google Adjustments After UOHS Intervention

Following an investigation into Google's advertising services, UOHS found that certain advertisers were being unfairly restricted from promoting investment gold and silver, while others were allowed. Google revised its policies, ensuring consistent application of advertising rules. Due to these corrective actions, UOHS closed the case without imposing sanctions. [Read more](#)

3. Public Procurement Violations and Fines

- Prague 8 was fined CZK 300,000 for directly awarding maintenance contracts without a competitive procedure.
- The Ministry of Regional Development was fined CZK 150,000 for procuring legal services without public tenders.
- The selection of a contractor for Prague Metro D's construction was annulled due to non-transparent evaluation of bids.

4. Cartel Investigations and Bid Rigging

- Two construction firms were fined over CZK 1 million and one banned from public contracts for bid rigging in a school renovation tender.
- An unannounced inspection was conducted on engineering firms suspected of bid rigging in infrastructure projects.

5. Merger Approvals

- ALIMPEX FOOD was allowed to acquire LAKTOS PRAHA, as the merger did not significantly impact competition in the dairy sector. [Read more](#)
- The Blackstone Group was cleared to acquire Czech logistics park CTRE, as the deal did not threaten market competition. [Read more](#)

6. Updates on Foreign Subsidies Regulation

UOHS reminded contracting authorities and suppliers of their obligations under the EU Foreign Subsidies Regulation, applicable to public contracts above €250 million. Many companies across the EU have failed to comply with these notification requirements.

[More details](#)

7. Legislative and Policy Updates

- The Ministry of Agriculture removed restrictions on new entrants organizing fishing qualification exams following UOHS recommendations.
- UOHS supported raising limits for farm-to-consumer direct sales to improve competition for Czech farmers.
- The European Court of Justice ruled that suppliers from non-EU countries without trade agreements cannot claim equal access to EU public tenders.
[Case details](#)

8. International Competition Developments

- The UK's Competition and Markets Authority launched an investigation into Apple and Google's dominance in mobile ecosystems.
- The European Commission introduced a "Competitiveness Compass" to drive EU technological innovation and industrial growth.
[Press release](#)

9. Upcoming Events

- **May 13–14:** Public Procurement Conference (Brno)
- **June 11–12:** State Aid Conference
- **November 5–6:** St. Martin's Competition Conference
- **March 25:** AVZ Round Table
- **April 24:** ICC Czech Antitrust Forum