



ADVOCACY WORKING GROUP
MARKET STUDIES PROJECT

MARKET STUDIES INFORMATION STORE

JURISDICTION:

Austria – Federal Competition Authority

UPDATED: JANUARY 2010

Information Store

Austria- Federal Competition Authority

Sector:	Groceries (Food and Drink)											
Market:	Grocery	Range of Possible Outcomes										
End Date:	June 2007	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:	Due to procedural difficulties 3 and a half years											
Source of idea for study:	Anonymous complaints and media reports											
Outcome (tick relevant columns):												
Reason for study (what were the problems)?	<p>In 2004, the FCA started its sector inquiry of buyer power of big supermarket chains vis-à-vis their suppliers. The inquiry has been triggered off by anonymous complaints and media reports about allegedly abusive supply chain practices.</p> <p>Result:</p> <p>The FCA could not prove abusive behaviour but will keep the grocery sector under strict scrutiny. The FCA will thoroughly assess any well-founded evidence on allegedly abusive conduct in the sector. The investigations have shown that suppliers are very reluctant to provide such information in fear of retaliatory measures such as the de-listing of products.</p>											
Link to report:												

Information Store

Sector:	Energy												
Market:	Electricity	Range of Possible Outcomes											
End Date:	November 2006	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Duration:	27 months												
Source of idea for study:	Suggestion by the Minister of Economics and Labour due to announced and partly implemented tariff increases and possibility of further price rises												
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	<p>Although the electricity sector is completely liberalised in Austria there is still a lack of competition.</p> <p>The report should clarify:</p> <ul style="list-style-type: none"> - the reasons for the absence of significant competition, - the role of system charges and possible cross-subsidisation, - whether some suppliers have dominant positions which might imply special responsibilities, - the possible need for a reassessment and modification of EnergieAllianz and the "Austrian electricity solution" - Whether convincing, tangible evidence of anticompetitive collusion exists. 												
Link to report:													

Sector:	Energy												
Market:	Gas	Range of Possible Outcomes											
End Date:	November 2006	Competition Enforcement Consumer Enforcement Consumer Education Business Education Voluntary Business Compliance Voluntary Business Action Recommendations to Government for Changes in the Law Recommendations to Government to Change Market Structure Recommendations for Changes to Government Policy Referral to Third Parties No Problems Found	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Duration:	24 months												
Source of idea for study:	Internal competition concerns												
Outcome (tick relevant columns):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	<p>Due to gas price increases in autumn 2004 the FCA decided to conduct a sector inquiry in the Austrian gas market in co-operation with the regulatory authority E-control.</p> <p>The market study should investigate in detail the problems identified for the development of competition, especially in the upstream market and elaborate solutions.</p>												
Link to report:													