

Bavarian Ministry of Economic Affairs, Regional Development and Energy

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Competition Law

8th Amendment to the ARC

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On June 30, 2013 the 8th amendment to the ARC came into force.

The primary objective of the amendment is to modernize and optimize competitive conditions further so as to make the enforcement of the Act on the Restriction of Competition (ARC) more efficient. Accordingly, the differences between German and European controls on mergers were further reduced. At the same time, the amendment expands the scope in which small and medium-sized press undertakings can act in terms of mergers. In addition, the Press Wholesalers system was protected by law, thus ensuring the continued general availability of press articles.

In the context of controlling abusive practices, the focus is on a more understandable and therefore more user-friendly design of the relevant regulations. The control of water-supply undertakings, which had previously been governed by a transitional provision, has been included in the ARC. The position of consumer organizations has been improved by an appropriate level of participation in the private enforcement of competition law. Finally, the system of fines related to competition law has been made more efficient thus ensuring that mergers of health insurances are controlled by the BKartA.