

Bavarian Ministry of Economic Affairs, Regional Development and Energy

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RESPONSIBILITIES

The Bavarian anti-trust authority performs its tasks and exercises its authority pursuant to the act on restraints of competition (ARC - German abbreviation GWB, also "Kartellgesetz" - "cartel law"), if the effect of influence on the market and/or restrictive or discriminatory behaviour in Germany does not go beyond the territory of the Free State of Bavaria. This is determined by the way the market affected is defined.

If the effect of corporate behaviour on competition in Germany goes beyond the territory of a federal state, the competent authority is the Federal Cartel Office (German abbreviation BKartA), which also decides on corporate mergers in accordance with the ARC. The Federal Ministry of Economic Affairs and Energy (BMWi) also has powers under the ARC. If a corporate merger is prohibited by the Federal Cartel Office, the Federal Minister of Economic Affairs may still grant permission if it considers there are overarching macroeconomic reasons to do so.

European anti-trust law becomes applicable to the extent that companies have as their object or effect an elimination, restriction or distortion of competition suitable for adversely affecting trade among the member states of the EU. European anti-trust law is implemented by the European Commission, but also by the national anti-trust authorities.

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