

Control of concentrations: Normal procedure - Phase I

We advise the notifying undertakings to take contact with the College of Competition Prosecutors in view of planning a pre-notification meeting



Notification of the concentration at the registry of the Competition Council for the attention of the College of Competition Prosecutors before the implementation of the concentration and after the conclusion of the agreement or in case of a draft agreement that is likely to be accepted by the parties



Investigation of the concentration by the Directorate General for Competition under the direction of the Competition Prosecutor designated by the Competition Prosecutor General



<p>The concentration does not result in a significant obstacle to effective competition</p>	<p>If the concentration does result in a significant obstacle to effective competition the Competition Prosecutor informs the parties at least five working days before the report is submitted. The parties shall have five working days to present commitments. The Competition Prosecutor will hear the parties and adopt a position in his report.</p>
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The report of the Competition Prosecutor shall be submitted to the Competition Council within 25 working days with effect from the day the notification is submitted or 30 working days if commitments have been presented.

A copy of the report shall be transmitted to the notifying parties and to the representatives of employee organisations at least ten working days before the hearing at the Competition Council.

The abovementioned parties have **access to the file** subject to the rules of confidentiality. Complainants may request limited access.



Possibility for the parties to the concentration to submit written observations



Hearing before the Competition Council



<p>Tacit permissibility. No decision of the Competition Council within a time period of 40 working days (can be extended with 15 working days if the parties present commitments)</p>	<p>Decision that the concentration does not fall within the scope of application of this law</p>	<p>Decision of permissibility Mandatory in case the undertakings concerned do not control together more than 25% of any relevant market.</p>	<p>Decision of permissibility with conditions and obligations</p>	<p>Decision to initiate a second phase. The Competition Council decides that there are serious doubts about the permissibility of the concentration</p>
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Notification of the decision and publication in the Belgian Official Gazette and on the website of the Competition Authority