

COMMISSION FOR THE PROTECTION OF COMPETITION DECISION
relating to proceedings under section 4 of Law 207/89
(Case No. 11.17.01.57)

Decision dated: 3.11.2003

Before: Cristodoulos Tselepos -Chairman
Evagkelos Sykopetritis, - Members
Costis Efstathiou - Members
Elias Theodorou -Members

Counsel for the Respondents:

Mr. Stavrow Karides,
Mr Andreas Karides and
Ms Georgia Petasi
all representing Vita Cyprus Ltd, Varelplast Ltd and Megaplast

Having regard the Protection of Competition Law 207/89 as amended,

Having regard the complaint filed by the Solar Energy Manufacturers Union of Cyprus against Vita Cyprus Ltd., Varelplast Ltd., and Megaplastics Ltd., for possible violation of section 4 (1) (a) of Law 207/89 entering into an agreement which provided for the establishment of a plastic water tanks manufacturing company that is, Megaplastics Ltds.

Having regard the parties to whom the complaint was made, immediate admission of the accusations,

The Commission for the Protection of Competition (CPC) asked their lawyer to speak for the purpose of mitigation of the penalty.

The CPC when imposing a penalty for the violation of section 4 (1) (a) of Law 207/89 took into consideration the following:

- (A) the immediate admission of the parties involved, their cooperation and the fact that they acted in good faith and had no intention to violate the Law.
- (B) the consequences of its decision for the parties involved and
- (C) the fact that from the investigation it was found that their market share had reduced rather than increased as result of their agreement.

The CPC unanimously ordered the dissolution of Megaplastics Ltds. and imposed on Vita Cyprus Ltd. and Varelplast Ltd. a fine of CYP 6,350 and CYP 5, 590 respectively.

In addition the CPC stated that in case the infringement continues, a fine of CYP 3,000 shall be owned for each day the infringement continues.