



PORTUGAL

# Legal Shots

by SRS LEGAL

● European Union & Competition

## New Guidelines on fines by the Portuguese Competition Authority

The new version of the guidelines brings innovation in the methodology of calculating fines for infringements to the Competition Law

- The Portuguese Competition Authority has just published the amended version of its Guidelines on the Methodology for imposing fines in administrative proceedings for infringements of the competition law.
- The changes are intended to clarify the procedure and methodology employed by the Authority in the calculation of fines, although it has recognised the existence of a certain degree of discretion in each individual case.
- The document brings innovation on many topics. Some of the most important changes are (i) the progressive reduction of the weight given for each year in the case of infringements with a duration of more than five years, (ii) the introduction of a maximum time limit during which an infringement will be considered a relevant precedent for the purposes of aggravating the fine applicable to the new infringement, on the grounds of recidivism, and (iii) the significant aggravation of the additional fraction to be included in the base amount of the fine, in the case of particularly serious infringements.
- The new guidelines for calculating fines are only applicable to the proceedings where the administrative investigation/inquiry is opened after their entry into force.

Read the detailed text by clicking [here](#).

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