



CNMC

Spain's National Authority for
Markets and Competition

**Intergovernmental Group of Experts on
Competition Law and Policy
GENEVA
8 July 2014**

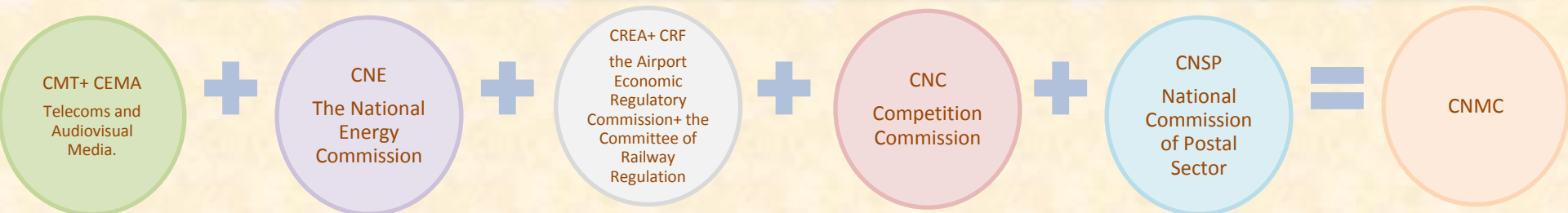
**José María Marín-Quemada
President**

1. An integrated model of regulation and supervision of markets

2. CNMC: nature, tasks and structure

One single Authority: Integration of Agencies

- Act 3/2013 of June creating the Spanish National Authority for Competition and Markets introduced institutional and substantive changes.
- To guarantee the existence of **effective competition and better regulation** and to assure **the proper functioning of** markets and economic sectors, to the benefit of consumers and end users.



- **Transparency:** legal certainty and institutional trust.
- More **efficiency:** optimisation of **economies of scale**.
- **Flexibility:** an institutional response must be given to technological progress.
- **Supervision and control**, as well as **dispute resolution functions**, which are wider and more flexible than simple arbitration functions.
- **Predictability.**

INDEPENDENCE

- Independence of the Board with non-renewable term and appointment subject to **control of the Parliament**.
- Regulation of incompatibilities and conflicts of interests. **Prohibition to accept and request instructions from Government**.
- **Appointment** of Directors and managerial staff **by the Board**.
- Independence of Investigation Divisions. **Coordination and transversality** among Divisions appertains the President.

MONITORING ALL MARKETS AND ECONOMIC SECTORS

- **Global vision:** reinforcement of general interest.
- **Reduces the risk of regulatory capture:**
 - **Size of the new Authority.**
 - **COLLECTIVE DECISION MAKING BODY (10 members of the Board).**
 - **Internal Working Groups.**
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INTEGRATION OF REGULATION AND ENFORCEMENT OF ANTITRUST

- Ensures **consistency** between **ex ante regulation** and **ex post control**.
- Enhances **synergy** and **complementarity** of both tools.
- Increases **confidence** and **legal certainty**.

1. An integrated model of regulation and supervision of markets

2. CNMC: nature, tasks and structure

What is the CNMC?

Nature and Legal Organization

- The CNMC is a **Public Law entity with its own legal personality** and full public and private capacity

Start-up phase

- The CNMC came into operation on October 7, 2013

Which are its tasks?



Which are its tasks?

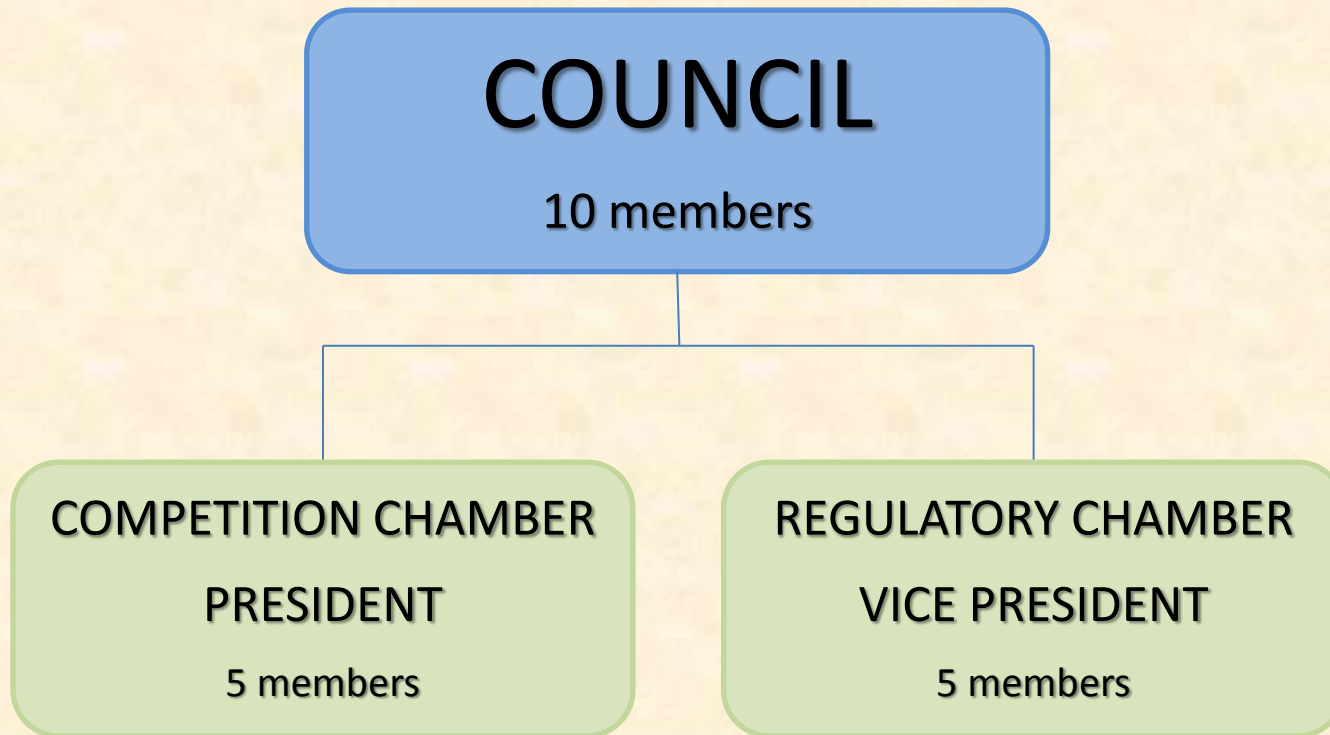
Competition: enforcement and advocacy



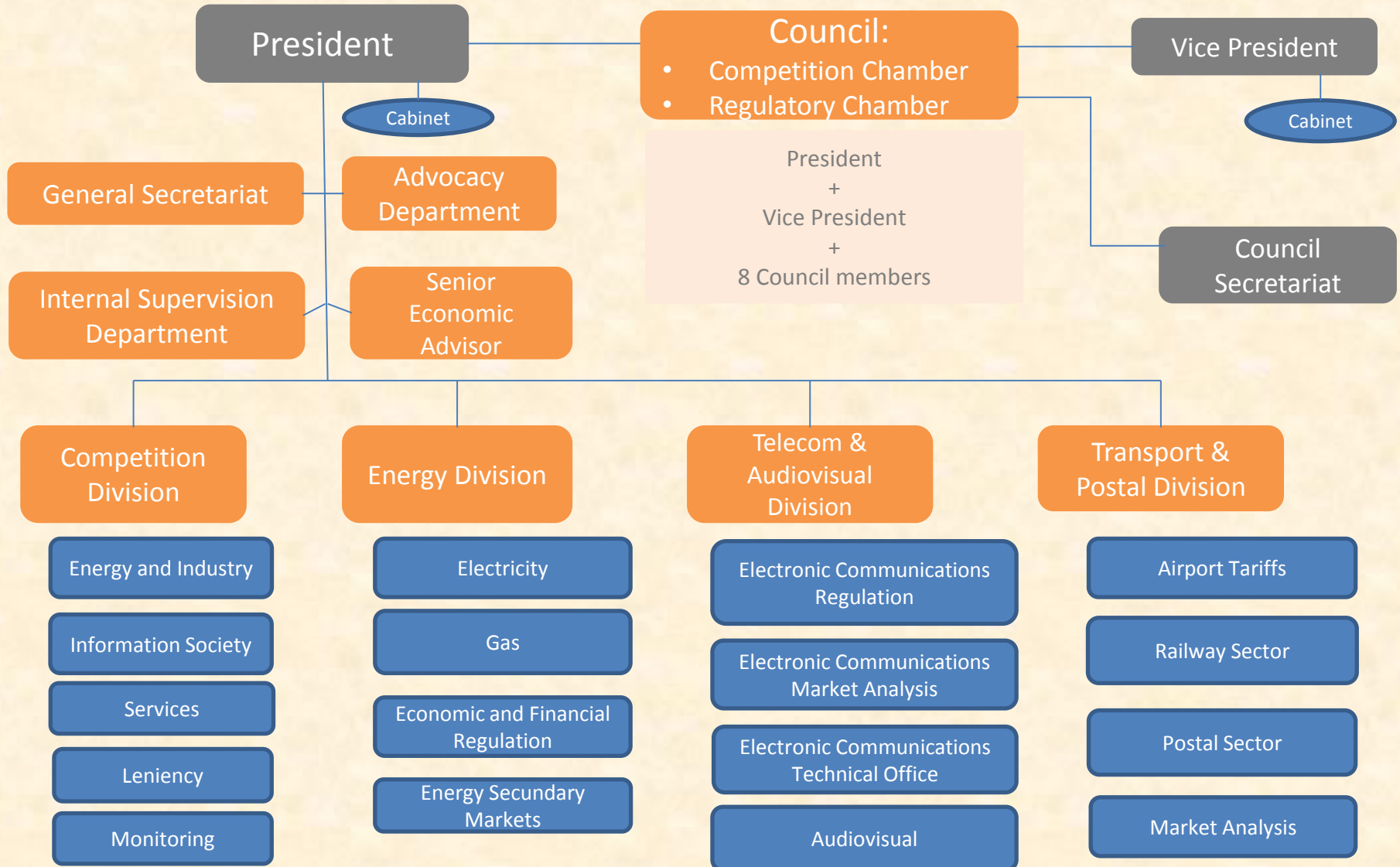
Regulation: supervision and control of economic sectors:

- the *electronic communications* market.
- the *electricity* and *natural gas* sectors.
- the *postal* market.
- the *audiovisual communication* market.
- *airport* charges.
- the *railway* sector.

Structure of the CNMC



Structure of the CNMC



Key Challenges

- To tackle **competition** and **sectorial regulation** by an unitary Authority.
- To build a **new Institution** that is more than the sum of its parts.
- To achieve **professional excellence** across all our daily work, whether in legal and economic analysis, case management or any other area.
- To **facilitate business activity** lowering costs and eliminating duplication and unnecessary red tape (art. 3 of Act 3/2013).

- Creating a Route Map (submitted to the Parliamentary Commission of Economy and Competitiveness on 13th May 2014) with **3 main objectives** and **16 transversal lines** of Strategic Action.
 - **Objective 1**: To apply its instruments for action with the utmost rigour in regulated sectors and markets in order to obtain the most effective results.
 - **Objective 2**: To act in a transparent and independent manner and with maximum predictability, with its activities guided exclusively by the general interest of improving the functioning of the markets.
 - **Objective 3**: To make best use of the synergies deriving from its integrated structure, providing global solutions to market problems which will ensure greater legal security.

- Spain's National Authority for Markets and Competition: a new, more powerful unitary Authority.
- Integration of regulatory and competition law enforcement functions, previously held by different institutions.
- All sectors and markets: global vision.
- Reinforced independence.

**Promoting effective
competition and better
regulation in benefit of
consumers and users**



Spain's National Authority for
Markets and Competition

Thank you

www.cnmc.es
presidencia@cnmc.es