

Summary of the Romanian Competition Council`s decision no.35/2009

1. According to the Order no. 143/2008 issued by the President of the Competition Council, an investigation on the driving schools` market in Bucharest has been started, aiming a possible infringement of Article 5 (1) provisions of the Competition Law no. 21/1996, republished.
2. Analysing the evidence gathered during the investigation, the inspectors came to the conclusion that on the 31st of January 2008, 32 (thirtytwo) private companies operating on this market established an agreement consisting of an horizontal anticompetitive practice, on two major objectives:
 - increasing the „B¹” category tariffs by all driving schools, starting with the 1st of February 2008;
 - fixing a minimum level of 800 RON of the tariffs at this category.
3. All of the 32 participants at the meeting on the 31st of January 2008 put into practice the tariff for the „B” category at the established level immediately the day after, on the 1st of February 2008.
4. This price fixing cartel was strong enough to induce a similar behaviour for both other driving schools and independent instructors, in terms of increasing their tariffs for „B” category. The market registered an immediate effect, taking into consideration the fact that all companies increased their tariffs at once, on the 1st of February 2008 and the days after.
5. The tariffs were on average 60% to 100% higher, from 400 – 600 RON to 800 – 1000 RON.
6. The companies participating in a cartel for price fixing were sanctioned by the Romanian Competition Council for the infringement of Article 5 (1 a) with fines in a total amount of 1,524,552 RON (362,988 EUR calculated at a rate of exchange of 4.2 RON/EUR).
7. The companies will also be monitored by the Competition Council in terms of any changes of tariffs at the „B” category will be sent to the Romanian Competition Authority two years from now on.

¹ The „B” category means driving lessons on cars such as: Dacia Logan, Dacia 1310, Dacia Berline, Solenza, SuperNova, Matiz, Skoda, Peugeot, Renault, Fiat, Citroen, Ford etc.. Dacia Logan is the most popular car used by the driving schools.