

# **FAS Russia will consider a case on collusion between “Spetstekhnika – GAZ Group” Ltd. and its dealers for selling and road-building equipment and refuse collection and street-cleaning vehicles**

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On 9th August 2010, the Federal Antimonopoly Service (FAS Russia) initiated proceedings against “Spetstekhnika – GAZ Group” Ltd. (of the Moscow region) for the signs of violating Part 3 Article 11 of the Federal Law “On Protection of Competition” (prohibiting coordination of activities between economic entities) and its dealers for the signs of violating Clauses 1, 2, 3 and 8 Part 1 Article 11 of the Federal Law “On Protection of Competition” (prohibiting competition-restricting agreements or concerted actions): “ArgoSnaBPrivolzyie” (Nizhniy Novgorod), “Mashinostroitel” Ltd. (the Republic of Tatarstan), “YaroslavlAgroDortekhsnaB” Ltd. (Yaroslavl) “Avteks” Ltd. (the Republic of Karelia), “PromEnergoKomplekt” Ltd. (Kirov), “PROFMASH” Ltd. (Moscow), “GRINN” Corporation” CJSC (Orel), “Professional” Ltd. (Ivanovo), “RusAvtoProm” Trading Centre” Ltd. (Nizhniy Novgorod), “Kominvest-AKMT” (Moscow), “Gaz Trade Group” Ltd. (Lipetsk), “Stroidormashservice – Petersburg” (St Petersburg), “Stroidormashservice” Service Centre” Ltd. (Krasnoyarsk), “Roussky Avtobus” Trade and Service Centre” Ltd. (Kirov), “Avtodorkomplekt” Ltd. (Chelyabinsk), “Altaihydromashservice” Ltd. (Barnaul), “Kemerovostroidormashservice) Ltd. (Kemerovo), “ZapStroidormashservice) Ltd. (Novosibirsk-56), “Tekhnomir” CJSC (Krasnodar), “Hydravlika-M” Trading House” Ltd. (Volgograd), “Predpriyatie Stroikomplekt” (Yekaterinburg), “Sakhalin-yaz-service” Ltd. (Yuzhno-Sakhalinsk), “Uralskaya Marka” CJSC (Chelyabinsk), “Hydroremservice” Trading House” Ltd. (the Republic of Bashkortostan), ROSINVEST” Trading House” Ltd. (Chelyabinsk) and “Intereks” Ltd. (Rostov-on-Don).

“Spetstekhnika – GAZ Group” Ltd. was selling road-building equipment and refuse collecting and street-cleaning vehicles and components to them through its dealers in the Russian Federation. Investigating the case, FAS Russia must identify if dealers were engaged in concerted actions in course of tenders and further distribution of goods under direct coordination of such actions by “Spetstekhnika – GAZ Group” Ltd.

Legal relations between “Spetstekhnika – GAZ Group” Ltd. and its dealers were formalized in the dealer agreements, including provisions for concerted actions between dealers for fixing and maintaining prices for the goods and geographical market division. “Spetstekhnika – GAZ Group” Ltd. was responsible for organizing and follow-up control of dealers’ compliance with the pricing procedures and cooperation conditions, and selecting the “authorized” dealer to take part in bidding, in particular, for supplying equipment for the needs of the state.

FAS Russia is of the opinion that actions of “Spetstekhnika – GAZ Group” Ltd. and its dealers for selling road-building equipment and refuse collecting and street-cleaning vehicles and components to them have resulted or can result in restricting or eliminating competition and infringing the interests of government customers.

