

Pronouncement of the Final Decision Regarding the Investigation about Uğur Soğutma Makinaları Sanayi ve Ticaret AŞ According to Article 49 of the Act no 4054 on the Protection of Competition

According to the Report prepared and the Additional Opinion, evidence collected, written pleas, the explanations made during the hearing and the scope of the file examined regarding the investigation conducted per the Board decision dated 30.06.2022 and numbered 22-29/473-M(2), it has been decided UNANIMOUSLY and with different reasons of the Board Members Hasan Hüseyin ÜNLÜ and Berat UZUN that

- 1- Since no conduct showing that Uğur Soğutma Makinaları Sanayi ve Ticaret AŞ prevented online sales of resellers could be detected, it is not necessary to impose administrative fines to the undertaking in terms of the said conduct,
- 2-
 - i) Uğur Soğutma Makinaları Sanayi ve Ticaret AŞ violated article 4 of the Act no 4054 on the Protection of Competition by means of intervening in the sales prices of its resellers,
 - ii) Therefore, per Article 16(3) of the same Act and Article 5(1)(b), 5(2) and 5(3)(b) of the Regulation on Fines to Apply in cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, at a certain rate of the annual gross revenues in 2022, by discretion, the undertaking party to the investigation shall be imposed 51.373.002,89- TL administrative fines,

with the decision subject to review before Ankara Administrative Courts within 60 days as of the notification of the reasoned decision.