

The pronouncement of the final decision concerning the investigation about Audi AG, Bayerische Motoren Werke AG, Daimler AG, Dr. Ing. h.c. F. Porsche AG and Volkswagen AG

According to the Report and the Additional Opinion prepared, the evidence collected, written pleas, the explanations made during the oral hearing and the scope of the file examined concerning the investigation about Audi AG, Bayerische Motoren Werke AG, Daimler AG (Mercedes-Benz AG), Dr. Ing. h.c. F. Porsche AG and Volkswagen AG, conducted according to the Board decision dated 11.06.2020 and numbered 20-28/346-M upon the claim that original equipment manufacturers operating in the automobile sector violated article 4 of the Act no 4054 by means of coordination in relation with product features, innovation, environmental and security technologies, certificates and standards including component development and manufacturing, exhaust treatment and emission standards and the timing for launching thereof, in the market for passenger cars including passenger minibuses, it was decided UNANIMOUSLY that

- 1) Regarding the agreement on ACC systems, the 8-year period of limitation provided for in article 20, paragraph three of the Law of Misdemeanors expired,
- 2) The agreements concerning convertible cars, OPF and SCR systems are contrary to Article 4 of the Act no 4054; however the said agreements did not create an effect that fulfilled the criteria of being “direct, significant and reasonably predictable/intentional” together in markets in Turkey within the scope of article 2 of the Act no 4054,
- 3) Other cooperation within the scope of the file is not contrary to article 4 of the Act no 4054,
- 4) Thus, it is not necessary to impose administrative fines on the said undertakings according to article 16 of the same Act.

The decision can be appealed before Ankara Administrative Courts within 60 days as of the notification of the reasoned decision.