

**Announcement of the Final Decision Regarding the Investigation about
Maysan Mando Otomotiv Parçaları San. ve Tic. A.Ş. According to Article 49 of
the Act no 4054 on the Protection of Competition**

The Competition Board decision dated 18.02.2016 and numbered 16-05/107-48 taken about the claim that Maysan Mando Otomotiv Parçaları San. ve Tic. A.Ş. refused to supply goods to the complainant, acted together with the complainants' competitors and tried to exclude the complainant from the market was annulled by the decision of Ankara 15th Administrative Court dated 25.10.2017 and numbered E: 2016/3742, K: 2017/2794. Consequently, the Competition Board reevaluated the file. As a result of the investigation whether the said undertaking violated article 4 of the Act no. 4054 by means of resale price maintenance; considering all the evidence, information and documents collected, the report prepared, the written defense and the explanations made during the oral hearing, the Competition Board took the final decision numbered 19-22/353-159 in the meeting dated 20.06.2019. It was decided

1. Unanimously that the dealership agreements between Maysan Mando Otomotiv Parçaları San. ve Tic. A.Ş. And its dealers are under the scope of article 4 of the Act no. 4054,
2. Unanimously that the agreements in question cannot benefit from block exemption under the scope of the Block Exemption Communiqué no. 2017/3 on Vertical Agreements in the Motor Vehicles Sector,
3. Unanimously that the agreements in question cannot be granted individual exemption as they do not meet the conditions listed in article 5 of the Act no. 4054,
4. Unanimously that the agreements in question might benefit from exemption provided by the Block Exemption Communiqué no. 2017/3 on Vertical Agreements in the Motor Vehicles Sector provided that the agreements are made in accordance with the general conditions listed in article 5 of the abovementioned Communiqué and the term for non-compete obligation is re-arranged up to five years; those conditions are fulfilled and documented to the Competition Authority within 90 days as of the notification of the reasoned decision,
5. Unanimously that Maysan Mando Otomotiv Parçaları San. ve Tic. A.Ş. violated article 4 of the Act no 4054 by determining shock absorber product prices ,
6. Unanimously that according to the third paragraph of Article 16 of the Act no. 4054 and Article 5(1)(b), 5(2) and 5(3)(a) of the Regulation on Fines to Apply in cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, Maysan Mando Otomotiv Parçaları San. ve Tic. A.Ş. shall be imposed administrative fines equivalent to 0.75%, by discretion, of the annual gross income accrued at the end of the financial year 2018 and determined by the Board,
7. Unanimously that Maysan Mando Otomotiv Parçaları San. ve Tic. A.Ş. did not violate article 6 of the Act no 4054 by refusing to supply goods to the complainant.

Judicial review for the decision before Ankara Administrative Courts shall be possible within 60 days as of the notification of the reasoned decision.