Alternative Case Resolutions

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Seek appropriate alternative case resolutions
Aiming at increasing agency effectiveness
Administrative fine orders

- November 2008 – Authority authorized to adopt fining decisions that become legally binding

Fine order, Chapter 3, Article 16 of the Swedish Competition Act

“Instead of instituting proceedings regarding an administrative fine in accordance with Article 5, the Swedish Competition Authority may order an undertaking to pay such a fine (fine order).

Such an order may only be issued if the Swedish Competition Authority considers that the material circumstances regarding the infringement are clear.”

- Stakeholders sceptical of the use of such a system
- Authority issued guidelines on how to calculate fines
Administrative fine orders

- Bid rigging cartel – wooden power line poles
- Bid rigging cartel – transporting deceased persons
Other alternative case resolutions

- Dialogue
- Change behaviour/bring infringement to end
- Commitment with a conditional fine
Considering alternative case resolutions

• Requirement of cooperation between the Authority and the company

• Authority must be prepared to act unilaterally