Competition policy: vertical restraints, guidelines

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PURPOSE : the application of Article 81 (3) of the EC Treaty to categories of vertical agreements and concerted practices. CONTENT : The Commission invites all interested parties to send their comments on the draft Commission regulation on the application of Article 81(3) of the Treaty, as well as on the draft of the accompanying Guidelines. The Regulations deal with block exemptions from restrictions on distribution, purchasing and franchise. The guidelines outline the enforcement policy of tthe Commission in the application of Article 81 to vertical agreements. The structure of the guidelines is as follows: - Section II describes vertical agreements falling outside Article 81(1) -Section III comments on the Block Exemption Regulation (BE) Section IV describes the withdrawal and disapplication procedure of the BE. - Section V addresses market definition issues. -Section VI describes the general framework of analysis for vertical agreements and the enforcement policy of the Commission outside the scope of application of the BE. By issuing these guidelines, the Commission aims to assist companies to make their own assessment of vertical agreements under EC competition rules, but adds the caveat that the guidelines must be applied in the circumstances specific to each case. This excludes a mechanical application.