

## Competition - Estonia

### Criminal Proceedings Begun against Waste Management Companies

June 19 2008

On April 23 2008 the Competition Board and the Public Prosecutor's Office began criminal proceedings against two major Estonian waste management companies, accusing them of cartel activities.

In early April 2008 the city government of Tallinn announced a public procurement for waste collection in the Mustamäe area of Tallinn. Two major Estonian waste management companies allegedly filed almost identical tender documents. The city government stated in a national newspaper that it was discussing the annulment of the public procurement due to the possible conclusion of a cartel between two tenderers. The newspaper article alerted the Competition Board, but it had to wait for an official complaint from the city government before it could begin an investigation.

On April 15 2008 the Competition Board began a supervisory proceeding in order to analyze the possible cartel allegations. The two companies were accused of price fixing and concluding a cartel for the division of waste collection in Tallinn.

On April 23 2008 the Public Prosecutor's Office and the Competition Board began criminal proceedings under Article 400 of the Penal Code against the two waste management companies on the grounds of cartel activities. Since January 1 2008 the Competition Board has only supervisory powers and not investigative powers over the competition situation in the market. As a result, the criminal proceedings could be commenced only with the backing of the Public Prosecutor's Office. The authorities conducted dawn raids on both of the accused companies' premises.

Investigations into an alleged cartel in the waste management market are being conducted. So far, no specific persons or companies have been charged.

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