Federal Competition Authority

Annual Report 2025

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Foreword: Continuity & Dynamism



Dr. Natalie Harsdorf, LL.M
Director General for Competition

Q&A with Director General Natalie Harsdorf

The 2025 Annual Report is published under the guiding theme “Continuity and Dynamism” – what does that mean for you?

“Continuity and Dynamism” characterized the work of the Austrian Federal Competition Authority (AFCA) in 2025. Competition requires continuity – reliable rules and consistent enforcement. Companies need clarity in order to position themselves for the future. Consumers must be able to trust that markets, and thus the market economy, function for them. Ensuring this is the foundation of our daily work as part of a functioning democracy.

At the same time, a competition authority must also act dynamically, and we are experiencing dynamic transformations: the increasing use of artificial intelligence, digital transformation, as well as changes in energy policy and economic developments. Competition enforcement therefore can never be static. It must keep pace with the speed of change.

For us, this means in concrete terms: As a competition authority, we remain a reliable partner for businesses and consumers. At the same time, we are dynamic through our willingness to innovate, by investing in technological expertise and continuously adapting our analysis to the realities of the markets.

Continuity creates trust. Dynamism ensures future viability. It is precisely in this balance that I understand the role as Director General.

What results did the AFCA achieve in 2025?

Last year, we were able to expand our advisory and prevention initiatives on the one hand while also ensuring the consistent enforcement of competition rules on the other hand. In 2025 alone, the AFCA initiated 19 proceedings before the Cartel Court, including cases concerning price-fixing agreements and anti-competitive conduct. Upon application by the AFCA, the Cartel Court and the Higher Cartel Court imposed fines of €81.74 million in total. The preventive effect of these proceedings is particularly important.

In merger control, remedies to safeguard competition were achieved in the gambling market. In two corporate merger cases, the AFCA submitted requests for in-depth examination to the Cartel Court. Furthermore, my team was intensively engaged with the energy markets. The investigation in the electricity and gas sectors was completed, while the sector inquiry in the district heating sector is ongoing.

"Dynamism" can also be applied to the organization itself – how did the Austrian Federal Competition Authority further develop its internal structures and technical resources in 2025 in the course of increasing digitalization?

"Dynamism" means more than the use of new devices or software. Digitalization is not limited to technology – it starts with people. What is crucial is an interdisciplinary team within the authority and the continuous development of our working methods so that we can safeguard effective competition and modernize competition enforcement.

For this reason, in 2025 I specifically continued to strengthen our technical capabilities. With the new Market and Cartel Screening Unit, we are increasingly relying on digital, proactive investigative approaches to identify competition-restricting or competition-distorting conduct. The Staff Unit was also strategically realigned, with a clear focus on proactive competition matters such as digitalization, which affects almost all areas of the authority. In addition, the Department for Forensics, Data Analysis and Artificial Intelligence was strengthened with two additional IT specialists. This enables an even more efficient setup in the areas of IT infrastructure for highly sensitive forensic work, developments in the field of artificial intelligence, and the digitalization of work processes.

In 2025, a total of 68 people were employed by the AFCA – what does leadership mean in times of change?

For me, leadership in times of change means taking active steps: fostering new ideas, enabling innovation, and leading by example. Those who take responsibility, communicate respectfully, and provide guidance create an environment in which change does not cause uncertainty but is seen as and used as an opportunity.

How do you address the challenges of an increasingly dynamic world?

New challenges bring new opportunities. In 2025, I continued to observe "a clear spirit of collaboration" in the field of competition at the international level, particularly within international networks such as the Organisation for Economic Co-operation and Development (OECD) and the International Competition Network (ICN). These institutions serve as indispensable bridge-builders, especially in challenging times.

Increasing digitalization can also be viewed as an opportunity to accelerate proceedings and make them more efficient.

You have served as Chair of the OECD Working Party on Competition and Regulation since January 2025 and were also re-elected as a representative to the DMA High-Level Group in 2025 – what personally motivates you to be so actively involved in international bodies?

International bodies offer a valuable opportunity to bring together different perspectives and to further develop common standards. It is important to me that the views of smaller EU Member States such as Austria are also heard in the international discourse. At the same time, they provide an opportunity to bring valuable know-how and best practices back to Austria.

Three final questions to conclude: What is harder: a steep mountain ascent or a particularly complex competition case?

A steep incline while running and a complex competition case are actually not that different. Both require endurance and stamina. It is important to stay the course and deliver good results even under pressure. Then things run smoothly.

Have you ever organized a little “office competition”?

My employees organize an annual cycling challenge in which everyone records the kilometres they cycle during a specific period in spring. At the annual summer party, the winners are presented with certificates and special awards. These include titles such as “Cycling Summer Queen” or “Cycling Summer King”, “Chamois” [Explanation for the English version: small, agile mountain animal similar to a goat, native to the European Alps and other mountainous regions. In German: Gämse], “Speeding Case Handler”, or “Kids’ Taxi” which means most trips taken with a child as passenger.

Is there anything you have adopted from sport into your leadership style?

Good leadership means establishing a clear focus so that all employees pull in the same direction. But every employee is different. This means there is no “one-size-fits-all” solution. As Director General, I must ensure that individual strengths are used effectively. This is particularly important when operating with limited budget and human resources.

The Director General for Competition



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Vision

Competitive markets – the foundation of tomorrow's prosperity.

1 2025: Sharpening the vision. Shaping the future.

3
Sector inquiries

9
Leniency applications

4
Competition-related events

15
Dawn raids

172
Whistleblowing reports



374
National mergers examined

- 2 requests for examination submitted to the Cartel Court
- 1 merger cleared with remedies

229
Complaints under the Unfair Competition Act (UWG) Analysed

330
EU mergers examined

19
Cartel Court applications

81.74 Mio.
Fines imposed by the Cartel Court

2 The Austrian Federal Competition Authority – Fairness matters.

The AFCA stands for effective competition as the foundation of a strong business location.

The authority is a monocratically organized enforcement and investigative authority. The authority is run independently and autonomously by the Director General for Competition. Its independence is established under national statutory law (Competition Act) and under EU law (EU Directive 2019/1).

2.1 What are the main objectives?



ensuring functioning competition in Austria



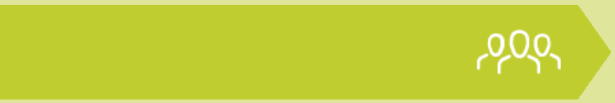
eliminating competition distortions and restrictions



preventing market concentration through efficient merger control



prevention



promoting competition as a fundamental principle

The legal bases for achieving these goals are found in the Cartel Act and the Competition Act, the Fair Competition Conditions Act, the prohibition of cartels under Art. 101, the prohibition of abuse of market power under Art. 102 of the TFEU, the EU Merger Control Regulation (ECMR), as well as the EU Directive 2019/1.

2.2 What specific tasks and instruments does the Austrian Federal Competition Authority have to achieve its objectives?

- **investigations (dawn raids, interrogations, requests for information)**
- **conducting sector inquiries**
- **examination of mergers**
- **enforcement of the prohibition of cartels and abuse of a dominant market position**
- advocacy: organization of various events with different institutions; exchange programs and bilateral meetings with "sister agencies"; publication of guidelines, position papers, and communication efforts for information and awareness raising, issuing opinions on general competition policy matters, in particular in the context of consultations on legislative proposals, as well as in the enforcement of competition law and on issues relating to competition law and competition economics
- applications to the Cartel Court (applications for review, declaratory applications, applications for cessation orders, as well as applications regarding commitments and fines)
- conducting competition monitoring
- asserting claims for injunctive relief under the Unfair Competition Act before civil courts
- standing to bring actions under the Platform-to-Business Regulation (P2B Regulation)
- providing administrative assistance to courts and administrative authorities as well as to the European Commission and competition authorities of other EU Member States
- participation in the preliminary examination of contracts pursuant to § 6 of the Austrian Broadcasting Corporation Act (ORF Act) when the ORF intends to introduce a new offering
- proceedings under the Fair Competition Conditions Act
- monitoring of interbank fees
- general investigations into an economic sector where circumstances indicate a failure to comply with the obligation to pass on tax reductions pursuant to § 7 of the Price Act
- enforcement of the Act on Mitigating the Consequences of Crises and Improving Market Conditions in the Case of Dominant Energy Suppliers

3 Impact Orientation – Our Vision Is Impact: Competition that Makes a Difference in People's Everyday Lives.

For 2025, the AFCA set itself the following objectives:



Objective 1: Safeguarding and Enhancing Competition

The AFCA's key priorities in 2025 were the prosecution of competition law infringements, merger control, the conduct of sector inquiries, and European and international cooperation. These objectives were achieved through consistent investigative activities, effective merger control, and successful cooperation with European competition authorities.



Objective 2: Building Awareness

Raising awareness and informing the public remained a key focus through continuous and enhanced outreach efforts. The AFCA fulfilled its statutory publication obligations via its website (www.bwb.gv.at) in accordance with Section 10b of the Competition Act (WettbG) and ensured transparency through additional information services on LinkedIn and YouTube. Since 2025, the AFCA has also operated a Bluesky account. A clearly structured website, ongoing press relations work, and the daily handling of numerous national and international media inquiries regarding proceedings and broader economic matters further contributed to increasing transparency.



Objective 3: Quality Management

The high professional standards required of the AFCA's staff demand a level of qualification equivalent to that of the legal and economic representatives of companies. To maintain and further develop this standard, a tailored training programme was implemented in 2025, including internal training sessions, expert meetings, job rotations, and study visits.



Objective 4: Consolidation

Modern and effective enforcement of competition law requires the continuous professional and structural development of the authority. The evaluation of internal processes, as well as the analysis of inputs and outputs, served to strengthen the AFCA sustainably and position it for the future.



Objective 5: Digital Challenges

Digitalisation affects all areas of the economy, including competition enforcement. The AFCA recognised these developments at an early stage and has been relying on future-proof methods for several years. These range from IT-supported investigation and analysis methods and digital prevention measures to targeted training and professional development for staff. The electronic case management system (ELAK) has been in use since autumn 2021. In addition, digital capabilities were strengthened through the expansion of IT forensics. In 2025, the Forensics Unit was expanded into the Department for Forensics, Data Analysis and Artificial Intelligence.

4 Budget and Human Resources – The Foundation of Effective Law Enforcement.

4.1 The AFCA's Budget Development

The AFCA's core budget covers personnel expenses and operating costs (such as rent, costs for general IT infrastructure, forensic IT, training and professional development, access to databases, compliance and prevention activities, public relations work, etc.).

In 2024, the AFCA received, for the first time, a realistic core budget that also reflected the increase of 18 established positions within the authority and was therefore raised to a total of €8.293 million. However, since several of these positions could only be filled in 2025, personnel costs were lower than anticipated, and the 2024 budget was not fully utilised.

As a result of the federal government's cost-saving measures, the core budget for 2025 was reduced to €8.098 million. This reduction was particularly significant because the personnel budget for 2025 was not adjusted to reflect actual personnel costs and was underbudgeted by more than €200,000. Together with the general budget reduction, this led to a decrease in the AFCA's operating expenditure.

The reduced budget, combined with increasing demands placed on the AFCA, posed significant challenges for budget execution. Consequently, the budget was fully utilised, with expenditures amounting to €8.04 million.

For 2026, an even more pronounced underfunding of the personnel budget is already foreseeable, making budget reallocations necessary. The 2025 Government Programme provides for strengthening the AFCA's independence.

4.2 Revenue for the Federal Government from Fines and Fees

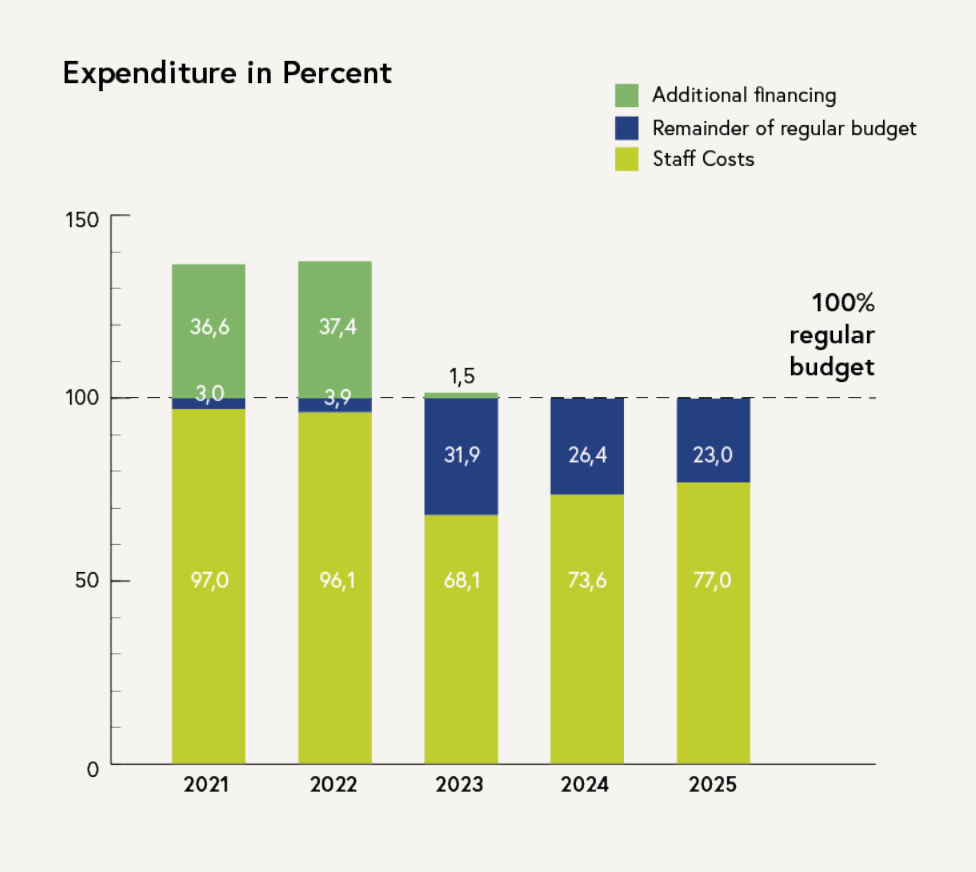
Revenue generated from fines imposed following applications by the AFCA, as well as fees for merger notifications, does not flow into the budget of the AFCA. Instead, it is generally paid into the federal government's general budget and thereby benefits taxpayers.

Pursuant to Section 10a(1) of the Competition Act (WettbG), a flat fee of €6,000 must be paid for each merger notification. With 374 merger notifications filed in 2025, this resulted in revenue of €2,244,000[1].

In total, the Cartel Court imposed fines amounting to €81.74 million in 2025. These revenues also flowed exclusively into the federal government's general budget.

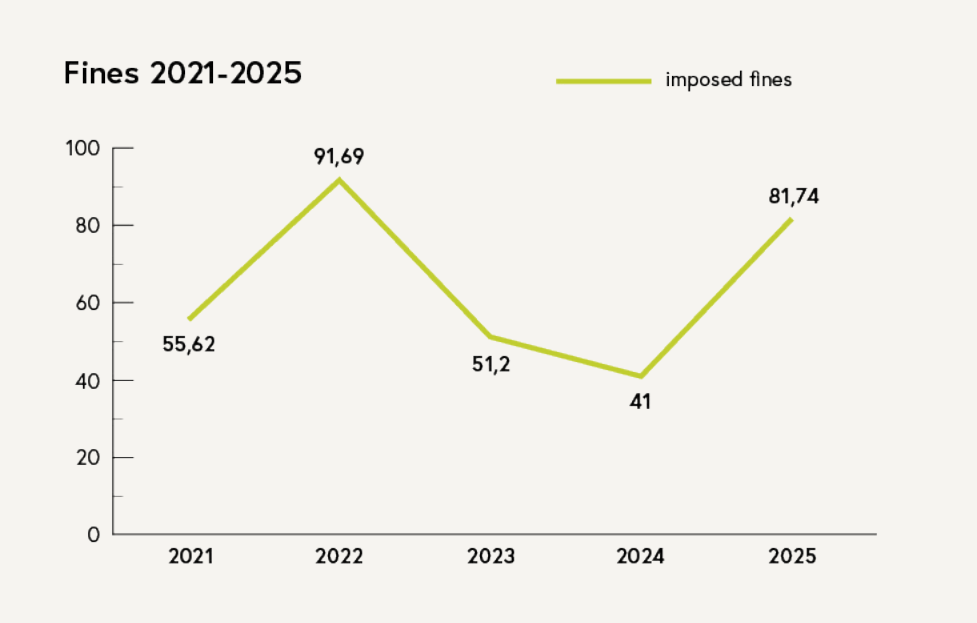
The purpose of fines is to achieve both specific deterrence (preventing the undertaking from committing further infringements) and general deterrence (discouraging other market participants from engaging in similar anti-competitive conduct).

1 One-ninth of the application fees collected must be remitted to the Federal Ministry of Justice (§ 10a(1) Competition Act).



Expenditure in percent 2025
Source: Annual Report of the AFCA

Fines imposed over the past five years in millions of euros.
Source: Annual Report of the AFCA



4.3 Personnel in Figures

As of 31 December 2025, a total of 68 people were employed by the AFCA, including one employee with recognised disability status.

In addition, throughout 2025 the AFCA employed ten administrative trainees. Of these, seven were undergoing preparatory training, including two trainees who had already started their traineeship in 2024. A further three trainees were employed as part of a short-term traineeship programme.

In 2025, 15 employees worked part-time at the AFCA, comprising ten women and five men. While AFCA positions are generally designated as full-time positions, they can also be filled by part-time employees and, in practice, often are filled by part-time employees. When converted into full-time equivalent (FTE) positions, the AFCA employed 63.2 staff members.

In addition, seven employees were on leave of absence for varying periods during the year, comprising one woman and six men.

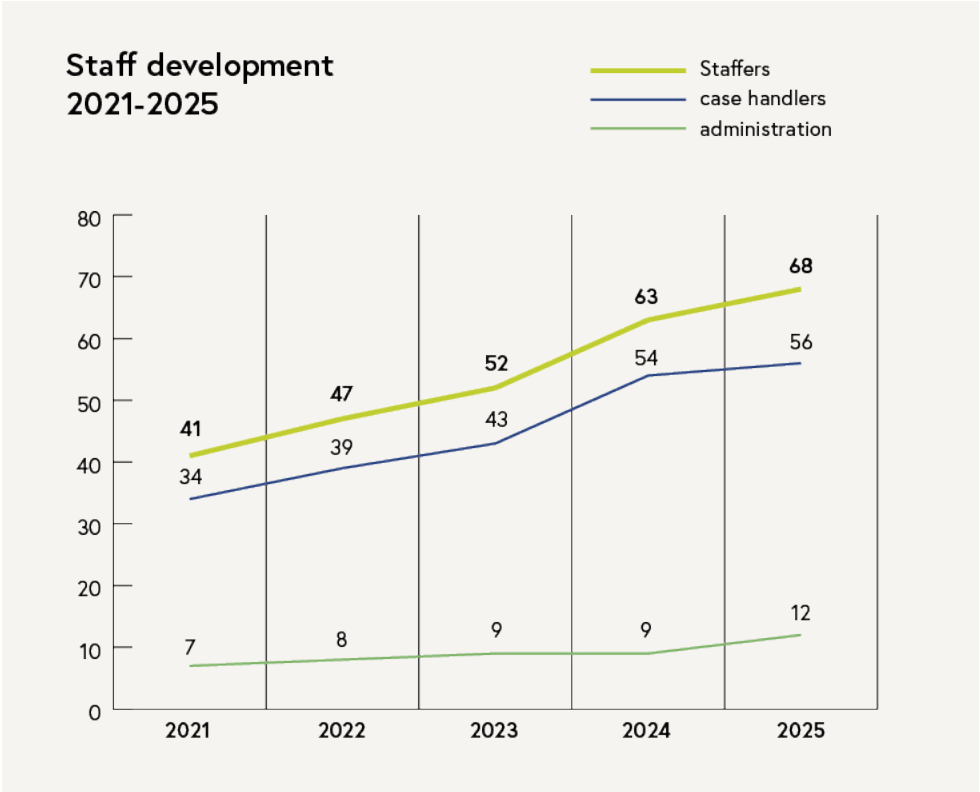
In 2025, two employees who had previously been on leave of absence left the AFCA. Furthermore, six new employees (including one administrative trainee) were recruited as contract staff serving as temporary replacements for employees on leave, consisting of three women and three men.

Newly recruited were:

- Kevin TROST (joined from the Administrative Court)
- Barbara SEELOS (joined from the private sector)
- Antonia TIEBER (joined from the University of Vienna)
- Christian KRIEG (joined from TU Wien)
- Martin PERDACHER (joined from the private sector)
- Ines ULZ (appointed following completion of an administrative traineeship)

Table 1: The AFCA's Employment Status in 2025 (as of 31 December 2025)

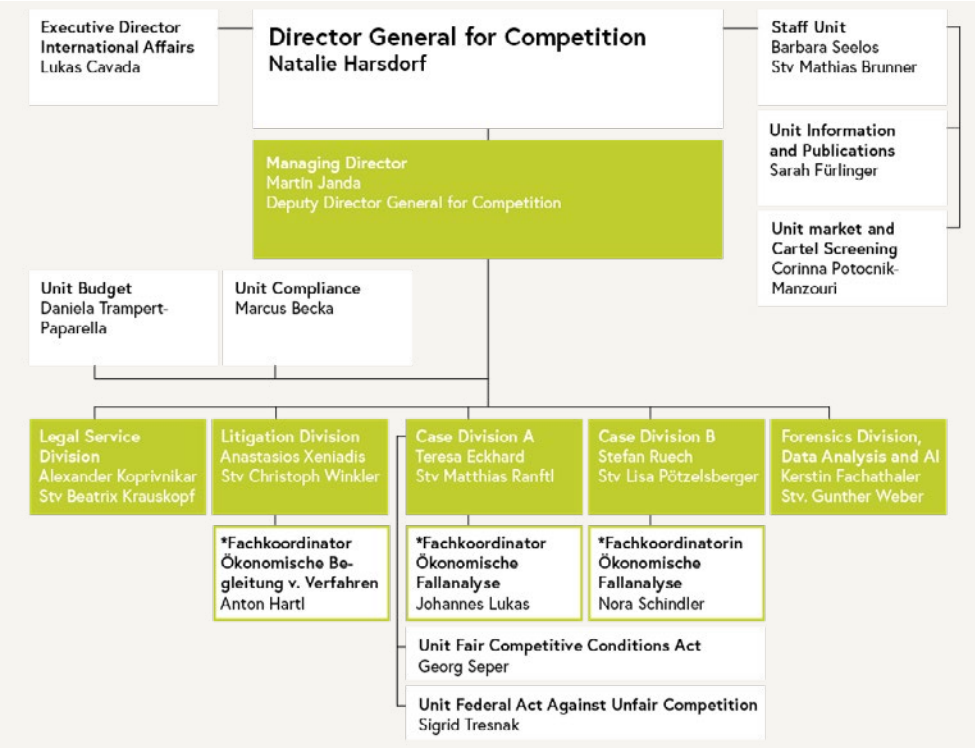
Distribution of active staff	Female	Male	Total
v1	28	28	**56**
v2-v4	4	4	**8**
ADV (Special Contracts for Automated Data Processing)	1	3	4
Total active staff	**35**	**33**	**68**
Apprenticeships and interns (10 interns and 1 apprentice)	8	3	**11**



Staff development 2021-2025
Sources: Staff development 2021-2023; Annual report of the AFCA; Staff including the Director General and the Head of Office. Administration including one apprentice in the administrative assistant training programme.

4.4 AFCA's Organisational Chart 2025

AFCA's Organisational Chart
Source: AFCA



4.5 Careers at the AFCA – Shaping Competition Together

4.5.1 Appointment of a New Head of the Staff Unit and a New Deputy Head of the Litigation Division

Barbara Seelos was appointed Head of the Staff Unit of the AFCA in April 2025. In this role, she is responsible for coordinating sector inquiries, competition monitoring, the Complaint Management Service Centre, the Information and Publications Unit, as well as the newly established Market and Cartel Screening Unit. Her responsibilities also include strategic organisational matters and the digitalisation agenda.

From left to right: Martin Janda, Barbara Seelos, Harald Kremsl, Natalie Harsdorf, Gerhard Sieber
Photo: © AFCA



Christoph Winkler was appointed Deputy Head of the Litigation Division. He has been a key member of the AFCA since joining as a case handler in 2023. His work has focused primarily on the investigation and litigation of cartel cases in the food and agricultural sectors and on unfair trading practices involving agricultural and food products. He has worked in both the Fair Competition Conditions Unit and the Litigation Division and serves as Deputy Gender Equality Officer.



From left to right: Christoph Winkler, Natalie Harsdorf
Photo: © AFCA

4.5.2 New Deputy Press Spokesperson

Gloria Pitterle was appointed Deputy Press Spokesperson on 15 May 2025. In this role, she supports Sarah Fürlinger, Press Spokesperson and Head of the Information and Publications Unit.



From left to right: Sarah Fürlinger, Gloria Pitterle, Barbara Seelos

Photo: © AFCA

4.5.3 Head of the New Market and Cartel Screening Unit Appointed

In November 2025, Director General Natalie Harsdorf appointed Corinna Potocnik-Manzouri as Head of the Market and Cartel Screening Unit. The Unit was established within the Staff Unit under the leadership of Barbara Seelos.

The Market and Cartel Screening Unit was established in 2025 to detect anti-competitive and competition-distorting conduct. Its mission is to develop and expand a broad range of investigative tools and proactive detection methods using digital technologies. The Unit brings together legal, economic and digital expertise, thereby making a further contribution to ensuring the efficient and effective enforcement of competition and cartel law.



From left to right: Martin Janda, Natalie Harsdorf, Corinna Potocnik-Manzouri, Barbara Seelos
Photo: © AFCA

4.6 Quality Management and Professional Development

Employees are required to meet high qualification standards. Therefore, training activities are an essential criterion for the quality management of the AFCA.

In 2025, staff participated in training and professional development activities including the following areas:

- Communication
- Leadership
- Public Management and Governance
- Law and Legislation
- Digital Applications

5 Advocacy – A Strong Voice for Competition.

Competition is a fundamental principle that makes a significant contribution to economic prosperity and growth. To promote this principle, AFCA places great emphasis on dialogue and transparency. Its advocacy activities include professional public relations, the organisation of a wide range of specialist events (see *Synergies Chapter 4*), presentations and participation in panel discussions, as well as cooperation and networking with other authorities at both the national and international levels (see *Synergies Chapter 1-3*).

Raising awareness and improving understanding of competition are key objectives of AFCA. These objectives are pursued through the continuous development and enhancement of its advocacy and outreach activities.

AFCA maintains its own website (www.bwb.gv.at), which serves both to fulfil its statutory publication obligations under Section 10b of the Competition Act (WettbG) and to ensure transparency. In addition, AFCA provides information via LinkedIn and YouTube and has also operated an official Bluesky account since 2025. Transparency has been further strengthened through the continued development of an informative and user-friendly website and by maintaining effective media relations.

AFCA also responds to a large number of media enquiries every day, both from Austria and abroad, relating to investigations, mergers and broader economic issues. Furthermore, almost all news published on AFCA's website is made available in both German and English in an accessible format, with particular emphasis placed on clear and understandable language. In 2025, AFCA further expanded its strategic complaint management system to ensure that the growing number of complaints concerning market developments could be processed promptly and assessed on a case-by-case basis.

Dialogue with Civil Society and the Business Community

In 2025, the Director General participated personally in numerous conferences, speaking engagements and high-level meetings, maintaining an active dialogue with stakeholders. These activities fostered the exchange of knowledge and made an important contribution to strengthening cooperation at both the national and international levels.

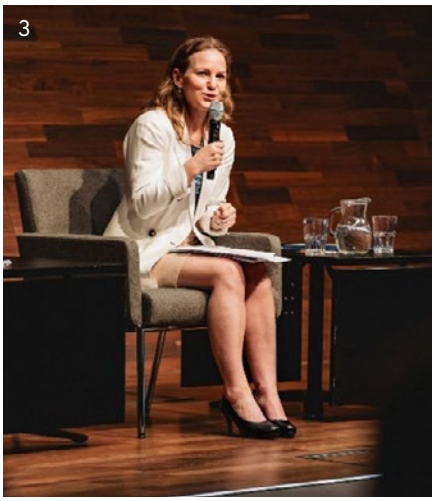
Overall, the Director General spoke at and actively contributed to more than 40 events, including:

- Munich Competition Law Forum
- Millstatt Economic Talks
- Salzburg Association of Academics
- Consumer Policy Forum
- Austrian Jurists' Conference Tyrol (ÖJT)
- Austrian Business Leaders Forum (WdF)
- Salzburg Global Future Forum
- Graz Juridical Society


1



2


3


4

Photo 1: © AFCA

Photo 2: © AFCA

Photo 3: © WU

Photo 4: © Millstätter Wirtschaftsgespräche

6 Digital Capability of the Authority – Staying Competitive in a Changing World.

In 2025, AFCA further advanced the development of its digital capabilities to ensure that the Authority remains well positioned for the future. The objective is to increase the efficiency of internal processes, optimise the use of staff resources and achieve cost savings. Key developments included:

- Expansion of the Digital Forensics Team from four to six members (including the creation of the positions of Senior Systems Engineer and Senior Software Engineer)
- Introduction of AI solutions to improve efficiency, including tools for the transcription and translation of official data
- The transition from analogue to digital processes (ongoing)
- Continued investment in hardware (ongoing)

7 Advisory Services – Providing Clarity for Businesses.

7.1 AFCA Actively Provides Guidance to Businesses

Businesses and business associations may request an informal assessment from AFCA pursuant to Section 2(5) of the Competition Act (WettbG) regarding the competition law implications of specific situations. Where AFCA concludes that, within the scope of its enforcement discretion, there are no grounds for further investigation, it may communicate this assessment to the requesting business, subject to any new information that may subsequently emerge.

In 2025, AFCA provided seven such informal assessments, including in the following areas:

- Energy comparison platform
- Green energy project
- Cooperation in the entertainment sector
- Road (specialised) transport

7.2 Pre-notification Procedures

If there are any doubts about the need for notification, or if a merger is very complex or the market shares after the merger are very high, a pre-notification procedure can be advised in many cases. It is in the interest of both the notifying parties and the AFCA to conduct merger control proceedings as expeditiously and smoothly as possible. In 2025, 12 pre-notification requests were processed.

Pre-notification requests concerned the following sectors:

- Construction
- Real estate management and development
- Food retail
- Food wholesale
- Media
- Dairy industry
- Gaming, betting and lotteries

7.3 Notification Requirement for Mergers

As in previous years, the AFCA's Legal Department assisted businesses and legal representatives with questions regarding the obligation to notify. In total, the AFCA provided informal legal assessments in response to 47 enquiries.

The requests covered a broad range of issues, including the delineation from EU merger control, the relevance of shareholdings and the turnover generated by such shareholdings (particularly minority shareholdings), the geographic allocation of turnover, the aggregation of multiple transactions or transaction steps, whether the acquired assets constituted an undertaking, the applicability of the intra-group exemption, and the criterion of substantial domestic activities under the transaction value threshold.

The requests related, among others, to the real estate, retail (food retail, mineral oil and furniture), energy, asset management, telecommunications, consulting, logistics, media and waste management sectors.

7.4 Complaint Management

In 2025, AFCA received a total of 187 complaints by telephone or email. During the year, AFCA further strengthened its complaint management system to ensure that the growing number of complaints continued to be handled promptly, effectively and on a case-by-case basis. Reports concerning market developments constitute an important basis for AFCA's priority-setting and its assessment of whether markets are functioning effectively.

In 2025, 41 complaints were submitted by telephone alone. Approximately half of all complaints were filed by businesses, with small and medium-sized enterprises accounting for the majority of these submissions. The complaints primarily concerned price increases in the food retail sector, shrinkflation, price labelling, fair trading conditions in retail and food production, as well as reports of irregularities in public procurement procedures.

8 Legislative Opinions – Taking a Stand for Fair Competition.

As part of pre-parliamentary consultation procedures, AFCA submitted opinions on legislative proposals within its area of responsibility, including:

- Draft Electricity Industry Act
- Draft Accompanying Act to the European Media Freedom Act (EMFA Accompanying Act)
- Draft Public Procurement Act 2026
- Anti-Shrinkflation Act

AFCA's legislative opinions are available on its website at:
https://www.bwb.gv.at/recht-publikationen/legistische-stellungnahmen
(available only in German)

8.1 Draft Energy Poverty Definition Act and Amendments to the Energy Control Act – Consultation

AFCA broadly welcomed the draft Electricity Industry Act (ElWG), which incorporated several of its recommendations, including enhanced information obligations regarding price changes and measures to facilitate supplier switching and improve tariff transparency. However, it highlighted persistent structural challenges, such as high market concentration, declining supplier numbers and regional market structures. AFCA therefore called for further improvements, including regular billing, stronger monitoring of procurement strategies and profit margins, and better safeguards for future crises. Overall, it considered the draft an important step towards greater transparency, competition and consumer protection.

8.2 Draft Accompanying Act to the European Media Freedom Act

AFCA broadly welcomed the implementation of the European Media Freedom Act (EMFA), noting that Austria's existing media merger control regime already largely meets its requirements.

It recommended consistent use of the EMFA terminology and clarification that online platforms should be included as media support undertakings only where they do not already qualify as media undertakings. AFCA also opposed limiting the rules to gatekeepers active in online advertising, as other platforms may also significantly affect media markets.

Finally, AFCA stressed that merger assessments must consider not only public opinion formation but also media pluralism and the diversity of media services, particularly online.

8.3 Draft Public Procurement Act 2026

AFCA broadly welcomed the draft Public Procurement Act 2026, particularly the introduction of electronic procurement notices (eForms). However, it called for broader publication obligations and a centralised database covering all procurement procedures and submitted bids to improve transparency and facilitate the detection of anti-competitive collusion.

AFCA also welcomed the inclusion of Section 168b of the Austrian Criminal Code as a mandatory exclusion ground. At the same time, it recommended clearer rules on "self-cleaning" to prevent conflicts with competition proceedings and protect confidential leniency materials.

8.4 Draft Anti-Shrinkflation Act

AFCA broadly welcomed the draft Anti-Shrinkflation Act, particularly the proposed labelling requirement for products with reduced package sizes. Based on its sector inquiry into food prices, AFCA considered the proposal an important step towards greater price transparency and consumer protection. It also called for further measures to strengthen competition, protect suppliers and improve enforcement.



Enforcement

Enforcement – A driving force for Markets.

1 Markets – Competition in Motion.

In 2025, AFCA was active across a wide range of markets. It initiated 19 proceedings before the Cartel Court. In 16 cases, the Cartel Court imposed fines totalling €81.74 million or established infringements of competition law. AFCA carried out in-depth work in the following markets[1]:

- Aortic valve replacement products
- Beer
- Bridge bearings
- Construction industry
- Consumer electronics – audio products
- Databases
- Energy (electricity, gas and district heating)
- Food
- Fuel retail (petrol stations)
- Furniture
- Gambling
- Health technology engineering
- Protective clothing
- Railway electricity
- Real estate
- Security services
- Submetering
- Waste management

1 The order in the English report differs from the German version, as the entries are listed alphabetically.



1.1 Aortic Valve Replacement Products

No Merger Notification Required

In the proposed acquisition of JenaValve Technology, Inc. by Edwards Lifesciences Corp., AFCA and the Federal Cartel Prosecutor requested an in-depth Phase II review in September 2024.

The Cartel Court rejected the request, finding that the target company did not carry out substantial activities in Austria. The Supreme Cartel Court upheld this decision, confirming that only the target's domestic activities at the time of the proposed transaction are relevant for determining whether a merger notification is required. Future business activities cannot be taken into account.



1.2 Beer

Brau Union AG / Brau Union Österreich AG

In June 2024, the AFCA applied to the Cartel Court for the imposition of an appropriate fine and for the termination of infringements against BRAU UNION AG and BRAU UNION Österreich Aktiengesellschaft for alleged violations of the prohibition of abuse of dominance and the prohibition of cartels (ongoing).

The alleged infringements include abuse of a dominant position and cartel conduct, in particular:

1. exclusionary conduct
2. non-compete and exclusive purchasing obligations
3. tying and mandatory branding arrangements
4. market and customer allocation
5. exchange of competitively sensitive information

In 2025, seven hearings were held before the Cartel Court, during which several witnesses gave evidence, including wholesale beverage distributors and representatives of Heineken and Brau Union.



1.3 Bridge Bearings

In July 2025, the Cartel Court imposed a fine of €400,000 on MAGEBA Gesellschaft m.b.H. following an application by AFCA. The company was found to have infringed competition law by engaging in customer allocation and the exchange of pricing information with a competitor in the Austrian market for bridge bearings and expansion joints between November 2017 and December 2018.

No fine was imposed on Maurer SE and its subsidiary Maurer Söhne Ges.mbH, as they were the first leniency applicants. The Cartel Court found that the companies had infringed competition law.



1.4 Construction Industry

1.4.1 Construction Cartel - Investigations in Final Stages

In 2025, AFCA brought the majority of the Austrian construction cartel cases to a final stage. The proceedings concerned price-fixing, bid-rigging, and market and customer allocation in connection with construction projects across Austria. In several cases, the Cartel Court imposed final fines following AFCA's applications, while further applications remained pending. The companies cooperated with AFCA, contributing to the comprehensive clarification of the cartel.

The Cartel Court imposed fines on the following companies for cartel infringements in 2025:

Table 2: Fines Imposed in the Construction Industry in 2025

Company	Amount of the Fine (EUR)
Pusiol GmbH	130.000
Anton Traunfellner Ges.m.b.H	1.700.000
Dipl. Ing. Adalbert Kienzl Baugesellschaft m.b.H. & Co. KG, Dipl. Ing. Adalbert Kienzl Baugesellschaft m.b.H.	45.000
Schwartz Bauunternehmungen GmbH	140.000
Neumayer BAU Ges.m.b.H	90.000
Eibel Bau GmbH	26.000
Pfnier & Co GmbH	330.000
Gartner-Schiener Bau GesmbH	115.000



The following cases were still pending at the Cartel Court in 2025:

- Marko Bauunternehmung Hoch- und Tiefbau GmbH & Co KG, Marko Gesellschaft m.b.H. & Co. KG, Marko Gesellschaft m.b.H., Josef Christandl GmbH: AFCA applied for the imposition of a fine in October 2025. At the time of publication, the proceedings were still pending before the Cartel Court.
- STRABAG AG: The reopened proceedings against the leniency applicant remained pending before the Cartel Court. The case was reopened following new evidence obtained during investigations. In 2025, four hearings were held before the Cartel Court.

1.4.2 Illegal Implementation of Mergers in the Construction Industry

Kiesel GmbH (construction machinery manufacturer and distributor): In August 2025, AFCA applied for a fine after the company implemented three notifiable mergers between 2018 and 2023 without prior clearance. Kiesel voluntarily disclosed the infringements and cooperated with AFCA.



1.5 Consumer Electronics – Headphones

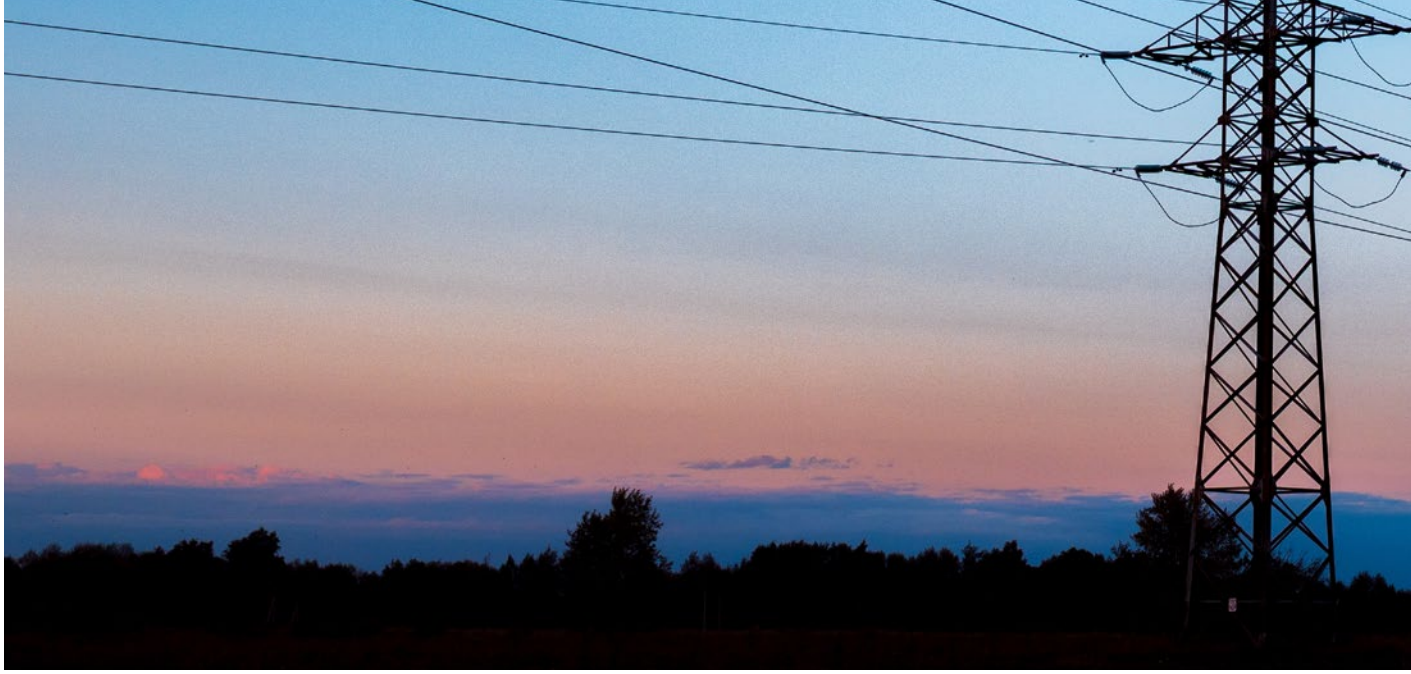
In July 2025, the Cartel Court imposed fines on two internationally active companies following applications by AFCA for engaging in vertical price-fixing in the market for consumer audio products. Sennheiser electronic SE & Co. KG was fined €534,000, while Sonova AG received a fine of €100,000. The infringements concerned resale price maintenance for Sennheiser-branded headphones through agreements with retail partners aimed at restricting price competition.

The investigation, launched in 2022, was conducted in close cooperation with the German Federal Cartel Office (Bundeskartellamt). Both companies cooperated with AFCA under the leniency programme, which was taken into account when determining the amount of the fines.



1.6 Databases

In December 2025, AFCA filed an application for findings against Bureau van Dijk Editions Electroniques Sarl in relation to practices breaching the ban on cartels in the market for subscriptions to corporate information databases. The infringement, which lasted from at least July 2002 to September 2019, involved price-fixing, customer allocation and the exchange of competitively sensitive information. As the company fully cooperated with AFCA under the leniency programme, AFCA filed an application for findings instead of an application for a fine.



1.7 Energy

1.7.1 Fairness Guidelines

The final report of the Energy Task Force announced, among other measures, the development of Fairness Guidelines for electricity and gas suppliers operating in the Austrian retail market.

A draft version of the Fairness Guidelines was published for public consultation in December 2025. The draft set out a number of fairness principles and rules of conduct for companies in the electricity and gas sector. Going beyond the existing legal minimum standards, these principles are intended to ensure that consumers and all other market participants are treated fairly, transparently and reliably.

The final version of the Fairness Guidelines was published in the first quarter of 2026.

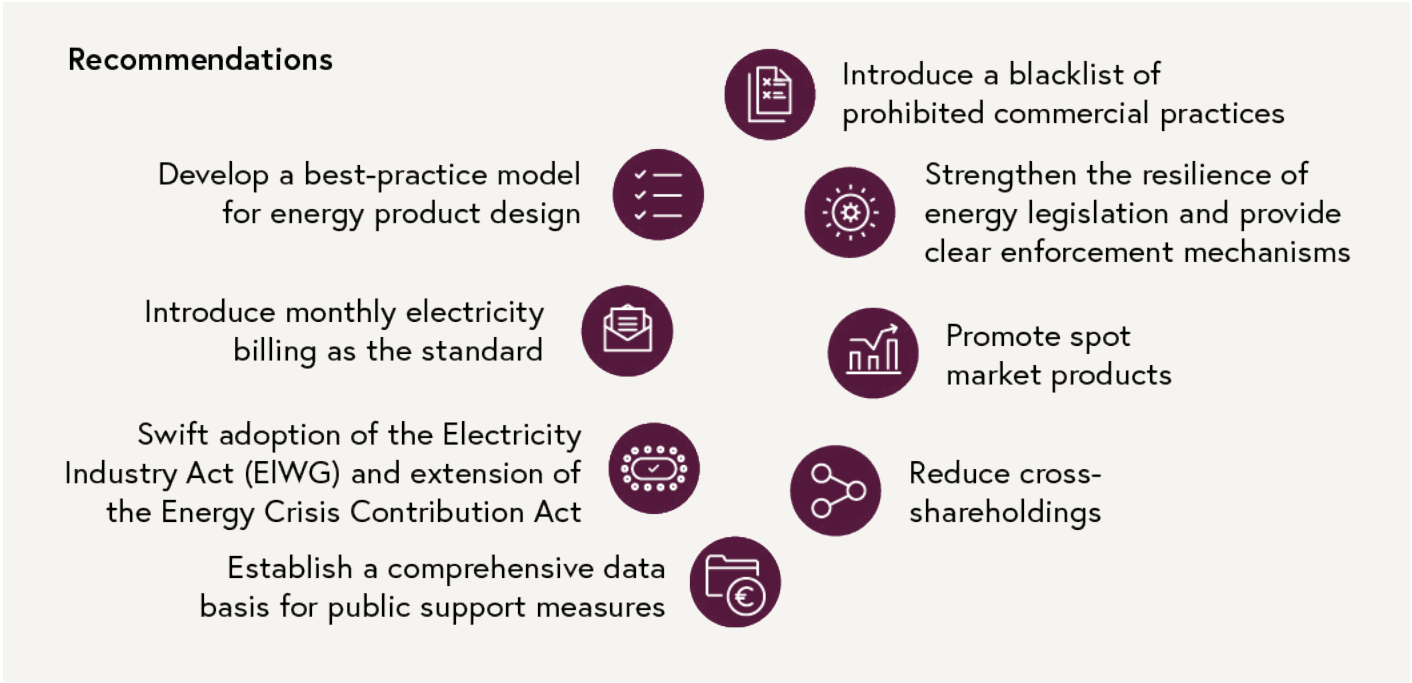
1.7.2 Final Report of the Energy Task Force

In June 2025, AFCA and E-Control published the final report of their joint Energy Task Force following two interim reports. The investigation found that effective nationwide competition in the Austrian electricity and gas markets has yet to emerge. High regional market concentration, low switching rates and significant price differences continue to limit competition.

The report recommends greater market transparency, more comparable energy products and stronger competition enforcement to improve market conditions and benefit consumers. Its findings provide the basis for future competition policy and enforcement in the energy sector.



AFCA and E-Control recommended the following measures to strengthen competition:



Infographic: Recommendations from the Final Report

1.7.3 Sector Inquiry into the District Heating Market

In August 2024, the AFCA launched a sector inquiry into the Austrian district heating market. The inquiry was prompted by numerous consumer complaints as well as significant price increases observed in parts of the market. In addition, lawmakers placed a stronger focus on the district heating sector through the Federal Act to mitigate the consequences of the crisis and improve market conditions in the case of dominant energy suppliers. Furthermore, the importance of district heating is expected to continue to grow as part of the energy transition, particularly in connection with the phase-out of oil and gas heating systems.



As part of the sector inquiry, the AFCA is primarily examining those district heating markets and network regions in which the major provincial utilities operate, including Wien Energie, Energie Steiermark, KELAG, Salzburg AG, Energie AG and EVN. The inquiry is not limited to structural market characteristics such as supplier concentration or entry barriers. It also includes a detailed analysis of sales prices, revenues and procurement costs. In addition, the AFCA is examining the terms and conditions and business practices of district heating suppliers, as well as their potential detrimental effects on consumers.

Following the launch of the inquiry, the AFCA initially focused its investigative activities in 2024 on extensive in-depth discussions with stakeholders to gain a better understanding of the market structure as well as the key challenges and competition issues in the sector. In 2025, the AFCA continued this dialogue where necessary while shifting the focus of the inquiry to the issuance and assessment of requests for information.

The first round of requests for information was sent to 38 district heating suppliers in December 2024, focusing primarily on suppliers with significant market importance. A second round followed in August 2025. In addition, separate requests for information were sent in July 2025 to 49 district heating feed-in operators and 151 large district heating customers. In October 2025, the AFCA addressed a further set of questions to district heating suppliers, focusing specifically on how companies deal with social hardship cases.

Once the requests for information had been answered within the prescribed time limits and any outstanding issues had been clarified, the AFCA proceeded with the assessment of the information collected and the preparation of the final report.



1.8 Food Retail

1.8.1 Applications for fines against dm drogeriemarkt GmbH under the Fair Competition Conditions Act

In February 2025, the AFCA applied to the Cartel Court to impose fines on dm drogeriemarkt GmbH for alleged infringements of the Fair Competition Conditions Act (FWBG) in 20 cases.

The AFCA found that dm had requested suppliers to pay an "OCR bonus" for the digital expansion of its stores without providing a corresponding service in return. Such payments are prohibited under the FWBG if they are unrelated to the sale of agricultural and food products. During the investigation, dm cooperated with the AFCA.

1.8.2 Supreme Cartel Court fines REWE €70 million for an illegal merger

In February 2025, the Supreme Cartel Court issued a landmark decision and imposed a fine of €70 million on REWE International AG for the illegal implementation of a notifiable merger. The case concerned the takeover of food retail space in the WELAS Park shopping centre in Wels by a REWE subsidiary in 2018 without prior AFCA clearance.

The Cartel Court had initially imposed a fine of €1.5 million. Following appeals by the AFCA and the Federal Cartel Prosecutor, the Supreme Cartel Court confirmed the notification obligation and increased the fine to €70 million. The Court based the assessment on the turnover of the REWE Group to ensure that the fine had a sufficient deterrent effect, thereby underlining the importance of merger control.

Under Austrian competition law, companies that implement notifiable mergers without prior clearance may be fined up to 10% of their group turnover. In this case, the fine amounted to approximately 0.76% of the maximum statutory fine.



1.9 Fuel Prices in Lungau

Greater transparency reduces fuel prices in Lungau

In March 2025, the AFCA published its investigation report on the filling station market in Lungau (Salzburg). The investigation was launched following several complaints received from consumers and local stakeholders regarding comparatively high fuel prices in the region.

Following requests for information and an in-depth market analysis, the AFCA found no evidence of a dominant market position or cartel agreements. The investigation showed that the higher fuel prices were mainly attributable to significantly lower sales volumes, resulting in a higher share of fixed costs per litre. Slightly higher procurement costs played only a minor role.

During the investigation, the AFCA also found that several filling stations had failed to report their prices to E-Control's price transparency database. Once reporting resumed, fuel prices in Lungau fell noticeably, demonstrating the positive effect of greater price transparency on competition.



1.10 Furniture

Investigation into the Supernova/XXXLutz transaction discontinued

Following media reports, the AFCA investigated the acquisition of former KIKA/Leiner properties by a subsidiary of XXXLutz.

The AFCA concluded that the transaction was not subject to merger notification, as the statutory thresholds were not met and the acquired assets did not constitute a substantial part of an undertaking. The investigation was therefore discontinued.



1.11 Gambling and Sports Betting

Tipico/Admiral merger approved subject to conditions

The AFCA approved the merger between Tipico Holding GmbH and Atlas Group GmbH (Admiral) subject to binding conditions following an in-depth competition assessment. The transaction concerned the indirect acquisition of sole control of Admiral by Tipico.

To address the identified competition concerns, the parties offered binding commitments to the AFCA, including:

- the sale of 20 Tipico-owned betting shops to suitable purchasers;
- the continuation of 14 franchise betting shops under new operators, brands and technologies; and
- the appointment of an independent monitoring trustee to oversee compliance with the commitments.

These commitments resolved the AFCA's competition concerns and enabled the merger to be cleared without significant adverse effects on customers or competition.

Tipico and Admiral both operate online sports betting services and retail betting shops throughout Austria. Admiral also provides limited-stakes gambling through slot machines at selected locations.



1.12 Health-Tech Engineering

Clearance of the Porr Bau/VAMED Standortentwicklung und Engineering Merger

In December 2025, the AFCA cleared the merger between Porr Bau GmbH and VAMED Standortentwicklung und Engineering GmbH following a Phase I merger review. The AFCA concluded that the transaction was not expected to significantly impede effective competition and therefore cleared the merger without conditions.

The transaction followed pre-notification discussions with the European Commission. After the parties restructured the original transaction, the revised acquisition of VAMED Standortentwicklung und Engineering GmbH by Porr was notified to the AFCA in November 2025. During its review, the AFCA also exchanged views with the European Commission.



1.13 Protective Clothing

AFCA applied for a fine for vertical price fixing

In August 2025, the AFCA applied to the Cartel Court to impose a fine of €400,000 on Pfanner Schutzbekleidung GmbH, Protos GmbH and their parent company Anton Pfanner Holding AG for vertical price fixing in the market for workwear and protective clothing.

The AFCA found that the companies had imposed resale prices on retailers, thereby restricting price competition. As the companies cooperated with the AFCA outside the leniency programme and acknowledged the infringement, the AFCA applied for a reduced fine.

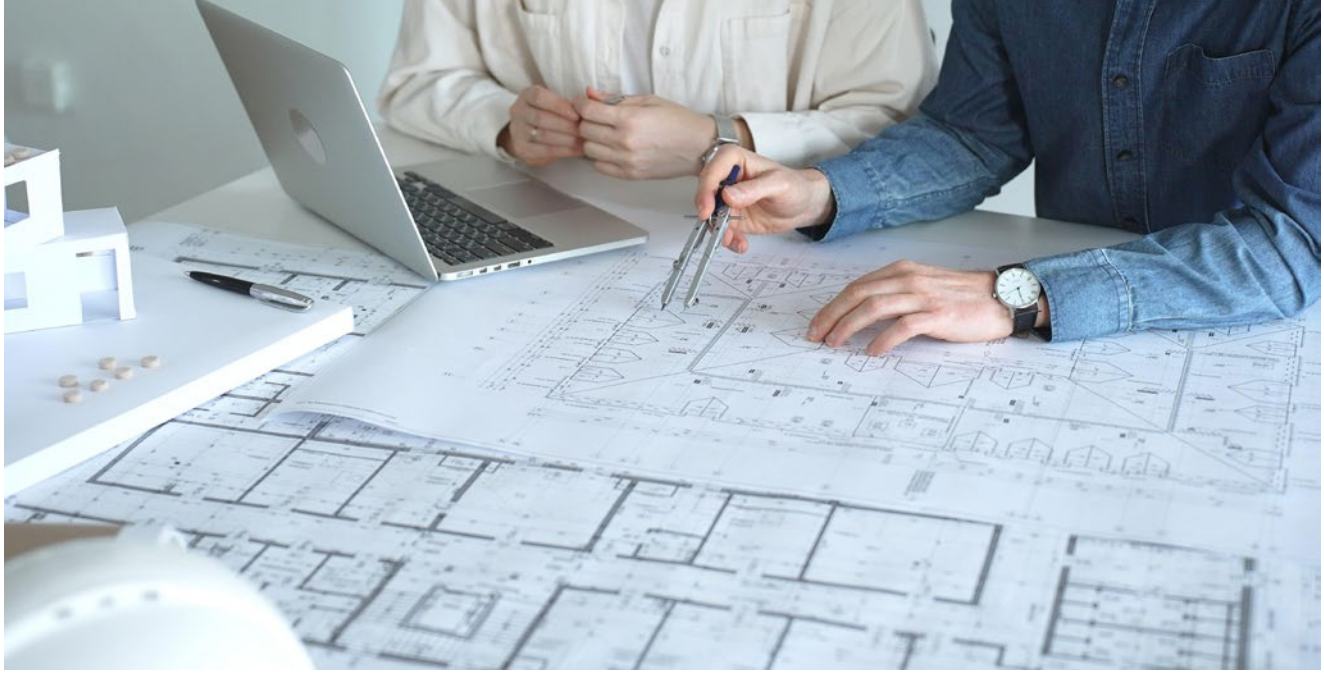


1.14 Railway Electricity

ÖBB Infra Evaluates Energy Supply Contracts Following AFCA Investigation

In 2025, AFCA concluded its investigation into the liberalised railway electricity market. Following extensive inquiries conducted in cooperation with the Rail Control Commission, AFCA found insufficient evidence that ÖBB Infrastruktur AG (ÖBB Infra) had abused a dominant market position and therefore closed the investigation.

The investigation was initiated following complaints concerning ÖBB Infra's energy supply contracts and the operation of the railway electricity system. Although no infringement was established, ÖBB Infra announced that it would comprehensively review its contractual arrangements and the railway electricity system, taking customer interests into account and exploring options to further promote competition in the market.



1.15 Real Estate

Sprengnetter withdrew the Immounited merger following an in-depth review

In May 2025, Sprengnetter GmbH, a Scout24 Group company, notified the AFCA of its intended acquisition of Opesata Beteiligungsverwaltungs GmbH, including IMMOunited GmbH and lexunited – online information system GmbH.

Following its Phase I investigation, the AFCA identified competition concerns and applied to the Cartel Court for an in-depth review (Phase II) in June 2025. The investigation included extensive market surveys involving more than 500 market participants. The AFCA's concerns related to potential price increases, a reduction in competition, higher market entry barriers and the possible strengthening of a dominant position in the Austrian market for digital services for real estate valuation and market analysis.

In December 2025, Sprengnetter withdrew the merger notification.



1.16 Security Services

Cartel Court imposes fine on Securitas and finds infringement by G4S

In September 2025, at the request of the AFCA, the Cartel Court imposed a fine of €540,000 on Securitas Sicherheitsdienstleistungen GmbH and Securitas AB for coordinating their bidding behaviour and exchanging competitively sensitive information in three private tendering procedures in the market for security personnel services between August 2019 and December 2022.

As Securitas cooperated with the AFCA outside the leniency programme and acknowledged the infringement, the AFCA applied for a reduced fine.

In October 2025, the Cartel Court, at the AFCA's request, also found that G4S Secure Solutions GmbH had participated in the same infringement. As G4S had been granted leniency and fully cooperated with the AFCA, no fine was imposed.



1.17 Submetering Services

Submetering cartel proceedings concluded

The submetering cartel proceedings were concluded in 2025. At the AFCA's request, the Cartel Court imposed a fine of €330,000 on Messtechnik Gesellschaft m.b.H. & Co. KG and Messtechnik FMB GmbH.

The proceedings concerned the market for submetering services, in particular the consumption-based measurement and billing of heating and water costs. The AFCA found that several companies had participated in anti-competitive agreements, particularly concerning prices and bidding behaviour, over an extended period.

Ista Österreich GmbH was granted a reduced fine of €2.2 million in 2022 due to its cooperation under the leniency programme. As the first leniency applicant, Techem Messtechnik GmbH received full immunity from fines, and the Cartel Court issued only a finding of infringement in 2023.

The AFCA's investigation began with dawn raids carried out at companies in the submetering sector in July 2019.



1.18 Waste Management

Investigations progress

In 2025, AFCA continued its enforcement against a suspected nationwide waste management cartel involving price-fixing, market and customer allocation, and the exchange of competitively sensitive information.

Following applications by the AFCA, the Cartel Court imposed the following fines:

- Huber Entsorgungsgesellschaft m.b.H. Nfg. KG / Huber Abfallservice Verwaltungsgesellschaft m.b.H. – €175,000 (leniency applicant)
- Saubermacher Dienstleistungs AG, Trügler Recycling und Transport GesmbH and pink robin gmbh – €7.085 million (combined)
- KAB Kärntner Abfallbewirtschaftung GmbH – €750,000 (application; leniency applicant)
- Killer GmbH & Co KG / Killer GmbH – €278,000 (application)

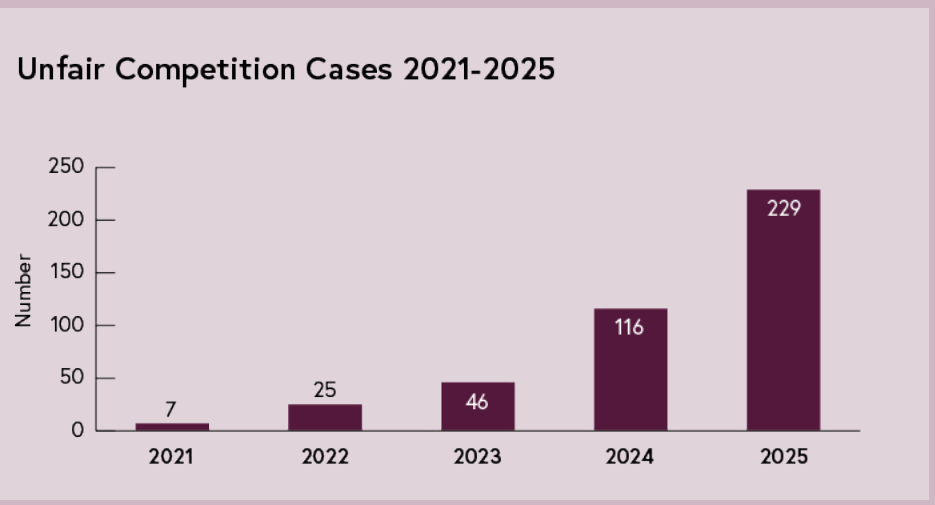
These cases underline AFCA's continued commitment to combating cartels and demonstrate the important role of the leniency programme in detecting and sanctioning competition law infringements.

2 Unfair Competition Proceedings – Equal Rules for All and Effective Enforcement.

In 2025, the AFCA continued to take action against unfair, aggressive and misleading business practices. In this area, the AFCA acts in the public interest to promote fair market conditions and combat unfair commercial practices.

Unlike in cartel or abuse of dominance cases, the AFCA currently has no investigative powers in unfair competition proceedings. In particular, the ability to issue requests for information would strengthen the enforcement of the Unfair Competition Act in complex cases. The number of complaints relating to unfair competition reached a record high in 2025.

Unfair Competition Cases 2021-2025



Why stronger investigative powers are desirable



1. Protecting fair competition

The Unfair Competition Act (UWG) is designed to ensure that businesses compete on fair terms. Misleading advertising and aggressive commercial practices should not provide companies with an unfair competitive advantage.



2. Protecting consumers

Unfair commercial practices often directly harm consumers, for example through misleading price information. Effective enforcement helps to ensure that purchasing decisions are based on accurate and reliable information.



3. Ensuring a level playing field

If infringements remain unchecked, businesses that engage in unfair practices gain an advantage over compliant competitors. Effective enforcement is therefore essential to safeguard equal competitive opportunities, particularly for SMEs and start-ups.



4. Effective enforcement through the AFCA

The AFCA works closely with the relevant institutions, including the Austrian Anti-Unfair Competition Association, RTR, the Austrian Consumer Information Association (VKI), the Federal Ministry of Social Affairs, Health, Care and Consumer Protection, the Austrian Chamber of Labour, the Austrian Federal Economic Chamber and the Austrian Agency for Health and Food Safety (AGES). Through its expertise, the AFCA strengthens the enforcement of unfair competition law.



5. Prevention and deterrence

Consistent enforcement of the Unfair Competition Act demonstrates that fair competition requires a genuine level playing field. At the same time, the AFCA places strong emphasis on preventive measures and awareness-raising to help prevent infringements before they occur.

2.1 Overview of Unfair Competition Cases in 2025

Most of the 229 complaints received under the Unfair Competition Act (UWG) concerned alleged infringements of the Trade Regulation Act, unfair customer acquisition practices and failures to comply with legal imprint requirements.

The AFCA also examined complaints relating to misleading commercial practices, including misleading information on prices, products or businesses. An increasing number of cases involved practices listed on the so-called "Black List" of unfair commercial practices, such as fake reviews, misleading influencer advertising and misleading gambling-related advertising.

The AFCA assessed each complaint individually. In 14 cases, the Authority requested statements from the companies concerned, and in 19 cases, warning letters were issued.

2.1.1 TEMU

In August 2024, the Austrian Retail Association (Handelsverband Österreich) submitted a comprehensive complaint to the AFCA concerning the online marketplace TEMU.

The complaint alleged, among other things:

- manipulative commercial practices, including false claims of limited product availability;
- misleading representations of product scarcity;
- misleading price information through the use of arbitrary and, in some cases, inflated recommended retail prices in connection with discounts; and
- missing or misleading CE markings, creating the false impression that products could be lawfully marketed.

In addition, the AFCA identified further potential infringements on its own initiative.

The AFCA's analysis, conducted between autumn 2024 and autumn 2025, largely confirmed the commercial practices alleged in the complaint. The assessment was carried out as a continuous process, involving repeated reviews of the platform and ongoing re-evaluation of its practices.

A final case report was published in 2026.

2.1.2 Misleading Business Register Scams

In 2025, the AFCA continued to receive complaints about misleading business register schemes targeting primarily small businesses. Companies received official-looking letters inviting them to register in purported business directories, often using misleading names or official symbols. The actual commercial nature of the service and the associated fees were typically disclosed only in the small print.

The AFCA is aware of several operators involved in these practices, including Solution-Com, Media Solution, Media & Print Group, Nexus Reach Marketing GmbH and Novo Ad Marketing SL.

The AFCA advises businesses to carefully review such letters, refrain from signing or returning them, and seek legal advice if in doubt.



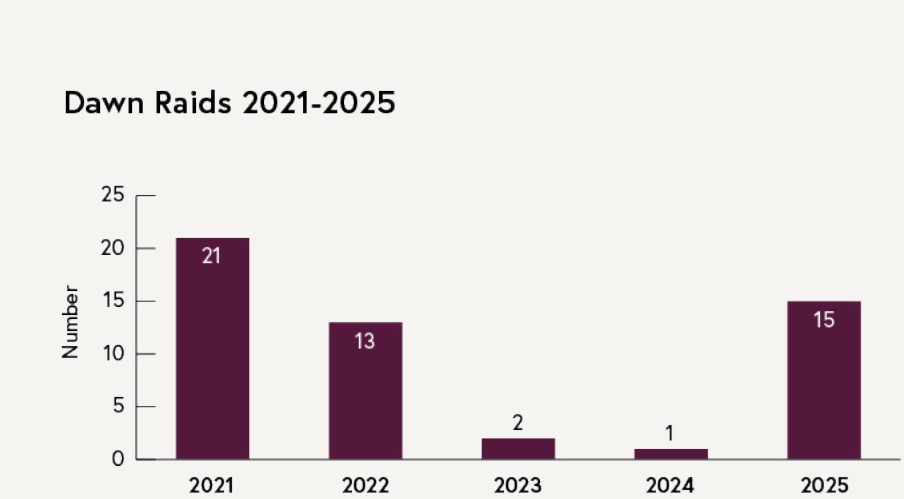
"The rising number of complaints under the Unfair Competition Act demonstrates that fair competition is essential for both consumers and businesses. SMEs in particular increasingly turn to the AFCA in cases involving serious unfair commercial practices. Unfair practices will not be tolerated. We take every complaint seriously and work every day to make competition in Austria fairer."

Sigrid Tresnak, Head of the Unfair Competition Unit.


C/AC
PAR
PREV
OPEN
HIGH
LOW

3 Dawn Raids

The AFCA carried out a total of 15 dawn raids in 2025 in connection with suspected infringements of competition law. Three of these inspections were conducted in Austria by the European Commission with the assistance of the AFCA. The investigations covered, among others, the waste management, windows and doors, and ski equipment.



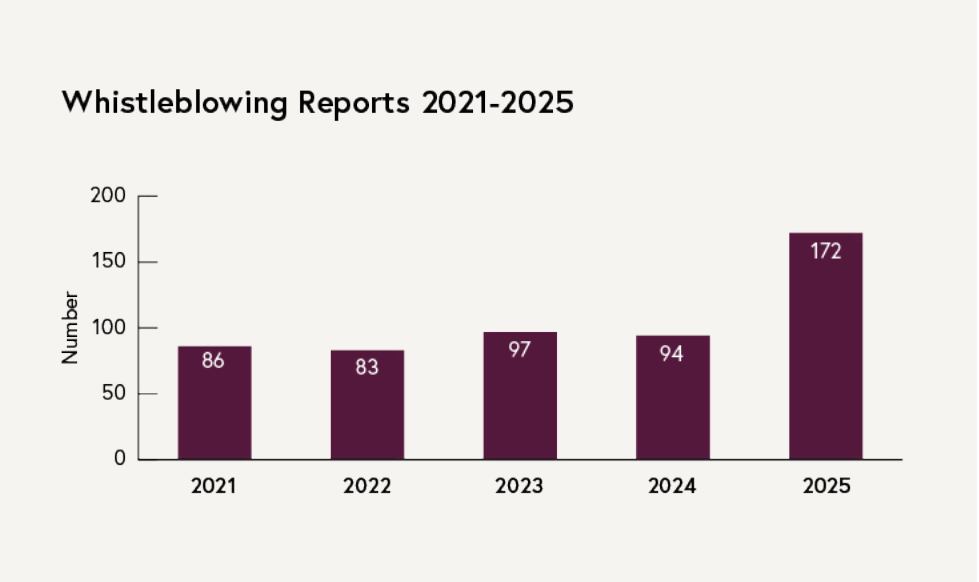
Dawn Raids 2021-2025
Source: AFCA

4 Whistleblower Reports

The AFCA's whistleblower system has been in operation since February 2018, enabling individuals to report suspected competition law infringements anonymously. The secure two-way communication system allows the AFCA to ask follow-up questions and obtain additional information while preserving the whistleblower's anonymity.

The number of whistleblower reports has increased steadily in recent years. In 2025, the AFCA received 172 whistleblower reports, of which 66 contained relevant information on potential competition law infringements and were forwarded to the competent case units for further investigation.

Whistleblowing Reports 2021-2025
Source: AFCA



The AFCA is designated as an external reporting authority under Section 15(2) of the Austrian Whistleblower Protection Act (HSchG). In this capacity, it receives, processes and, where appropriate, forwards reports within its area of competence to the relevant authorities. In 2025, the AFCA handled **11 reports** under the HSchG.



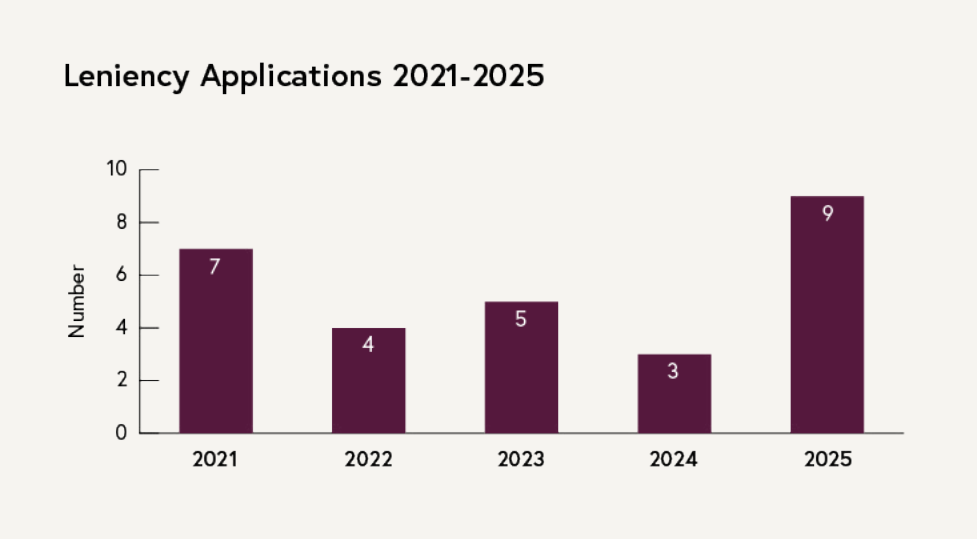
Whistleblowing Reports 2025 aufgeschlüsselt
Source: AFCA

5 Leniency Programme

The AFCA may refrain from requesting the imposition of a fine or apply for a reduced fine for undertakings that, through their truthful, unrestricted and timely cooperation, contribute to the disclosure of a cartel. The leniency programme under Section 11b of the Austrian Competition Act is therefore an essential instrument for the enforcement of the prohibition of cartels.

In 2025, nine leniency applications were submitted to the AFCA, representing a significant increase compared with the previous year.

Leniency Applications 2021-2025
Source: AFCA



6 Merger Statistics

6.1 National Mergers

In 2025, the AFCA received 374 notifications of national mergers. On average, each case handler reviewed around seven merger notifications during the year.

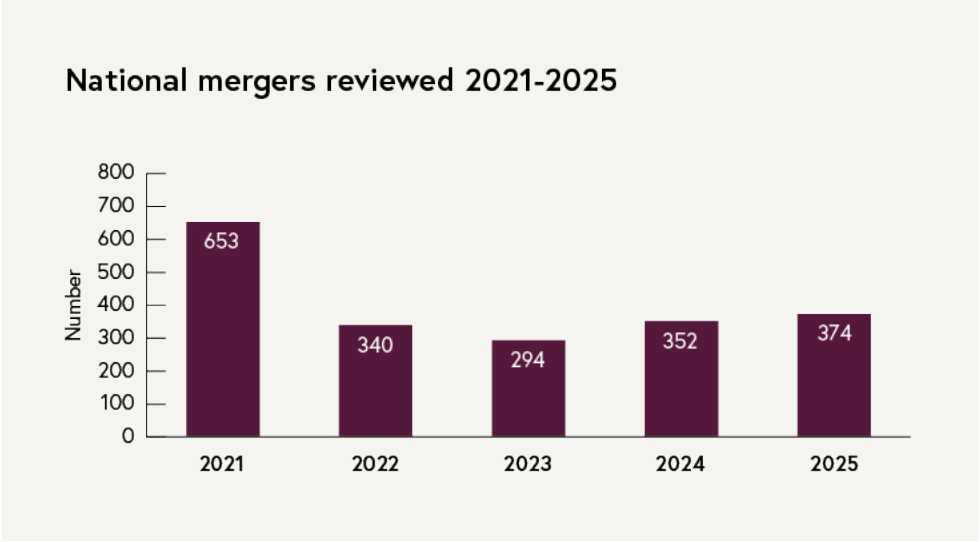
A total of 369 mergers (98.66%) were cleared during the four-week Phase I review period, typically through the expiry of the statutory deadline or an early waiver of review.

The Tipico/Admiral merger was referred to the AFCA by the European Commission and cleared in Phase I subject to conditions agreed with the Federal Cartel Prosecutor.

The AFCA applied to the Cartel Court for an in-depth review (Phase II) of the Sprengnetter/IMMOunited and Wabtec/Dellner mergers. The Sprengnetter/IMMOunited transaction was subsequently withdrawn by the parties.

The Universal Music/Downtown merger was referred to the European Commission.

In addition, 24 mergers were notified under the transaction value threshold pursuant to Section 9(4) of the Austrian Cartel Act.



National mergers reviewed 2021-2025
Source: AFCA

6.2 Merger statistics

Table 3: Merger statistics 2024-2025

Notifications	2024	2025
Total merger notifications	352	374
Phase I		
Clearance due to expiry of the statutory deadline	321	352
Waiver of examination	13	12
Withdrawal of the merger notification	8	4
Clearance subject to conditions	5	1
Case closure in Phase I	347	369
Phase I clearances (% of notifications)	98.57%	98.66%
Referral to the European Commission	0	1
Phase II		
Withdrawal of the merger notification	2	1
Withdrawal of the application for review	2	0
Application for an in-depth review		2
Prohibition by the Cartel Court	0	0
Clearance by the Cartel Court subject to conditions	2	0
Clearance by the Cartel Court without conditions	0	1

6.3 EU Mergers

In 2025, a total of 331 mergers with an EU dimension were notified to the European Commission and circulated to the Member States. The AFCA assesses these mergers for their potential impact on competition in Austria and may submit statements during the review process.

In December 2025, the European Commission cleared the acquisition of Kellanova by Mars. The AFCA submitted a statement drawing on the findings of its food retail sector inquiry, with particular emphasis on the impact of territorial supply constraints on the Austrian market.

The proposed acquisition of Downtown Music Holdings LLC by Universal Music Group N.V. was notified to the AFCA and the Dutch competition authority in February 2025. Following a referral request by the Dutch authority under Article 22 of the EU Merger Regulation, which the AFCA joined, the European Commission assumed jurisdiction over the case. The transaction was subsequently cleared in Phase II, subject to commitments. Further information is available in the European Commission's public competition register under Case M.11956.

Synergies

Combining strengths to create greater impact.



This chapter highlights the AFCA's cooperation and dialogue at the European, international and national levels. It focuses on collaboration with institutions and networks ranging from the European Union and the European Competition Network (ECN) to international organisations such as UNCTAD, the OECD and the International Competition Network (ICN), as well as national stakeholders.

Effective competition enforcement increasingly depends on strong cooperation through the exchange of knowledge, experience and best practices, as well as the joint development of common standards. These synergies enable competition authorities to address complex challenges, particularly in rapidly evolving markets such as those shaped by artificial intelligence, in a coherent and effective manner.

Conferences, workshops and other events further strengthen these partnerships, foster the exchange of ideas and promote a broader understanding of competition as a key principle of a well-functioning market economy.

1 European Cooperation

1.1 Cooperation within the European Union

The enforcement of EU competition rules in Austria has two main dimensions. First, the national competition authorities directly apply EU competition law. Second, they support the European Commission, in particular the Directorate-General for Competition (DG Competition), in investigations conducted under EU competition law and may submit observations during these proceedings.

In addition, the national competition authorities regularly exchange information and experience and develop best practices within the framework of Regulation (EC) No 1/2003. This cooperation takes place through the European Competition Network (ECN) and helps ensure the consistent application of EU competition law across the European Union.

1.2 Cooperation within the European Competition Network (ECN)

Pursuant to Section 3(1) of the Austrian Competition Act, the AFCA is the authority responsible for the enforcement of EU competition rules in Austria. Its tasks and powers arise primarily from its role as the independent national competition authority within the meaning of Article 35 of Regulation (EC) No. 1/2003 and Article 2(1)(2) of Directive (EU) 2019/1 (ECN+ Directive).

To support the effective enforcement of EU competition law, the European Commission and the national competition authorities of the EU Member States cooperate closely within the European Competition Network (ECN).

Table 4: European Competition Network Working Groups, 2025

ECN Working Group	
Directors General Meeting	ECN Plenary Meeting
ECN Cooperation Issues and Due Process Working Group	ECN Digital & DMA Working Group
ECN Digital Investigations and Artificial Intelligence Working Group	ECN Art. 101 Working Group
ECN Art. 102 Working Group	ECN Cartels Working Group
ECN Fines Working Group	Chief Economist Working Group
ECN International	ECN Advocacy & Communication Working Group
ECN Telecom Subgroup	ECN Energy Subgroup
ECN Food and Fast Moving Consumer Goods	ECN Pharma & Healthcare Working Group
ECN Environment & Sustainability Working Group	ECN Financial Services Working Group
ECN Payments Working Group	ECN Merger Working Group

1.3 Cooperation between Medium-Sized Member States ("MIDS")

The AFCA is a member of the informal network of competition authorities from medium-sized EU economies, together with Belgium, the Czech Republic, Ireland, the Netherlands and Portugal.

In 2025, the six authorities published a joint statement on the importance of competition in the telecommunications sector. The statement emphasises that competition is a key

driver of investment, innovation and consumer welfare, and that effective merger control is essential for maintaining competitive telecommunications markets.

The statement was also supported by Austria's telecommunications regulator (RTR) and presented jointly by the AFCA and RTR at a press conference on 22 April 2025.



From left to right: Natalie Harsdorf, Klaus M. Steinmaurer

Photo: © AFCA

1.4 European Competition Agencies (ECA)

The European Competition Agencies (ECA) is an informal network of the competition authorities of the European Economic Area (EEA), the European Commission, the EFTA Surveillance Authority and the United Kingdom.

1.4.1 ECA Annual Meeting in Vienna

19-21. February 2025

The AFCA hosted the annual ECA meeting in Vienna, bringing together the heads of European competition authorities and around 80 experts. Discussions focused on the use of artificial intelligence in competition enforcement, as well as current challenges in merger control, abuse of dominance and sector inquiries.

Photo: © BMWET/Dolenc



From left to right: Natalie Harsdorf, Olivier Guersent

Photo: © BMWET/Dolenc



The meeting also included a joint press conference by European Commission Director-General for Competition Olivier Guersent and AFCA Director General Natalie Harsdorf, highlighting the importance of effective competition enforcement and independent competition authorities for promoting competitiveness, growth and innovation.

2 International Cooperation

International cooperation between competition authorities is essential for detecting and addressing cartels and abuses of dominance, particularly in cross-border cases, multinational mergers and the exchange of best practices. It also promotes the consistent application of competition law and strengthens legal certainty in global markets.

2.1 United Nations Conference on Trade and Development (UNCTAD)

The Ninth United Nations Conference on Competition and Consumer Protection was held in Geneva from 7 to 11 July 2025. Discussions focused on competition in global food value chains, synergies between competition and consumer protection, digital investigative tools, consumer protection in the age of artificial intelligence, and progress in combating cross-border cartels.

2.2 Organisation for Economic Co-operation and Development (OECD)

The AFCA actively participates in the work of the OECD Competition Committee and its working parties on Competition and Regulation and Co-operation and Enforcement, contributing to discussions through written and oral submissions. In 2025, key topics included competition in healthcare, market studies, merger efficiencies and the evaluation of competition authorities' activities.

The OECD Competition Committee meets twice a year in Paris. Its annual Global Forum on Competition also brings together delegates from more than 110 jurisdictions, alongside representatives from business and consumer organisations.

Since 1 January 2025, AFCA Director General Natalie Harsdorf has served as Chair of the OECD Working Party on Competition and Regulation, becoming both the first Austrian and the first woman to hold this position. She was re-elected for 2026. The Working Party focused on evaluating the effectiveness of competition authorities and the use of sector inquiries and other market analysis tools.

From left to right: Camila C. Pires-Alves, Natalie Harsdorf, Anita Shah, Greg Jackson, Federica Maiorano

Photo: © AFCA



International Competition Network

2.3 International Competition Network (ICN)

Founded in 2001 by 14 competition authorities, the International Competition Network (ICN) has grown into a global network of more than 130 competition authorities, promoting cooperation and the exchange of best practices in competition law enforcement.

The 24th ICN Annual Conference was held in Edinburgh from 7 to 9 May 2025. Discussions focused on the role of competition in promoting productivity, innovation and growth, competition in digital markets, public procurement, cartel enforcement, and competition in global food and agricultural markets.

3 National Cooperation

3.1 The Federal Cartel Prosecutor

In addition to the AFCA, as a further official party for proceedings before the Cartel Court, the Federal Cartel Prosecutor was established in July 2002, who is bound by instructions and reports to the Federal Minister of Justice. Since 1 September 2020, the position of Federal Cartel Prosecutor has been held by Heinz Ludwig Majer, MBA. The Federal Cartel Prosecutor has two deputies and one legal assistant.

The Federal Cartel Prosecutor is responsible for representing the public interest in matters of competition law and has the right to file petitions before the Cartel Court. Unlike the AFCA, however, he has no investigative powers. This arrangement takes into account the legislator's intention to avoid duplication. Both the Competition Act and the Cartel Act provide for close cooperation between the official parties not only but especially in the area of merger control. Particularly noteworthy is the role of the Federal Cartel Prosecutor in the interaction between cartel law and criminal law pursuant to § 209b of the Code of Criminal Procedure (StPO). In this area, the AFCA works in close cooperation with the Federal Cartel Prosecutor.

At the invitation of the AFCA, the Federal Cartel Prosecutor, Mag. Majer, once again participated as a jury member in the Cartel Law Moot Court in 2025.

The annual report on the activities of the Federal Cartel Prosecutor can be accessed on the website of the Federal Ministry of Justice.

Further information (only available in German):
https://www.justiz.gv.at/justiz/justizbehoerden/bundeskartellanwalt.36c.de.html

3.2 Competition Commission

The Competition Commission is an advisory body to the AFCA and the Federal Ministry for Economic Affairs, Energy and Tourism. It consists of eight members who are required to possess particular expertise and experience in economics, business administration, social policy, technology or competition law. The members are appointed every four years by the Federal Minister for Economic Affairs, Energy and Tourism. The Austrian Federal Economic Chamber, the Austrian Chamber of Labour, the Austrian Trade Union Federation and the Conference of Presidents of the Austrian Chambers of Agriculture each have

the right to nominate one member (and one substitute member). In the performance of their duties, the members and alternate members are independent and are not bound by instructions. They are also subject to official confidentiality obligations. The Rules of Procedure of the Competition Commission are issued by the Federal Minister for Economic Affairs, Energy and Tourism, while the Commission's administrative support is provided by the Ministry.

The Competition Commission publishes annual recommendations for the AFCA. Their implementation is addressed where appropriate throughout this Annual Report.

In **2025**, the AFCA was invited to seven meetings of the Competition Commission and actively participated in all of them.

Members and Substitute Members

The following members were appointed for the term of office from 2022 to 2026:

Table 5: Appointed members 2022–2026

Member	Substitute Member
RA Hon.-Prof. DDr. Jörg Zehetner Chairperson Attorney at Karasek Wietrzyk Rechtsanwälte Honorary Professor	**Dr. Anna Hammerschmidt** Institute for Economy Vienna University of Economics and Business (WU)
Mag. Maria Mercedes Ritschl Deputy Chairperson 2022/23, Expert in Fiscal Policy & Law, Public Economic Law, Federation of Austrian Industries (IV)	**Mag. Ingrid Schöberl** Deputy Head of Department for Fiscal Policy & Law, Administrative Reform & Legal Policy, Federation of Austrian Industries (IV)
Dr. Michael Sachs Vice President of the Austrian Federal Administrative Court	**Mag. Dr. Agnes Kügler, MSc** Research Associate at the Austrian Institute for Economic Research
Prof. Dr. Markus Reisinger Frankfurt School of Finance & Management	**Mag. Georg Konetzky** Director-General at the Federal Ministry for Economy, Energy and Tourism
Ing. Mag. Andreas Graf Austrian Chamber of Agriculture (LK)	**Mag. Martin Längauer** Austrian Chamber of Agriculture (LK)
Mag. Helmut Gahleitner Deputy Chair 2023/24 Vienna Chamber of Labour (AK)	**Mag. Susanne Wixforth** Vienna Chamber of Labour (AK)
Dr. Rosemarie Schön Deputy Chair 2024/25 Austrian Federal Economic Chamber (WKÖ)	**Dr. Winfried Pöcherstorfer LL.M. (LSE)** Austrian Federal Economic Chamber (WK)
Mag. Stefanie Pressinger Austrian Trade Union Federation (ÖGB)	**Mag. Angela Pfister** Austrian Trade Union Federation (ÖGB)

4 Events

4.1 AFCA Competition Law Moot Court 2025

16 May 2025
ELSA (European Law Students' Assosiation), DORDA

For the eleventh consecutive year, the AFCA hosted its annual Competition Law Moot Court on 16 May 2025. The event was organised jointly by the AFCA, the European Law Students' Association (ELSA) and the law firm DORDA.

A total of ten teams appeared before a fictional Cartel Court, demonstrating their advocacy skills and legal expertise. This year's case also required participants to demonstrate their understanding of cryptocurrency networks.

The jury of the 2025 Competition Law Moot Court consisted of:

- Mag. Sonja Köller-Thier (Presiding Judge at the Higher Regional Court of Vienna)
- Mag. Heinz-Ludwig Majer, MBA (Federal Cartel Prosecutor)
- Ass.-Prof. Dr. Lena Hornkohl, LL.M. (University of Vienna)
- Dr. Heinrich Kühnert, M.Jur. (Attorney-at-Law and Partner at DORDA)
- Mag. Corinna Potocnik-Manzouri (AFCA)
- Dr. Lukas Cavada (AFCA)

Ronja Endfellner (Johannes Kepler University Linz, coached by Burgstaller & Partner Attorneys-at-Law) received the award for Best Speaker. The team from the University of Vienna, coached by Cerha Hempel (Julian Brand, Paul Grausam and Shayan Shams), won the award for Best Team.

The AFCA would also like to thank Dr. Christian Filzwieser, MSc (LSE), President of the Federal Administrative Court, for delivering an inspiring keynote.

From left to right: Christoph Filzwieser, Ronja Endfellner, Natalie Harsdorf

Photo: © AFCA



From left to right: Christian Filzwieser, Shayan Shams, Julian Brand, Paul Grausam, Natalie Harsdorf

Photo: © AFCA



4.2 International Conference with Competition Authorities from the Western Balkans in Vienna – Launch of a Long-Term Cooperation between the AFCA and the World Bank

26-27 May 2025 **World Bank**

Under the title Building Effective Market Institutions in the Western Balkans, the AFCA and the World Bank brought together representatives of competition authorities and financial regulators from Albania, Bosnia and Herzegovina, Kosovo, Montenegro and North Macedonia in Vienna to discuss strategies for strengthening their institutions and promoting the region's economic integration.

The conference was opened by Claudia Bauer, Federal Minister for Europe, Integration and Family (formerly Plakolm), and Harald Waiglein, Director General at the Federal Ministry of Finance. The programme included discussions on recent developments in competition policy, transnational merger control, the interaction between competition and financial stability, as well as a practical training session on competition law enforcement.

The event marked the launch of a long-term cooperation project between the AFCA and the World Bank. Its objective is to strengthen competition policy and enforcement in the Western Balkan countries through closer cooperation and the exchange of knowledge.



Photo: © BMWET/Dolenc

4.3 Workshop on Combating Bid Rigging in Public Procurement organised by the AFCA and the OECD

11-12 September 2025
Organisation for Economic Co-operation and Development (OECD)

The AFCA and the OECD continued their joint workshop series on combating bid rigging in public procurement. As part of the EU-funded project Combating Bid Rigging in Procurement: Enhancing Compliance and Competition in Public Tenders, two consecutive workshops were organised for different target groups.

The first workshop, attended by 34 participants, was aimed at representatives of the social partners, the business community and the private sector. It featured presentations by the OECD, the Central Public Prosecutor's Office for Economic Crimes and Corruption

(WKStA) and the AFCA. Under the title Strengthening Compliance to Combat Bid Rigging, the workshop focused on key preventive instruments such as whistleblower systems, leniency programmes and effective compliance measures.

The second workshop, attended by 28 participants, focused on Strengthening Judicial Review in the Fight against Bid Rigging. Presentations and discussions covered, among other topics, the case law of the Court of Justice of the European Union, presented by Hon.-Prof. Mag. Dr. Andreas Kumin, and the decision-making practice of the Austrian Cartel Court, presented by Mag. Sonja Köller-Thier. The workshop concluded with a presentation by Daniel Madari (Vienna University of Economics and Business) on private enforcement and the calculation of damages claims.

4.4 Seminar Series "Compliance Compass for Municipalities" organised by the AFCA and the BAK

13 May, 15 October, 5-6 November, 24-25 November 2025
Federal Bureau of Anti-Corruption (BAK)

In 2025, the AFCA and the Federal Bureau of Anti-Corruption (BAK) continued their joint seminar series, Compliance Compass for Municipalities, in Gratkorn and Graz (Styria), Bad Vöslau (Lower Austria) and Steyr (Upper Austria).

The aim of the Compliance Compass is to support decision-makers in Austrian municipal administrations in meeting the challenges of public administration and to provide them with practical guidance for ensuring integrity in public procurement procedures. The seminar series was launched in Salzburg in November 2024.

4.5 Conference "Competition, Fairness and Transformation" organised by the AFCA and WIFO

25 November 2025

Austrian Institute of Economic Research (WIFO)

The AFCA and the Austrian Institute of Economic Research (WIFO) welcomed leading experts from academia, business and public administration to their third joint conference on Competition, Fairness and Transformation, held at the House of Sports in Vienna. The conference was opened by Wolfgang Hattmannsdorfer, Federal Minister for Economic Affairs, Energy and Tourism.

The programme focused on current economic and competition policy issues. The opening session addressed Austria's Industrial Strategy, with presentations by Natalie Harsdorf (AFCA) and Gabriel Felbermayr (WIFO). This was followed by two breakout sessions on Fairness in the Value Chain: Aspirations and Reality and Competition through the Lens of Sport.

The afternoon programme featured discussions on Rethinking the Energy Sector and concluded with the panel Merger Control in Transition: The Dawn of a New Era? Guillaume Loriot (DG Competition) joined representatives of the German Federal Cartel Office, the Austrian Competition Law Association and the University of Vienna to discuss the European Commission's ongoing consultation on the EU Merger Guidelines, digital transformation and its implications for merger control.



From left to right: Justus Haucap, Andrea Hodoschek, Helene Schuberth, Natalie Harsdorf, Claudia Huber, Tobias Schweitzer, Gabriel Felbermayr

Photo: © AFCA/Dolenc

Annex



1 Priority Recommendations of the Competition Commission 2025[1]

The Competition Commission (WBK) publishes annual priority recommendations for the Austrian Federal Competition Authority (AFCA).

Proposals by the Competition Commission pursuant to Section 16(1) of the Austrian Competition Act to the Austrian Federal Competition Authority regarding priorities in the performance of its duties during the 2025 calendar year

1.1 Introductory Remarks

In the context of its annual priority recommendations provided under the Austrian Competition Act (WettbG), the Competition Commission (WBK) takes the opportunity to identify those areas which, in its view, warrant in-depth and continuous attention in the interest of ensuring fair competition. In preparing these recommendations, the Competition Commission draws on the findings of its ongoing work and on information brought to its attention. It seeks to focus its recommendations on those areas of competition policy where more detailed examination by the AFCA is expected to generate the greatest possible benefit.

The previous priority recommendations of the Competition Commission are available on the websites of the Competition Commission, the Federal Ministry for Economic Affairs, Energy and Tourism (BMWET) and the AFCA and, to a large extent, remain relevant[2].

The current economic policy environment is characterised by numerous challenges arising from both domestic and international factors. High, albeit recently declining, inflation rates, rapid changes in the labour market, market concentration in key sectors of the economy, weak economic forecasts and declining competitiveness, the energy transition, significant shifts in global trade and supply chains, demographic developments and other factors have a considerable impact on the competitive situation of businesses. Identifying these developments and taking timely measures to strengthen competition and thereby the performance of the Austrian economy is one of the key

1 Translation provided by AFCA. In case of doubt, the German-language version shall prevail.
2 See Recommentations from 2024, accessible under www.wettbewerbskommission.gv.at.

tasks of effective competition enforcement. At the same time, the competitiveness of the Austrian economy should be strengthened, in particular by taking innovation, quality and resilience/sustainability into account.

1.2 Priority Recommendations for 2025

1.2.1 Competition Monitoring / Sector Inquiries

In recent years, the Competition Commission has recommended targeted competition monitoring in selected sectors, which may subsequently lead to a full sector inquiry where appropriate. The Commission welcomes the fact that this recommendation has been implemented and that the AFCA is currently establishing a competition monitoring system.

The investigative powers now granted to the AFCA by law for monitoring purposes, in particular requests for information and information orders, together with the possibility of using the data obtained, should make a significant contribution to establishing an effective and efficient competition monitoring system.

Competition monitoring and sector inquiries provide valuable insights into the long-term development of economically significant sectors. The Competition Commission looks forward with great interest to the first results and assumes that the Commission and the BMWET will continue to be closely involved.

1.2.2 Abuse of Dominance

Combating abuses of market power is one of the AFCA's core responsibilities. The Competition Commission welcomes the increasing attention devoted by the AFCA to this area and encourages further strengthening of its activities.

1.2.2.1 Energy

Energy costs have a significant impact on both businesses and consumers. Global developments in energy markets also affect Austria. Reducing energy consumption in production, promoting diversification of energy markets, ensuring security of supply and increasing the use of renewable energy sources are all important aspects that should be monitored and reported on from a competition law perspective.

The Competition Commission is aware of the AFCA's activities within the framework of the joint task force established with E-Control.

Following the publication of two interim reports, the Competition Commission looks forward to the final report on the nationwide electricity and gas market. It also welcomes the AFCA's sector inquiry into the district heating market. It would be desirable for the

inquiry to include concrete findings regarding the competitive situation and recommendations for necessary adjustments from a competition perspective.

Given the major economic importance of network-based energy supply, these investigations should also address the transport requirements for these forms of energy and the associated network infrastructure. Higher energy prices may have substantial adverse effects on public welfare and on the international competitiveness of Austria and individual industries. Particular attention should therefore be paid to the timely pass-through of price changes, especially price reductions, to households and businesses, as well as to the predictability of changes and the possibility of participating in a diversified network-based energy supply.

With regard to the sector inquiry "Refineries and Wholesale Fuel Markets" launched by the German Federal Cartel Office, the Competition Commission recommends that the AFCA analyse the final report once published and assess whether its findings are relevant to the Austrian market.

As part of its decarbonisation strategy, the Austrian Federal Government supports the replacement of oil and gas heating systems. In view of expected price increases and long waiting times, the Competition Commission considers continuous monitoring of this market to be important.

The Competition Commission would also welcome the AFCA making use of its powers under Section 2(1)(6) of the Austrian Competition Act to examine whether the VAT exemption for photovoltaic systems, applicable from 1 January 2024 until 31 December 2025, is being passed on to customers. A semi-annual interim report on the AFCA's monitoring activities in this area would be desirable.

1.2.2.2 Food sector

The sector inquiry, which the Competition Commission had recommended in recent years, has now been completed. In light of many years of experience, it is advisable to continue paying particular attention to the sector and the entire value chain and to continue monitoring conduct relevant under competition law, such as territorial supply constraints that contribute to the so-called 'Austria surcharge.

1.2.2.3 EV charging

The AFCA has conducted an initial investigation into the EV charging station sector (also at the suggestion of the Competition Commission) and presented developments in the sector in November 2023.

It is recommended that particular attention continue to be paid to the market for the development of private and public charging infrastructure (manufacturers).

1.2.2.4 Waste management

The waste management sector has already been mentioned several times in the Competition Commission's priority recommendations in recent years. The Competition Commission is aware of the AFCA's activities in connection with specific proceedings in the waste management sector, as well as the AFCA's recently filed application for the imposition of a fine in this sector. Given the complexity of the market, which is divided into several sub-segments, further competition issues cannot be ruled out. The Competition Commission therefore considers continuous monitoring of this sector necessary.

The effects on competition resulting from the introduction of a deposit scheme for single-use plastic beverage bottles and cans, which has been in force since 1 January 2025 (Section 14c of the Waste Management Act), should also be kept under review.

1.2.2.5 Online retail

In view of the steadily growing market power of global, network-based international companies headquartered outside the EU, the Competition Commission has in recent years recommended examining competitive conditions in online retail and, where appropriate, taking initiatives to ensure fair framework conditions for all market participants (for further details, see the Competition Commission's priority recommendations for 2019, 2020, 2021, 2022, 2023 and 2024).

In light of the Digital Services Act (DSA) and the Digital Markets Act (DMA), this recommendation is renewed, with particular regard to competition-relevant practices by low-cost platforms from China and other countries.

1.2.2.6 Service platforms

Digitalisation also poses new challenges for competition enforcement, particularly in connection with large platforms. Building on the investigations conducted to date, the Competition Commission therefore recommends that the AFCA continue to monitor compliance with competition-related framework conditions on various service platforms, unless the issue is to be addressed at European level in accordance with the provisions of the DMA.

In particular, closer scrutiny should also be given to companies whose principal business activity consists of collecting data or which possess significant market power.

1.2.2.7 Digitalisation - algorithms

The AFCA should continue to focus on emerging issues, such as the impact of algorithms, and further develop its expertise in this area in cooperation with RTR.

The widespread use of algorithms in the digital economy entails a risk that new forms of coordination of conduct may emerge. The DMA addresses this issue through corre-

sponding rules and the allocation of powers to the European Commission. In addition, active enforcement by the AFCA in the digital economy should serve to gather practical experience and specific use cases that may, where appropriate, provide a basis for adapting the legal framework.

1.2.2.8 Bid rigging

As the proceedings relating to the construction cartel demonstrate, bid rigging not only causes harm to the contracting authority and thus, in many cases, to taxpayers, but may also result in market foreclosure. The AFCA should therefore continue to focus its attention on this area.

1.2.2.9 Concluding remarks

Reliable and efficient enforcement of competition law is a significant advantage for Austria as a business location. The AFCA should therefore continue to ensure independence, transparency and efficient proceedings.

The Competition Commission would like to thank the AFCA for the exchange of views and experience, which could certainly be further intensified, and wishes the Authority continued success in its activities to improve competitive conditions.

2 Case Intake

Table 6: Case Intake 2025

Case Intake 2025	1. quarter	2. quarter	3. quarter	4. quarter	Total
National Cases					
Sector Inquiries	0	0	1	0	1
European Competition Network	27	19	29	41	116
DMA (Digital Markets Act)	9	7	6	18	40
Investigations, Digital Forensics	0	0	0	0	0
Proceedings before the Court of Justice of the European Union	3	2	6	3	14
Fair Competition Conditions Act	6	2	2	2	12
Dawn Raids	5	0	4	2	11
Freedom of Information Act	0	0	4	13	17
Informal Preliminary Assessment	0	0	6	2	8
International Affairs	4	8	0	9	21
Interchange Fees	0	0	0	0	0
Cartel Cases	16	16	18	27	77
Market and Cartel Screening	0	0	0	2	2
Abuse of Dominance Proceedings under the Cartel Act	16	15	15	11	57
ORF Act	0	0	0	1	1
Parliamentary Questions	5	15	8	7	35
Unfair Competition Proceedings	48	30	56	86	220
Illegal Implementation of Mergers	5	2	3	2	12
Whistleblower Reports	30	48	53	37	168
Merger Notifications	85	89	90	110	374
European Cases					
EU Merger Cases – European Commission	86	73	58	114	331
EU Cartel Cases – European Commission	2	0	2	7	11
Total National and European Cases					**1,528**

3 Fines imposed in 2025

Table 7: Fines imposed in 2025

Sector	Company	Fines in €	Year of decision	Case number
Cartel agreements				
Submetering services	Meßtechnik Gesellschaft m.b.H. & Co KG; Energieverrechnung-Contracting-Facility Management und Meßtechnik FMB GmbH Funk- und M-Bus-Technologie	330,000	2025	127 Kt 3/24i
Construction industry	Pusiol GmbH	130,000	2025	26 Kt 4/25w
Construction industry	Anton Traunfellner Ges.m.b.H	1,700,000	2025	25 Kt 5/24h
Construction industry	Dipl. Ing. Adalbert Kienzl Baugesellschaft m.b.H. & Co. KG Dipl. Ing. Adalbert Kienzl Baugesellschaft m.b.H	45,000	2025	127 Kt 4/25p
Construction industry	Schwartz Bauunternehmungen GmbH	140,000	2025	24 Kt 6/25z
Construction industry	Neumayer BAU Ges.m.b.H	90,000	2025	27 Kt 4/25b
Construction industry	Eibel Bau GmbH	26,000	2025	24 Kt 5/25b
Security services	Securitas	540,000	2025	127 Kt 1/25x
Construction industry	Pfnier	330,000	2025	26 Kt 3/25y
Construction industry	Gartner-Schiener Bau GesmbH	115,000	2025	28 Kt 5/25h
Consumer electronics	Sonova	100,000	2025	27 Kt 4/24a
Consumer electronics	Sennheiser	534,000	2025	27 Kt 4/24a
Bridge bearings / railway crossings	MAGEBA Gesellschaft m.b.H.	400,000	2025	28 Kt4/24h
Waste management	Saubermacher Dienstleistungs AG, Trügler Recycling und Transport GesmbH, pink robin gmbh	7,085,000	2025	127 Kt 7/24b
Waste management	Huber Entsorgungsgesellschaft m.b.H. Nfg. KG und Huber Abfallservice Verwaltungsgesellschaft m.b.H.	175,000	2025	28 Kt 1/25v
Illegal implementation of mergers				
Food retail	REWE International AG	70,000,000	2025	25 Kt 10/21i
	Total fines imposed in 2025	**81,740,000**		**Source: AFCA (as at 12/2025)**

The full table of fines is available on the AFCA's website:
https://www.bwb.gv.at/en/factual-information/fines

4 List of Abbreviations

Table 8: List of Abbreviations

Abbreviation	Meaning
AB	Aktiebolag – a legal form under Swedish law
ADV	Special Contracts for Automated Data Processing
AFCA	Austrian Federal Competition Authority
AG	Public limited company/Aktiengesellschaft
AGES	Austrian Agency for Health and Food Safety
AI	Artificial Intelligence
AK	Vienna Chamber of Labour / Arbeiterkammer Wien
Art	Article
Ass.-Prof.	Assistant/Associate Professor
BAK	Federal Bureau of Anti-Corruption
BMWET	Federal Ministry for Economic Affairs, Energy and Tourism
Corp.	Corporation
DDr.	Holder of two doctoral degrees
DG Competition	Directorate-General for Competition
Dipl.-Ing.	Graduate Engineer
DMA	Digital Markets Act
Dr.	Doctor
e.g.	for example
EC	European Community
ECA	European Competition Agencies
ECMR	EU Merger Control Regulation
ECN	European Competition Network
EEA	European Economic Area
EFTA	European Free Trade Association
ELAK	Electronic Case Management System / Elektronischer Akt
ELSA	European Law Students' Association
ElWG	Electricity Industry Act / Elektrizitätswirtschaftsgesetz
EM	EU Merger Cases
EMFA	European Media Freedom Act

Abbreviation	Meaning
etc.	et cetera
EU	European Union
EUR	Euro
FTE	Full-Time Equivalent
FWBG	Fair Competition Conditions Act / Faire-Wettbewerbsbedingungen-Gesetz
GesmbH / Ges.m.b.H. / m.b.H. / GmbH	Limited liability company (LLC) / Gesellschaft mit beschränkter Haftung
Hon.-Prof.	Honorary Professor
HSchG	Austrian Whistleblower Protection Act / HinweisgeberInnenschutzgesetz
ICN	International Competition Network
IFG	Freedom of Information Act / Informationsfreiheitsgesetz
Inc.	Incorporated
Ing.	Ingenieur / Engineer
IT	Information Technology
IV	Federation of Austrian Industries / Industriellenvereinigung
KartG	Cartel Act / Kartellgesetz
KG	Limited Partnership / Kommanditgesellschaft
LK	Austrian Chamber of Agriculture / Landwirtschaftskammer
LL.M.	Master of Laws
M.Jur.	Magister Juris
Mag.	Magister/Magistra
MBA	Master of Business Administration
MIDS	Medium-Sized Member States
MSc	Master of Science
N.V.	Naamloze vennootschap – a public limited company under Dutch law
Nfg.	Nachfolger / Successor
No	Number
OCR	Omnichannel Retailing
ÖBB	Austrian Federal Railways / Österreichische Bundesbahnen
OECD	Organisation for Economic Co-operation and Development
ÖGB	Austrian Trade Union Federation / Österreichischer Gewerkschaftsbund
ÖJT	Austrian Jurists' Conference Tyrol
ORF	Austrian Broadcasting Corporation / Österreichischer Rundfunk

Abbreviation	Meaning
P2B	Platform-to-Business
Prof.	Professor
Q&A	Questions and Answers
RA	Rechtsanwalt / Attorney-at-Law
RTR	Austrian Regulatory Authority for Broadcasting and Telecommunications
SE	Societas Europaea
SL	Sociedad Limitada
SME / SMEs	Small and Medium-Sized Enterprise(s)
StPO	Code of Criminal Procedure / Strafprozessordnung
TFEU	Treaty on the Functioning of the European Union
TU Wien	Vienna University of Technology
UNCTAD	United Nations Conference on Trade and Development
UWG	Unfair Competition Act / Gesetz gegen den unlauteren Wettbewerb
VAT	Value-Added Tax
VKI	Austrian Consumer Information Association / Verein für Konsumenteninformation
WBK	Competition Commission / Wettbewerbskommission
WdF	Austrian Business Leaders Forum / Wirtschaftsforum der Führungskräfte
WettbG	Competition Act / Wettbewerbsgesetz
WIFO	Austrian Institute of Economic Research
WKÖ	Austrian Federal Economic Chamber / Wirtschaftskammer Österreich
WKStA	Central Public Prosecutor's Office for Economic Crimes and Corruption / Wirtschafts- und Korruptionsstaatsanwaltschaft
WU	Vienna University of Economics and Business / Wirtschaftsuniversität Wien



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