

Bird & Bird

December 2025



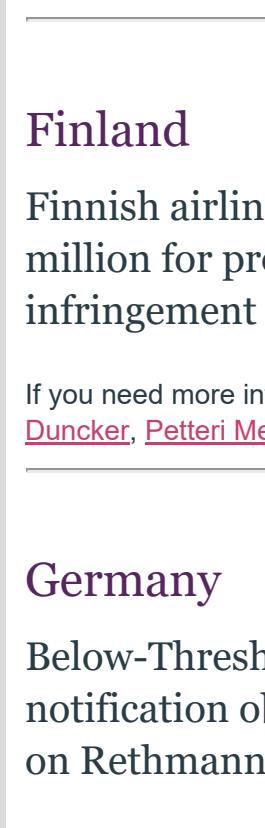
Competitive Edge

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Competitive Edge

Keeping you up to date on Competition and EU law developments in Europe and beyond

In Focus



Procurement under scrutiny: Bidder exclusion as a growing weapon against anticompetitive practices

Bid-rigging costs taxpayers billions annually, and both public procurement and competition authorities are increasingly deploying a powerful weapon: bidder exclusion, the sanction prohibiting companies from participating in public procurement for a specified period. The OECD's September 2025 Guidelines, Spain's first CNMC direct exclusion in July, and the regime shifts in several other EU Member States and the UK all signal a growing enforcement shift. But jurisdictions remain divided on a critical question: how should public procurement interact with competition enforcement? For companies operating in public procurement markets, this enforcement shift requires fundamental reassessment of compliance strategies.

Read the article by [Candela Sotés](#), [Pablo Rodríguez Sousa](#) and [Álvaro López de Ochoa García](#) to understand how bidder exclusion is reshaping the competitive landscape and why your procurement compliance programmes may need urgent review.

[Read the full story](#)

Updates from our jurisdictions

EU

EU Institutions Reach Political Agreement on New Foreign Direct Investment Screening Regulation

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Baptist Vleeshouwers](#) or [Tialda Beetstra](#).

Czech Republic

Czech NCA launches sector inquiry into mobile telecommunications services

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Vojtěch Chloupek](#), [Kristýna Vojtěchovská](#), or [Matej Šinkovic](#).

Denmark

Trade associations under scrutiny: What the new DCCA guidance means for you

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Morten Nissen](#) or [Alexander Brøchner](#).

Finland

Finnish airline proposed to face fine of EUR 7.6 million for procedural competition law infringement

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Katja Duncker](#), [Petteri Metsä-Tokila](#) or [Maria Karpathakis](#).

Germany

Below-Threshold Transactions: First-ever notification obligation for future deals imposed on Rethmann Group

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Stephan Waldeheim](#) or [Tamy Tietze](#).

Hungary

GVH can now restructure markets without infringement findings – Who should worry?

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Dániel Áranyi](#) and [Gábor Kutai](#).

Italy

The Administrative Court of Appeal has confirmed the AGCM's decision regarding Google's abuse of a dominant position

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Stephan Waldeheim](#), [Lucia Antonazzi](#) and [Jacopo Orsi](#).

Netherlands

Beware of bid rigging – Dutch competition authority dawn raids three construction companies!

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Janneke Kohlen](#) or [Sander Wagenaars](#).

UK

CMA Launches Major Consumer Enforcement Drive Focused On Online Pricing Practices

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Dr. Saskia King](#), [Ariane Le Strat](#), [Shona O'Connell](#) or [Amy Cole](#).

Podcast, events and webinars

Competitive Edge – The Podcast

Episode 13: REMIT in brief

In our latest podcast episode exploring Market Integrity – the Regulation on Wholesale Energy (Market Integrity), [Louis Breyne](#) (Partner, Belgium), [Clara Beestra](#) (senior associate, Netherlands) and [Clara Desprez](#) (associate, UK) discuss:

- Key REMIT prohibitions on insider trading and publishing inside information and reporting
- How REMIT interacts with competition law
- Address market manipulation by REMIT in 2024, including enhanced investigative powers for
- Recent enforcement trends and practical insights for compliance in wholesale energy markets

This episode provides essential insights for businesses operating in wholesale energy markets. [Listen to the podcast episode >>](#)

If you have any questions or need clarifications, [please free to contact the speakers](#).

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Key Takeaways from recent webinar UK Merger Control Update

On 13 November, our London competition team hosted a webinar following the significant changes to UK competition law under the Competition and Consumer Act (DMCCA). [Sema Bermingham](#), [Ariane Le Strat](#), and [Clara Beestra](#) (associate, UK) discuss:

- Worked at the UK Competition and Markets Authority (CMA) and joined Loria, Principal at Finnington and former Assistant Director of Mergers at the CMA. The session covered the CMA's new jurisdiction
- Tests, enhanced enforcement powers, the 4Ps framework (Price, Predictability, Proportionality and Framework), and practical guidance for deal teams
- Recent enforcement trends and regulatory landscape in the UK

If you need more information or further guidance in this area, [please contact Dr. Saskia King](#), [Ariane Le Strat](#), [Shona O'Connell](#) or [Amy Cole](#).

Key Takeaways from recent webinar Navigating the New Era of FDI Screening – Sensitive Sectors and Cross-Border Deals

Reshaping cross-border deals – are you ready? If you missed our webinar on 25 November, you can read the key takeaways prepared by our panel of FDI experts across the EU and the UK. Using two case studies, [Anthony Rosen](#), [Baptist Vleeshouwers](#), [Tialda Beetstra](#), [Jacopo Orsi](#) and [Tomy Tietze](#) provided their insights on navigating the new FDI screening landscape – and what it means for your cross-border deals.

This session was designed for in-house counsel, M&A and private equity deal teams, as well as investment funds and companies active in sensitive sectors.

If you need more information or further guidance in this area, [please contact Dr. Saskia King](#), [Ariane Le Strat](#), [Shona O'Connell](#) or [Amy Cole](#).

Key Takeaways from recent webinar Consumer Protection Forum

12 February 2026 | London, UK

Our London-based partner [Dr. Saskia King](#) has been invited to chair Informa's inaugural Consumer Protection Forum. The event examines the UK's strengthened consumer protection powers and how businesses should respond to increased enforcement practices. Drip-pricing, fake reviews, subscription practices and other emerging issues will be discussed. The forum brings together the CMA, Ofcom and the Consumer Protection from Unfair Trading Directive (CPD) to discuss practical compliance in the evolving UK regulatory landscape.

If you need more information or further guidance in this area, [please contact Dr. Saskia King](#), [Ariane Le Strat](#), [Shona O'Connell](#) or [Amy Cole](#).

Key Takeaways from recent webinar Informa CompLaw conference

Consumer Protection Forum

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Recognition in Chambers APAC 2026 guide

Recognition in Chambers APAC 2026 guide

Congratulations to our Competition and Tech & Consumer Regulation experts [Thomas Jones](#) for his recognition in the Chambers APAC 2026 guide for TMT: Telecommunications - for the 12th year in a row.

If you need more information or further guidance in this area, [please contact Dr. Saskia King](#), [Ariane Le Strat](#), [Shona O'Connell](#) or [Amy Cole](#).

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