



## 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 Beelstra](#).

#### 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 Bröchner](#).

#### 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 [Katia 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 Waldheim](#) 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 Árányi](#) and [Gabor 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 [Federico Marini Balestra](#), [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 Wagemakers](#).

## Update on Dutch call-in power: ACM responds to critical remarks by the Council of State

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Pauline Kuipers](#) or [Tialda Beelstra](#).

#### Poland

## Poland updates leniency rules: UOKiK issues new guidelines

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Marcin Alberski](#) or [Stanisław Szymanek](#).

#### Spain

## When do information exchanges affect competition? Lessons from the tobacco cartel in Spain regarding Hub-and-Spoke practices

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Candela Sotés](#) or [Pablo Rodríguez](#).

#### 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 REMIT – the Regulation on Wholesale Energy Market Integrity and Transparency, [Louis Breen](#) (paralegal, UK), [Tialda Beelstra](#) (senior associate, Netherlands) and [Clara Desprez](#) (associate, UK) discuss:

- Key REMIT prohibitions on insider trading and market manipulation, and obligations on publishing inside information and reporting transaction data
- How REMIT intersects with competition law to address market manipulation in energy markets
- Key changes introduced by REMIT II in 2024, including enhanced investigative powers for ACER
- 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 feel free to contact the speakers*

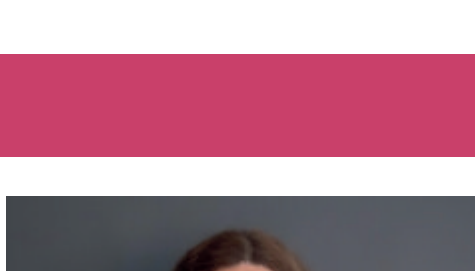


## Key Takeaways from recent webinar

### UK Merger Control Update

On 13 November, our London competition team hosted a webinar on the significant changes to UK merger control following the Digital Markets Competition and Consumers Act (DMCCA). Speakers [Dr Saskia King](#), [Ariane Le Strat](#), and [Emma Birmingham](#), who have all previously worked at the UK Competition and Markets Authority, CMA, were joined by guest panellist Cristina Caballero Candelario, Principal at Fingleton and former Assistant Director of Mergers at the CMA. The session covered the CMA's new jurisdictional tests, enhanced enforcement powers, the 4Ps framework (Pace, Predictability, Proportionality and Process), and practical guidance for deal teams navigating the new regime.

[Read the Key Takeaways from the webinar >>](#)



## Key Takeaways from recent webinar

### Navigating the New Era of FDI Screening – Sensitive Sectors and Cross-Border Deals

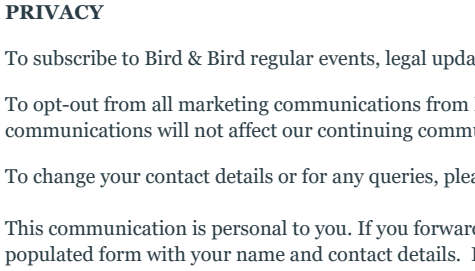
Foreign Direct Investment (FDI) screening is reshaping cross-border deals – are you ready?

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 Beelstra](#), [Jacopo Nardelli](#), [Tenisha Cramer](#), [Maria Karpathakis](#) and [Tamy 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.

[Read the key takeaways from this webinar >>](#)



## Informa CompLaw conference

### 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 Competition and Markets Authority's (CMA) strengthened consumer protection powers and how businesses should respond to increased enforcement around drip-pricing, fake reviews, subscription practices and other emerging issues.

The forum brings together the CMA, in-house counsel and enforcement specialists to discuss practical compliance strategies and risk management in the evolving UK regulatory landscape.

[More information and registration >>](#)

[Get a 20% VIP discount when registering via this link >>](#)

### Bird & Bird news

We're proud to have been recommended in 9 jurisdictions this year by the Global Competition Review GCR 100: **Australia, Brussels, Denmark, Finland, France, Hungary, Italy, the Netherlands**, and the **UK**.



## Recognition in Chambers APAC 2026 guide

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

### Contacts



**Pauline Kuipers**  
Partner, The Hague  
Co-head of Global Competition & EU Group  
+31 (0)7 0353 8810  
[pauline.kuipers@twobirds.com](mailto:pauline.kuipers@twobirds.com)



**Morten Nissen**  
Partner, Copenhagen  
Co-head of Global Competition & EU Group  
+45 2 759 3204  
[morten.nissen@twobirds.com](mailto:morten.nissen@twobirds.com)

[Sign up here](#) to receive this monthly newsletter. See [previous editions here](#).

Visit our [Competition Law Insights](#) page

Find out more about our [Competition Law Practice](#) and follow Bird & Bird on [LinkedIn](#)

#### NEWSLETTERS & EVENT INVITATIONS

Newsletters and content-led events give general information only as at the date of first publication and/or the date of the event, and are not intended to give a comprehensive analysis. They should not be used as a substitute for legal or other professional advice, which should be obtained in specific circumstances. Furthermore, information in our newsletters and from our events is provided subject to our terms and conditions of use here as if references to the website were to also to such content.

#### PRIVACY

To subscribe to Bird & Bird regular events, legal updates and newsletters please [click here](#).

To opt-out from all marketing communications from Bird & Bird please complete the form [here](#). Opting out of receiving marketing communications will not affect our continuing communications with you for the provision of our legal services.

To change your contact details or for any queries, please contact our [CRM Team](#).

This communication is personal to you. If you forward an invitation / newsletter / publication via email, you will be sharing a pre-populated form with your name and contact details. In addition, the recipient of an email forwarded marketing communication will be able to access your marketing preferences and make changes to your profile in our CRM system. We therefore advise you to use the 'Forward to a colleague' button listed at the top or bottom of this communication, which will issue the recipient with a blank form if you would like to send this on.

We make use of pixels in this email to keep track of the results of our marketing email campaigns. If you wish to disable these pixels for future emails, you can do so by turning off the images in your email client itself (Go to Settings > Mail > Block Images).

We use information contained in email signatures with our relationship intelligence tools to maintain our CRM database and support our professional relationships. Contact information is only processed after at least two email exchanges. You can opt out of receiving our marketing communications or be added to our exclusion list for contact information gathering [here](#).

Our privacy policy, which describes how we handle personal information and the use of cookies, is available [here](#).

#### BIRD & BIRD

For information on the international legal practice comprising Bird & Bird LLP and its affiliated and associated businesses (together "Bird & Bird"), our offices, our members and partners, regulatory information, complaints procedure and the use of e-mail [click here](#).

Any e-mail sent from Bird & Bird may contain information which is confidential and/or privileged. Unless you are the intended recipient, you may not disclose, copy or use it; please notify the sender immediately and delete it and any copies from your systems. You should protect your system from viruses etc.; we accept no responsibility for damage that may be caused by them.

Bird & Bird LLP, a limited liability partnership, registered in England and Wales with registered number OC340318, with its registered office and principal place of business at 12 New Fetter Lane, London EC4A 3JP, is authorised and regulated by the Solicitors Regulation Authority, whose professional rules and code may be found [here](#).

A list of members of Bird & Bird LLP and of any non-members who are designated as partners, being lawyers or other professionals with equivalent standing and qualifications, and of their respective professional qualifications, is open to inspection at its registered office.

[Forward to a colleague](#)