

The Competition College has, without imposing a fine, decided that an agreement between Brussels Airlines and Thomas Cook Belgium infringed article 101 TFEU

The Competition College of the Belgian Competition Authority has decided on 1 July that the Commercial Service Agreement concluded between Brussels Airlines and Thomas Cook Belgium at the time of the acquisition of Thomas Cook Airlines by Brussels Airlines in 2017 contained clauses which, read together and given the market position of the parties, constituted an infringement of article 101 TFEU.

However, the problematic clauses have never been adhered by Brussels Airlines and the CSA has been terminated by Brussels Airlines following the bankruptcy of Thomas Cook Belgium.

In view of the specific facts and the cooperation by Brussels Airlines with the competition prosecutor (auditeur), the College decided as proposed by the prosecutor not to impose a fine.

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The Belgian Competition Authority (BCA) is an independent administrative authority that contributes to the definition and implementation of competition policy in Belgium. Concretely, the BCA pursues anti-competitive practices, such as cartels and abuses of a dominant position, and reviews the main merger operations. The BCA cooperates with the other competition authorities of the member states of the European Union and the European Commission within the European Competition Network (ECN)