

WRITTEN QUESTION E-0891/09
by Sharon Bowles (ALDE)
to the Commission

Subject: The 2002 Leniency Notice

Will the Commission answer the following questions:

1. How many leniency applications were received by the Commission under the 2002 *Commission Notice on Immunity from Fines and Reduction of Fines in Cartel Cases* (2002/C 45/03) (hereafter the 2002 Leniency Notice) in total and in each year in which the Notice was applied?
2. In how many cases was a conditional offer of immunity granted by the Commission in total and in each year in which the Notice was applied?
3. In how many cases was a conditional offer of immunity withdrawn in total and in each year in which the Notice was applied?
4. In how many cases was a discount between 30 and 50% granted by the Commission in total and in each year in which the Notice was applied?
5. In how many cases was a discount greater than 50% but less than 100% granted in total and in each year in which the Notice was applied?
6. How many statements of objections were issued in cases where an application for immunity was received under the 2002 Notice in total and in each year in which the Notice was applied?
7. What was the average time taken from receipt of leniency application where an immunity was ultimately granted to statement of objection to final prohibition decision?
8. Please list the nationalities of the corporate headquarters of the leniency applicants received and state the number of applications received from each country.
9. From which market sectors did the Commission receive leniency applications?
10. In how many cases did the Commission transfer leniency applications to the National Competition Authorities? Is the Commission aware of any instances where the applicant had not already applied for leniency before the National Competition Authority concerned?
11. In how many cases was a leniency application made in parallel with the US Corporate Leniency Programme?
12. Were any other parallel applications made in respect of the leniency programme with other third states and, if so, with which states?
13. In how many cases has the Commission decided neither to pursue the matter itself nor to refer it to a National Competition Authority? What were the Commission's reasons for these decisions?
14. How many cases is the Commission aware of where it has received a leniency application and where an NCA also investigated the same matter in respect of the period prior to that Member State's accession?