

Preface

by

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President of the Board of the Portuguese Competition Authority

Ensuring compliance with the Portuguese competition law and advocating in favour of competition in the Portuguese economy is the core mission of the Autoridade da Concorrência (AdC) - Portuguese Competition Authority. The work of the AdC includes fostering healthy competition among market players and raising awareness among economic agents and relevant authorities about the benefits of competition.

In that context, the AdC is increasingly involved in contributing to the continued improvement of Portugal's regulatory environment through the use of competition impact assessment of legislation and regulation that may affect competition in all economic areas, in cooperation with public and private stakeholders.

The AdC's experience in this field has shown the importance of having the analytical capacity to assess the impact on competition of existing legislation and regulation, while also promoting the assessment of new public policies, *ex ante*, across the relevant bodies and institutions.

Ensuring that regulation is not needlessly burdensome is crucial to the dynamic and efficient functioning of markets, while giving effective responses to public needs. Good regulation of markets supports and enables wider consumer choice, which in turn generally leads to lower consumer prices and faster adoption of innovations.

In light of the longstanding experience of the OECD in assessing the regulatory impact of competition, the AdC embarked on a collaborative project with the OECD to carry out an in-depth competition assessment of regulations in two major sectors of the Portuguese economy. The project was based on the competition assessment methodology developed by the Competition Committee of the OECD.

The sectors chosen for analysis were transport (land and maritime), and 13 self-regulated (liberal) professions. This report is the result of this analysis which identifies and assesses the impact of existing regulatory barriers to competition in these two sectors. Based on the findings, the report sets out 765 recommendations for change to Portuguese regulations.

In addition to the recommendations, capacity-building was also a central objective of the project, both for the AdC, as well as the experts from sector regulators and Government that participated in the project. Indeed capacity-building within the institution and in the wider Portuguese institutional framework in reviewing competitive effects may ultimately prove to be one of the main benefits of this project in the long-term.

The AdC will now focus on the implementation of the recommendations, and on continuing the work to consolidate a culture of competition impact assessment to other sectors of the Portuguese economy. Following these recommendations, the AdC will make specific proposals for implementation and continuity of engagement with stakeholders.

In parallel, the AdC will also develop guidelines to support the regular assessment of Portuguese policies and regulations, aiming to promote a regulatory environment of smart regulation where efficient and dynamic markets coexist with the needs of society.

I would like to express my sincere gratitude to the OECD team, AdC staff, and to all stakeholders who were involved in the project, for carrying out this comprehensive, ambitious Competition Assessment Review. This project was carried out with the financial support of the COMPETE 2020 programme, to which we express our thanks.

The collaborative AdC/OECD project was a landmark in competition impact assessment in Portugal and will surely contribute to reinforcing change in the regulatory culture in Portugal, leading to a more competitive, dynamic and innovative business environment.

Margarida Matos Rosa

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