MERIDA BICYCLES - PROCEEDINGS OF UOKiK

* **Does the sale of Merida bicycles in Poland violate the rules of competition?**
* **Tomasz Chróstny, the President of the Office of Competition and Consumer Protection has issued a statement against Merida Polska.**
* **As a result of the practices of Merida Polska, consumers have a limited possibility to purchase the equipment via the Internet.**

[Warsaw, 6 May 2021] Merida Polska is the exclusive distributor of Merida bicycles in Poland. According to the investigations of the Office, Merida Polska might have restricted its distributors to sell those products over the Internet. A business unit that has a stationary store can only display Merida bikes on its website and allow to place the orders, however, shipping the goods to the customers is not organised. The customer can only collect the product from the store. What is more, the distributors cannot sell the goods via such platforms as Allegro, Ebay or OLX. This could mean restricted competition among the distributors. It could be assumed that consumers will not be willing to travel long distances to collect a bike. For instance: a consumer from Ustrzyki Dolne could find a cheaper bicycle on the internet, order it and have it delivered by a distributor in Szczecin, however, as a result of the policy of Merida Polska, the options are restricted for the customer who is forced to chose the equipment offered in, for example, Podkarpackie Voivodeship.

**-** *The principles of the sale of bicycles by Merida Polska mean that the consumer has a limited choice of sellers and can only purchase the equipment from local stores. The consumer does not have the opportunity to take advantage of a more attractive offer via the Internet. The above may result not only in reduced competition among the sellers but also in higher prices of the equipment* **-** says Tomasz Chróstny, the President of the Office of Competition and Consumer Protection.

There is a penalty for participating in an agreement restricting competition of up to 10 % of the entrepreneur's turnover.

Severe sanctions can be avoided thanks to [the leniency programme](https://www.uokik.gov.pl/aktualnosci.php?news_id=13198). It gives the entrepreneurs, as well as the management involved in the illegal agreements, a chance to gain the status of a key witness. This allows to avoid or reduce the sanction. It is possible to benefit from the programme as long as there is evidence or information provided regarding the existence of a prohibited agreement and if there is cooperation with the Office of Competition and Consumer Protection. Entrepreneurs and management interested in the penalty mitigation programme are invited to contact the Office. At the special telephone number 22 55 60 555, the lawyers of the Office answer all questions regarding leniency applications, including anonymous ones.

Additionally, it is possible to further reduce the financial penalty for a participant in a prohibited agreement in the case of voluntary submission to the penalty procedure.

If you are aware of any illegal arrangements at your former or current company, please notify the Office for Competition and Consumer Protection. The Office also runs a programme of acquiring information from anonymous whistleblowers. Please visit[https://konkurencja.uokik.gov.pl/sygnalista/ and](https://konkurencja.uokik.gov.pl/sygnalista/) fill in a simple form. The system used by the Office ensures that your identity will not be revealed.