



EUROPEAN COMMISSION

Competition DG
Antitrust: A1

Brussels,
COMP/A1/

Subject: Evaluation of the functioning of the Vertical Block Exemption Regulation

Dear Sir or Madam,

The European Commission is currently evaluating the functioning of the Vertical Block Exemption Regulation ("VBER"), including the accompanying Vertical Guidelines. The purpose of the VBER is to exempt from the prohibition contained in Article 101(1) of the Treaty on the Functioning of the European Union ("the Treaty") those vertical agreements for which it can be assumed with sufficient certainty that they satisfy the conditions of Article 101(3) of the Treaty. The Vertical Guidelines provide guidance on the assessment of vertical agreements under both the VBER and Article 101 of the Treaty.

In the context of this evaluation, the European Commission has contracted VVA to carry out an evaluation support study that includes an in-depth survey and interview programme in six EU Member States. The objective of these exercises is to collect as precise and accurate information as possible on stakeholder views and experience with regard to the functioning of the VBER and the Vertical Guidelines.

The findings of the evaluation support study, including the survey and the interview programme, will help the European Commission to assess the extent to which the VBER and the Vertical Guidelines are fit for purpose, notably taking into account the specific objectives of the legal framework as well as new market developments since the adoption of the current rules. These findings will also feed into possible considerations on the future of the VBER and the Vertical Guidelines in the context of the subsequent Impact Assessment phase, which will be launched after the finalisation of the evaluation phase. You can find more information on the different phases of the VBER review and the envisaged timing on DG Competition's dedicated webpage at:
https://ec.europa.eu/competition/consultations/2018_vber/index_en.html.

The information you provide in reply to the questionnaire can be anonymised upon your request so that the findings in the evaluation support study cannot be attributed to your organisation. Moreover, any confidential information provided to the contractor will be treated accordingly and thus not be included in the evaluation support study.

As one of the stakeholders operating in the EU Member States covered by these exercises, your participation would be highly valuable for allowing the European Commission to evaluate the functioning of the current regulatory framework. We would therefore be grateful if you would agree to assist us in this important project.

Please do not hesitate to contact us by sending an e-mail to i.taranic@vva.it or COMP-VBER-REVIEW@ec.europa.eu should you have any further questions regarding the purpose of the survey and the intended use of results.

Yours sincerely,

Kris Dekeyser

Director

A handwritten signature in black ink, consisting of a stylized 'K' followed by a horizontal line that curves upwards at the end.