



Agreements on sports market in the decision-making practice of the Polish antimonopoly authority

Anna Głogowska
the Department of Competition Protection UOKiK



Cases

1. Basketball players → antitrust proceedings
2. Speedway riders → antitrust proceedings



Price agreement between
basketball clubs and the
organizer of Energa Basket
League games



Participants in the anticompetitive agreement

1. Polish Basketball League (the organizer of professional men's club basketball league in Poland)
2. All basketball clubs (16) that played in the Polish highest division in 2019/2020 season



Facts

1. In connection with COVID-19 pandemic, in March 2020 Polish Basketball League decided to finish the 2019/2020 season earlier than planned.
2. Clubs issued press statements announcing that they wouldn't pay full amount of the players' salaries for the 2019/2020 season.
3. All 16 clubs agreed on common way of conduct towards players with whom they worked.
4. Agreement was made in consultation with Polish Basketball League.



Legal assessment

1. Price fixing collusion infringing Art. 6 sec. 1 point 1 of the Act of 16 February 2007 on competition and consumer protection and Art. 101 (1) (a) TFEU
2. The agreement restricted competition by object
3. Anticompetitive agreement took place from mid-March 2020 to August 2020



Relevant market

→ Polish market of purchasing services of basketball players



The Antitrust Decision

1. The decision was issued in October 2022
2. A total fine of almost 1 million PLN was imposed on all the parties
3. The decision is not final



Determination of
maximum remuneration
rates for speedway riders



Participants in the anticompetitive agreement

1. The Polish Motor Association (Polish National Federation for motor sports and the governing body of motorsports in Poland)
2. The Ekstraliga Żużlowa company (organizer of highest professional club speedway league in Poland)



Facts

1. November 2013 – the Polish Motor Association introduces for the first time the maximum salary rates for riders competing in the Speedway Extraleague
2. December 2015 – the Polish Motor Association extends the application of the regulation also to riders competing in the 1st and 2nd speedway leagues
3. October 2022 – the Polish Motor Association repeals the remuneration limits (already after the initiation of antitrust proceedings)
4. The Ekstraliga Żużlowa company took active role in introducing and maintaining the remuneration limits



Relevant market

→ Polish market of purchasing services of speedway riders



Legal assessment

1. Price fixing collusion (in a form of a decisions by associations of undertakings) by fixing maximum amount of remuneration for the purchased services of professional speedway player
2. Infringing Art. 6 sec. 1 point 1 of the Act of 16 February 2007 on competition and consumer protection and Art. 101 (1) (a) TFEU
3. Anticompetitive agreement took place from November 2013 to October 2022



The Antitrust Decision

1. The decision was issued in June 2022
2. A total fine of almost 5.2 million PLN was imposed on two parties
3. The decision is not final

Thank you

Anna Głogowska

Industry, Energy and Services Unit
Competition Protection Department
The Office of Competition and Consumer Protection
anna.glogowska@uokik.gov.pl

www.uokik.gov.pl