

This is an English translation.

The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi), is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.

Article 1

A new Article, becoming Article 17(a), is inserted after Article 17 of the Act, as follows:

In the event that any undertaking or association of undertakings has violated the provisions of this Act or any decisions of the Competition Authority grounded in this Act, the Competition Authority is authorised, with the consent of the parties involved, to conclude the matter by a settlement. The same applies in the case of mergers that obstruct effective competition, cf. Article 17. A settlement is binding for the party involved once it has been accepted and its substance confirmed by the party's signature.

The Competition Authority shall lay down further rules on

the implementation of the Article.

Article 2

Article 37 of the Act shall read as follows:

The Competition Authority will impose administrative fines on undertakings or groups of undertakings that violate:

A prohibition pursuant to Articles 10 or 12;

A prohibition pursuant to Article 11;

Instructions from the competition authorities based on Article 14;

Conditions established by the competition authorities for the granting of an exemption pursuant to Article 15;

Measures, actions or provisional decisions pursuant to Article 16;

An intervention, instruction or conditions of the competition authorities pursuant to paragraphs 1, 5 and 6 of Article 17.

Their obligation to notify pursuant to paragraph 3 of Article 17;

A settlement between the Competition Authority and a party pursuant to Article 17(a);

The obligation to provide information or surrender documents pursuant to Article 19;

A prohibition pursuant to Articles 53 or 54 of the EEA Agreement.

Fines may amount to up to 10% of the total turnover of the preceding business year of any undertaking or association of undertakings involved in a violation. If the violation of an association of undertakings relates to the activities of its members the fine shall not exceed 10% of the total turnover of active members in the market affected by the violation of the association. In deciding the amount of fines, account shall be taken of the nature, and extent of the violations, duration and whether repeated violations are involved. The fines shall accrue to the Treasury, net of collecting costs. If an administrative fine is not paid within one month from the decision of the Competition Authorities, penalty interest shall be paid on the amount of the fine. The determination and calculation of penalty interest is subject to statutory law on interest and price-level indexation.

Fines may be reduced if an undertaking has taken the initiative in providing information or documents to the Competition Authority concerning violations of Articles 10 or 12, which, in the opinion of the Authority, constitute an important addition to the evidence already in its possession, subject to further conditions established by the Competition Authority in its Rules.

A decision to impose a fine may be waived if a violation is regarded as insignificant, or for other reasons if no need is seen for such fines for the purpose of promoting and strengthening effective competition. Furthermore, the imposition of a fine may be waived if an undertaking took the initiative in providing the Competition Authority with information or documents relating to violations of Articles 10 and 12 which, in the opinion of the Authority, could lead to investigation or proof of a violation and subject to further conditions laid down by the Competition Authority in its Rules.

A decision of the Competition Authority to impose fines may be appealed to the Competition Appeals Committee.

Article 3

A new Article, becoming Article 37(a), is inserted after Article 37 of the Act, as follows:

The authorisation of the Competition Authority to impose administrative fines pursuant to this Act shall lapse when seven years have passed since the behaviour in question was discontinued.

The limitation period pursuant to Paragraph 1 is interrupted if the Competition Authority notifies a party of the launch of an investigation of an alleged violation or when a search is conducted at the place of business of an undertaking or association of undertakings pursuant to Article 20. The interruption of the limitation period has legal effect for all parties involved in a violation.

Article 4

Two new articles are inserted following Article 41 of the Act, as follows:

a. (Article 41(a))

Any employee or director of an undertaking or association of undertakings who carries out, incites to or gives