

COMPETITION POLICY PRIORITIES FOR 2025

COMPETITION POLICY PRIORITIES FOR 2025

In 2025, the Portuguese Competition Authority (Autoridade da Concorrência, AdC) will keep its focus on the vigorous enforcement of competition law and on promoting competition in the market, to enhance consumer welfare.

By pursuing its mission, the AdC will contribute to address the current societal challenges, such as the so-called twin green and digital transition.

Furthermore, and following a set of influent reports on European competitiveness (e.g., the [Draghi Report](#) and the [Letta Report](#), or the European Commission report on "*Protecting Competition in a changing world*"), the AdC will contribute to promoting economic growth, investment and innovation, including by means of advocacy, aiming at removing barriers to entry and expansion in several sectors of the domestic economy. This latter is particularly important in times where it becomes evident that the design of industrial policies must incorporate competition principles.

2025 will be a year marked by important developments on competition policy within the European Union, namely in what concerns ongoing legislative reviews and the implementation of more recent legal instruments, such as the Digital Markets Act (DMA) and the Foreign Subsidies Regulation (FSR), which will also be reflected in the activity of the AdC. At the same time, the AdC will continue to follow the ongoing discussion regarding the European Commission guidelines on exclusionary abusive practices.

Within this context, the priorities of competition policy for 2025 can be summarised as follows:

Investigating the most harmful **anticompetitive practices**, such as **cartels**, increasing **ex officio detection**, thus contributing for the **green and digital transition**.

Pursuing a robust and timely assessment of **mergers between companies**, along with investigating “**gun-jumping**” and focusing on **ancillary restraints**

Launching a **new cycle of outreach and dialogue with key economic sectors** to increase awareness regarding the benefits of competition and compliance

Fostering **the role of competition in promoting contestability in digital markets**, namely in the sector of **generative AI**, in close cooperation with the European Union

Implementing **innovative IT forensic tools, which incorporate AI**, to detect anticompetitive practices and support the investigation by the AdC teams

Implementing **new methodologies of internal coordination** to consolidate the **economic and legal robustness of the AdC’s investigations**, in addition to the internal **checks and balances**

In 2025, the AdC will continue to align its action with the interest of citizens and the economy, directing its investigation activity towards **anticompetitive practices** that **are most harmful to the economy** and consumer welfare, particularly **cartels** and other horizontal practices, namely those that affect public

procurement and labour markets. These are two key areas that impact the lives of citizens, namely as taxpayers and workers.

The AdC will also pursue the investigation of **vertical restraints** and **decisions by associations of undertakings**.

Simultaneously, the AdC will continue to foster the use, by companies, of the **leniency programme**.

As regards **abuses of a dominant position**, the AdC will prioritise detection and investigation in sectors with greater economic relevance and impact for consumers.

The capacity to **proactively detect infractions** will be reinforced by the **implementation of new models of internal organization**, which promote further agility, and by the widespread use of IT forensic tools, some of which created by the AdC.

As for **merger control**, the AdC will pursue a timely and solid assessment of notified transactions. On the other hand, and alongside the investigation of failures in the duty of prior notification to AdC or **gun jumping**, the AdC will grant special attention to **ancillary restraints**, particularly by drafting guidelines. As for the legal framework, the AdC will further deepen the reflection on the adequacy of the existing legal regime applicable to merger control to the challenges that arise, particularly with regard to markets characterised by a high innovation dynamic.

In 2025, the AdC will launch new initiatives for promoting competition, by starting a **cycle of outreach and dialogue with key economic sectors**. As for these initiatives, the AdC will reinforce public and private agents' perception regarding the importance of combating bid-rigging in public procurement, of promoting competition in labour markets and on the interaction between competition and sustainability, among other topics.

2025 will also mark the conclusion of the **"20 Years, 20 Cities – Competition next to you!"** sessions, which have been enabling the AdC to have fruitful contact with the business community, public entities and citizens in the Districts and Autonomous Regions.

The AdC will continue to contribute to the understanding, at a global level, of the implications for competition policy that arise from the **development of generative Artificial Intelligence (AI)**. The AdC has started to monitor the sector with the publication of the *issues paper* “Competition and generative Artificial Intelligence (AI)” in 2023. In 2025, the **short papers series on generative AI**, launched in 2024, will be further pursued. The short papers series intends to foster the enforcement of competition law to promote contestability in the market and to prevent that potential bottlenecks along the Value stack materialize into a consolidation of market power.

Also in this area, **developments in the digital economy** will be overseen, not only within the perspective of identifying potential constraints to competition, but also in what concerns the enforcement of the **Digital Markets Act (DMA)**, in close cooperation with the European Commission.

As for promoting competition, the AdC will also develop analyses and monitor relevant economic sectors, such as transport and energy.

Within its internal organization, the AdC will implement innovative **IT forensic tools that incorporate AI**, with the purpose of fostering the detection of anticompetitive practices and supporting investigations. The development of these tools intends to generate a widespread and intuitive use by the AdC teams, within several domains of competition law enforcement, which will reinforce the implementation of data collection tools to identify and investigate anticompetitive practices, such as web scrapping and screening.

Finally, in 2025, new methodologies of internal coordination to consolidate the **economic and legal robustness** of AdC investigations will be fully implemented, in addition to the existing **internal checks and balances**.

In short, in 2025, the activity of AdC will be guided by the mission of public interest to protect and promote competition, by ensuring fair and equitable, impartial, rigorous, and transparent action.

20 December 2024.