Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU) prohibit anti-competitive business practices. The European Commission, national competition authorities, and national courts enforce Articles 101 and 102 under powers conferred by Regulation 1/2003. From time to time, the European Commission issues non-binding notices providing clarification of the competition rules. This chapter begins with an outline of Articles 101 and 102 and the rules on enforcement. It then looks at the two Treaty provisions in detail. In broad terms, Article 101 prohibits business agreements or arrangements which prevent, restrict, or distort competition within the internal market and affect trade between Member States whilst Article 102 prohibits, as incompatible with the internal market, any abuse by undertakings in a dominant position within the internal market insofar as it may affect trade between Member States. It should be noted at the outset that ‘dominance’ itself is not prohibited, but only when such dominance is accompanied with abusive behaviour that may affect trade.
8. EU competition law: Article 101 and 102 TFEU

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