7. Articles 101 and 102: public enforcement by the European Commission and national competition authorities under Regulation 1/2003

This chapter explains the public enforcement of Articles 101 and 102 by the European Commission and the national competition authorities (‘the NCAs’) under Regulation 1/2003. It begins by describing the Commission’s powers of investigation and enforcement, including its power to accept commitments, its leniency programme, the cartel settlement procedure and its power to impose financial penalties. It then discusses the operation of Regulation 1/2003 in practice, with particular reference to the European Competition Network (‘the ECN’) that brings together the Commission and the NCAs. The chapter concludes by providing a brief account of judicial review of the Commission’s decisions.