



EUROPEAN COMMISSION

Internal Market and Services DG

HORIZONTAL POLICY DEVELOPMENT

Better regulation cycle: Legal aspects

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Mr. Denis Sylvester
English Leasehold Reform
Press Officer 079431420790
128 Tollington Park Road
UK - N4 3RB

Subject: Your complaint 2008/4553 of 23 April 2008 against the United Kingdom

Dear Sir,

I refer to your complaint of 23 April 2008 relating to the alleged infringement of EU Competition law by the United Kingdom 2002 Commonhold and Leasehold Reform Act, registered under number 2008/4335.

We have completed our examination of your complaint. On the basis of the information you supplied and of further information we have been able to gather, we are not planning to propose that the Commission initiate infringement proceedings for failure to comply with Community law by the United Kingdom. According to the available information, it is not possible to prove that the alleged infringement is actually being committed.

The service of the Commission responsible for competition law (DG Competition) has informed us that there is no infringement of EU competition rules in the present case. The elements which you describe in your letter do not appear to fall within the scope of Articles 81 or 82 of the Treaty. Indeed, there is neither an indication of an anticompetitive agreement, decision or practice nor an indication of the existence of a behaviour which could amount to an abuse. Moreover, in view of Article 86(1) of the Treaty, there is no indication that the measures you refer to are contrary to any rules of the Treaty, and in particular not to those provided for in Articles 81 and 82.

Subsequently the services of DG Internal Market and Services have also examined the case and concluded that the case does not constitute a breach of the Community rules governing the Internal Market within our competences.

We shall accordingly be proposing that the Commission closes this case at one of its forthcoming meetings. If you have new information that might prove that there is an infringement, we should be grateful to receive it at your earliest convenience and at any rate within four weeks of this letter.

Yours faithfully,



Henrik Mørch

Contact:

Helge Kleinwege, Phone: (32-2) 2963063, helge.kleinwege@ec.europa.eu