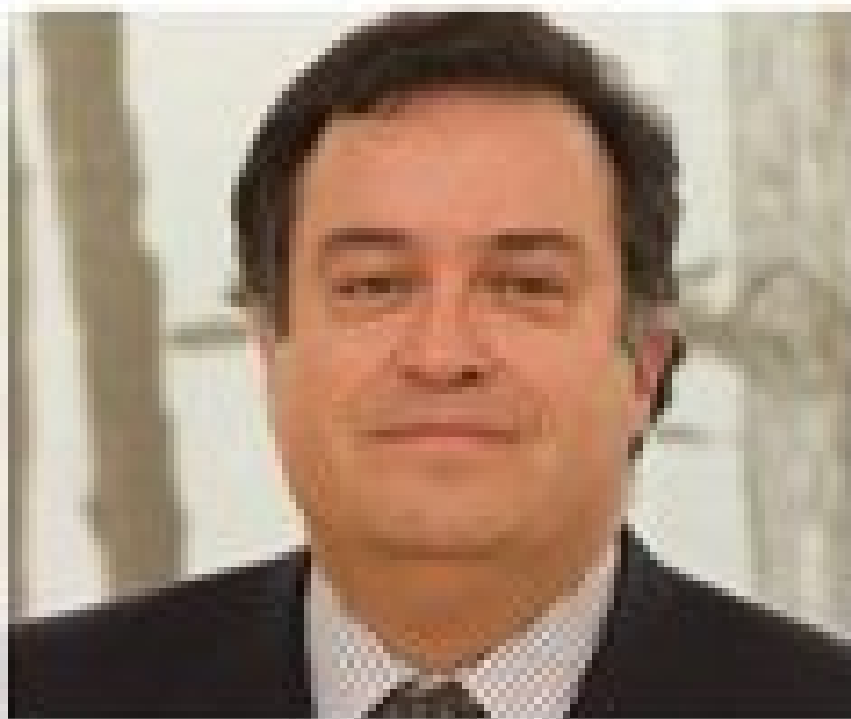


# 'UNCLEAR COMPETITION LEGISLATION' POSES CHALLENGE FOR LAWYERS - VIEIRA DE ALMEIDA

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**Law firms find it difficult to provide conclusive advice to clients due to the many 'grey areas' in competition law – however, such rules ensure companies are held to account and stop market abuse**

Competition laws often lack clarity and make it difficult for lawyers to give clients clear guidance, says Nuno Ruiz, partner at Vieira de Almeida in Lisbon.

"Companies like competition rules like a turkey likes Christmas," says Ruiz. The biggest issue relates to the uncertainty caused by such laws, due to a lot of "grey areas" that make it difficult for law firms to provide conclusive advice – in turn, this makes it difficult for companies to ensure they are compliant, he adds.

Companies that operate at a global level need to adapt in order to be compliant with EU and national completion rules, Ruiz explains. Competition policies in the US differ greatly from those within the European Union, for example. Therefore companies operating in Europe face major challenges, which generates opportunities for law firms to engage with those companies and guide them, Ruiz says.

Competition rules do have benefits as they mean companies are held to account and they also stop cartels and market abuses, according to Ruiz. That said, Ruiz argues that there is currently a shortage of suitably experienced judges in national courts who are able to handle complex cases and, as a result, lawyers could face difficulties defending their clients. He adds that there may also be instances in which judges in civil cases hold views that differ from those of the competition authorities.

Competition laws may also lead to a "significant amount of private enforcement in national courts", Ruiz says. This will particularly be the case when competition authorities dismiss complaints due to "lack of policy interest or insufficient resources to deal with them", he adds. This environment provides a major opportunity for young lawyers to enter the market and specialise in competition law, as well as a chance for judges to get acquainted with the enforcement of competition rules, Ruiz says, "especially given the increased importance it will have within the business world in the coming years".