BASKETBALL CLUBS VIOLATED COMPETITION - DECISION OF PRESIDENT OF UOKIK

**The joint arrangements of the basketball clubs to terminate their cooperation with the players represented an agreement restricting competition.**

* **The UOKiK President Tomasz Chróstny imposed nearly PLN 1 million in penalties on 16 clubs and the company Polska Liga Koszykówki [Polish Basketball League].**
* **The penalised entities have limited the competition among them for attracting the best sportsmen.**

**[Warsaw, 25 October 2022]** The decision of the President of UOKiK concerns games of the Polish Basketball League in the 2019/2020 season. Due to the early termination of league competitions as a result of the coronavirus pandemic, the clubs agreed, with help of the Polish Basketball League, not to pay the players all the salaries due for the season. Contracts with basketball players were to be terminated, which also meant that salaries for the remainder of the season would not be paid.

*- Sports clubs are entrepreneurs within the meaning of the Polish and European competition law. This means that they should make their own business decisions. Acting in agreement, they were able to illegally exchange sensitive information and eliminate an important factor affecting competition between them, i.e. rivalry for the best players*, says the President of UOKiK Tomasz Chróstny

In the case of coordinated actions, clubs could afford to reduce players' monetary benefits without fearing that players would move on to other clubs in the following season because of this. The players, in turn, have a direct bearing on the clubs' position in the market. As a general rule, the better players a club attracts, the better results it will achieve in the games, which in turn means more ticket sales and paraphernalia purchased by fans, as well as easier acquisition of sponsors. Moreover, the decisions taken by the clubs did not take into account the individual economic situation of each club.

This is not the only case concerning arrangements between sports clubs that the President of UOKiK is dealing with. There are ongoing [proceedings](https://uokik.gov.pl/news.php?news_id=18553) against Ekstraliga Żużlowa and Polski Związek Motorowy regarding determination of maximum **remuneration rates for sportsmen competing in speedway competitions.**

For participation in an agreement restricting competition, the President of UOKiK imposed financial penalties on 17 entities in the total amount of PLN 946,440.50. The penalised entrepreneurs are as follows:

* BM Slam Stal from Ostrów Wielkopolski - **PLN 45,773.08,**
* Gdyński Klub Koszykówki Arka from Gdynia - **PLN 75,270.39,**
* Gliwickie Towarzystwo Koszykówki from Gliwice - **PLN 42,893.94,**
* “Grono” Sportowa from Zielona Góra - **PLN 77,617.76,**
* Hydro Truck Sport from Radom - **PLN 10,808.82,**
* Klub Koszykarski Astoria Bydgoszcz from Bydgoszcz - **PLN 30,351.42,**
* Klub Koszykówki Włocławek from Włocławek - **PLN 64,907.80,**
* King Wilki Morskie Sportowa from Szczecin - **PLN 59,550.86,**
* Legia Warszawa Sekcja Koszykówki from Warsaw - **PLN 58,723.56,**
* Miejski Klub Sportowy Dąbrowa Górnicza from Dąbrowa Górnicza - **PLN 39,051.47,**
* Miejski Klub Sportowy Start from Lublin - **PLN 49,733.11,**
* Spójnia Stargard Sportowa from Stargard - **PLN 45,460.34,**
* Starogardzki Klub Sportowy Sportowa from Starogard Gdański - **PLN 29,810.76,**
* Śląsk Wrocław Basketball from Wrocław - **PLN 50,451.46,**
* Trefl Sopot from Sopot - **PLN 50,272.78,**
* Twarde Pierniki from Toruń - **PLN 84,983.22,**
* Polska Liga Koszykówki - **PLN 130,779.73.**

The decision is not final and binding and can be appealed in court.

- *Participation in an agreement restricting competition is subject to a high financial penalty of up to 10 percent of the entrepreneur's turnover and PLN 2 million for managers responsible for the breach of the law.* *Therefore*, I would like to appeal to all those who are involved in prohibited collusions to report to UOKiK. Our commutation programme makes it possible to reduce or even avoid financial penalties. I think that in these difficult times it is better not to risk the Authority finding out about collusion from other sources, but to come forward in good time and avoid a monetary sanction. I encourage all interested parties to contact UOKiK, our *lawyers will answer all questions, including anonymous ones, regarding the commutation* programme, says the President of UOKiK Tomasz Chróstny.

The Authority also runs a programme to obtain information from anonymous whistleblowers. Do you wish to inform UOKiK about competition-restricting practices? Visit [konkurencja.uokik.gov.pl/sygnalista/](https://konkurencja.uokik.gov.pl/sygnalista/) and fill out a simple form. The system we use guarantees full anonymity, including to the Authority itself.