Dear Mr Lowe,

I take pleasure in enclosing BUSINESSEUROPE contribution to the consultation on the functioning of Regulation 1/2003 on the modernisation of competition rules.

BUSINESSEUROPE appreciates the Commission's willingness to assess the functioning of antitrust procedural rules and underlines the importance of their periodic revision when needed.

Overall, European companies have received positively the reforms introduced by Regulation 1/2003. However, we believe that some improvements could still be made to reach more efficient and effective antitrust enforcement by the European Commission and national competition authorities. Antitrust law is crucial and its enforcement is fundamental for creating and sustaining a competitive economy.

Specific aspects such as increasing legal certainty, improving the protection of fundamental procedural rights and legal professional privilege for in-house counsel rise concerns among European companies. We believe that improving such aspects is in the interest of both companies and the Commission. BUSINESSEUROPE will be glad to contribute to this process in the future.

The above mentioned issues are elaborated further in the attached paper. We trust that our comments and proposals will be taken into account when preparing the report to European parliament and Council and in any future initiatives on this important matter.

Yours sincerely,

Philippe de Buck