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## Final ruling in Finnish asphalt case

**The Supreme Administrative Court of Finland, the Finnish equivalent of the Swedish Supreme Administrative Court, has imposed an administrative fee of about SEK 46 million on NCC Roads Oy for violations of the Finnish Competition Act. The half-owned company VLT Trading Oy, formerly Valtatie Oy, was also fined about SEK 48 million. Administrative fees totaling about SEK 70 million were thus imposed on NCC.**

“The fee is SEK 45 million higher than in the Finnish Market Court. We will now analyze the reasons why the fee was raised,” says NCC General Counsel Håkan Broman in a statement.

A total of seven companies were found by the court to have infringed the Competition Act, and the total sanction amount is about SEK 827 million. Two of the companies concerned, NCC Roads Oy (NCC) and VLT Trading Oy (VLT), were acquired by NCC in 2000. VLT is currently a dormant company.

In its case, the Finnish Competition Authority (FCA) claimed that a national cartel had been in operation in the asphalt industry between 1994 and 2002, which divided up the market and engaged in pricing and tendering collusion. The Supreme Administrative Court has found that NCC, through formerly owned companies, was complicit in cartel activities from 1997 to 2001. According to the Court, VLT was also complicit between 1995 and 2001.

The fees to be paid by NCC and the half-owned company VLT were charged to NCC's earnings in an amount of SEK 25 million as early as the fourth quarter of 2007. The remaining fee of about SEK 45 million will be charged against earnings in the third quarter of 2009 and have an effect on cash flow in the fourth quarter. NCC received a number of claims for damages from a few municipalities and from the National Road Administration in Finland. Possible claims will be determined by a general court.

The verdict by the Supreme Administrative Court cannot be appealed.

To avoid future infringements of the Competition Act, an NCC Group training program in competition law has been provided to 310 NCC Roads managers. In addition, NCC has implemented an in-house training program in the form of seminars covering such areas as competition regulations, bribery, subornation and NCC's values.

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*All of NCC's press releases are available on [www.ncc.se](http://www.ncc.se)*

*NCC is one of the leading construction and property development companies in the Nordic region. In 2008, NCC had sales of slightly more than SEK 57 billion, with 20,000 employees. NCC Roads core business is the production of aggregates and asphalt, paving operations and road services.*

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