

# Competition Board appoints new members: quorum established

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Two of the three vacant positions on the Competition Board (the competent decision-making organ of the Competition Authority), which have been vacant due to the expiration of the terms of office of three members since 24 June 2019, have now been filled.

The relevant presidential decree regarding the appointment of the new board members was published in the *Official Gazette* on 2 November 2019;<sup>(1)</sup> however, it did not set out the members' inauguration date.

In accordance with Article 26 of Law 4054 on the Protection of Competition, which states that the chair and members of the Competition Board can assume their positions only after taking an oath of office before the Supreme Court of Appeals following their appointment, newly appointed members took their oaths of office on 4 November 2019 and took up their positions.

The vacancies at the board did not disrupt the Competition Authority's ongoing processes, except for the postponement of the scheduled oral hearing meetings. To that end, the Competition Board continued to render decisions relating to various merger control filings during this period.

Nevertheless, this exceptional situation, which has occurred only once before in the Competition Authority's 22-year history, has drawn considerable attention on an international level. Further, these appointments were long awaited in light of the Competition Board's rendering of final decisions in contentious matters (eg, ongoing investigations).

Despite the Competition Board's existing backlog, the inauguration of the newly appointed members means that it can now proceed with and resolve contentious matters that were pending on its agenda. The lack of quorum will no longer be a limiting factor for the board's functioning.

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## Endnotes

(1) Presidential Decree 2019/368, 30936.

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