



BELGIUM

Belgian Competition Authority vs. International Equestrian Authority: second round

🔗 [Brussels Court of Appeal, Case 2015/MR/1, Fédération Equestre Internationale/Autorité Belge de la Concurrence, April 28, 2016](#)

On April 28, 2016, the Brussels Court of Appeal dismissed the appeal by the Fédération Equestre Internationale (“FEI”) of an injunction issued by the Belgian Competition Authority (the “BCA”) that suspended the application of the rule on non-approved competitions (Article 113 of the FEI General Regulations).

On June 22, 2015, the BCA issued a provisional measure that partially suspended the exclusivity clause that penalized participants in the Global Champions Tour (“GCT”) League by preventing them from competing in FEI-approved events if they had taken part in unapproved events within the preceding six months. According to the BCA, this rule was in breach of competition law and should have been suspended before a final decision was adopted.

In FEI’s view, the BCA had no authority to impose an injunction on events organized outside Belgium, FEI further claimed that the rule was intended to protect the well-being of horses and riders and the integrity of the competition. The Court of Appeal rejected these arguments, stating that the BCA has to safeguard the effective application of EU competition law against FEI’s restrictive measures and that the competitors’ well-being was already protected by specific regulations adopted at the international level.

The court’s dismissal represents a second attempt to overturn the injunction of the BCA following a first request for suspension rejected by the same court on October 22, 2015. Nevertheless, the FEI has made clear that it will continue its legal battle to defend the legitimacy of this rule as a fundamental provision to protect athletes and to maintain a level playing field.