COMPETITION AUTHORITY OF ALBANIA

"International Cooperation in Competition Law Enforcement"

(ACA experience)

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International Cooperation in Competition Law Enforcement

- The *mains focus* in the International Cooperation:

- Developing relationships with **National Competition Authorities** and with **International Organizations** that operate in the field of competition.

The model of cooperation

- **Bilateral cooperation** – through **Memorandums of Understanding** with the Competition Authorities - Italy, Hungary, Austria, Kosovo, Turkey, Croatia, and Malta.

- **Multilateral agreements** - in the framework of the *"Sofia Competition Forum".*

Bilateral agreements

- In the framework of **bilateral agreements** and in the framework of the **financial support by EU programs**, we have made possible the training of ACA civil servants staff.

- In recent years through ***TAIEX Program***, our inspectors have been trained by the Austrian Competition Authority and Italian Competition Authority.

Communication Network

- In the context of cooperation, we participate in various international organizations and we are part of the **Communication Network**.

- *OECD-GVH/RCC; UNCTAD, ICN* .

OECD-GVH/RCC Framework

- **Regional Center for Competition** in Budapest (RCC) - the Competition Authorities from South East European countries.

- **RFI (Request for information) -** RFI is a way how we share information, and receive the answer to various questions.

One case - Administrative fees

Authorization of concentrations

- Amendments to the Regulation “On administrative fees in the case of authorization of concentrations - merger & acquisition”.
- In the first phase, and the in-depth investigation phase.
- We shared the information for tariffs between the countries of the Balkan region and in EU countries.
- And especially we have analyzed the model of the countries in the region, **which have the same economic level with Albania**.

Session of the IGE/UNCTAD

- Attending the annual meetings of the *Intergovernmental Group of Experts on Competition Law and Policy* at UNCTAD.

- We can mention here the case, when issues in the football sports sector were on the agenda of the 17th session of the IGE.

- ACA has **opened the investigation** for the economic activity of the Albanian Football Federation.

In the framework of ICN

- **Decision of Competition Commission** no. 636, dated 04.07.2019 “On the approval of the Competition Agency Procedures Framework” **(CAP).**

- We look forward to the cooperation of the Competition Authorities in the future under this Document.

OECD Manuals

- **It is important to note that:**
- all the ACA investigative activity, in terms of the markets investigated, are based on OECD manuals ***as best practice.***

- The investigations carried out in recent years, referring to:
- ***banking and insurance market; hospital market; public procurement; fuel market, telecommunications market; education market, etc .***

OECD Global Competition Forum

- The ACA, for the **first time in 2018**, participated and made a **written contribution** to the OECD Global Competition Forum.

- (1) ***Investigative powers in practice Session*** (2) ***Regional cooperation Session.***

- This year, 5-6 December 2019, the contribution will be to the Session IV- competition for the market

The cases of concentration transactions

- ACA in its activity has faced a few cases, where the **national market has been affected** by activities taking place outside the Republic of Albania - in particular in the **cases of concentration** transactions.

1. *Acquisition by OTP Bank Nyrt of many General subsidiaries in the region.*
2. *The case of the acquisition of Avon Products by Natura Cosméticos SA.*

In the framework of European Integration

- Albania has the candidate status in EU, from June 2014.
- Law no.9121/2003 “On protection of Competition”, as amended is ***in line*** with TFEU:

1. Art.101 – Prohibited agreement & Art.102 - Abuse of dominance position.
2. Council Regulation (EC) No 139/2004 of 20 January 2004 “On the control of concentrations between undertakings” (the EC Merger Regulation).
3. Sub legal acts are in the line with *EU acquis.*

ECN + Directive

- ECN + Directive should also be applied to candidate countries.
- ECN + aims:

1. to empower competition authorities to be more effective enforcers and to ensure the proper functioning of the internal market;
2. to ensure cooperation between them - not only for the ***implementation of investigative procedures*** & to provide the **execution of the decisions** given by them.

For the future

- Through ***coordinating our activities***, in the case of authorizing concentrations.
- Through exchanging information - allows us to ***evaluate a region's benchmark,*** based on comparative methods.
- Through ***transposing EU legislation into national legislation.***

Thanks for your attention!