



REPUBLIC OF ALBANIA
-THE COMPETITION AUTHORITY-
The Competition Commission

DECISION

No.66, Dated 18.12.2007

On imposing a fine for minor breaches

The Competition Commission, on its meeting held on 18.12.2007, with the participation of:

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| ▪ Mrs. Lindita Milo (Lati) | Chairwoman |
| ▪ Mrs. Servete Gruda | Member |
| ▪ Mr. Lush Përpali | Member |
| ▪ Mr. Koço Broka | Member |

Discussed the following issue:

Subject: The determination of the amount of the fines to be imposed on the concrete production undertakings that have declined to submit the information required by the Secretariat of the Competition Authority.

Legal basis: - Law No. 9121, dated 28.07.2003, titled "On Protection of Competition", Article 24, Article 33, paragraph 1, Article 73, paragraph 1, letter "a", and Article 80.
- The Code of Administrative Procedures.

Parties, from which the Secretariat of the Competition Authority had required information from:

1. **"Alba-Beton" sh.p.k., Address:** Rr."Arkitekt Sinani", Pall 220/1, No. 7, Tirane
2. **"ANI" sh.p.k., Address:** Rr. "Qemal Stafa", No. 31, Tirane
3. **"Alban-Tirana Co" sh.p.k., Address:** Rr."Komuna e Parisit", Pall 4, Kati 2, Tirane.
4. **"Beton Ekspres", Address:** Close to the Bricks Factory, Vore, Tirane.
5. **"Delia Group "sh.p.k., Address:** Rr."Irfan Tomini" No. 7, Tirane.
6. **"Eurovini" sh.p.k., Address:** Rr. "Ismail Qemali", Tirane
7. **"Eurobeton 2005" sh.p.k., Address:** Km.1, Autostrada Tirane – Durrës.
8. **"Euro Lines" sh.p.k., Address:** Kamez, Tirane.
9. **"Ferro Beton & Construction Co" sh.p.k., Address:** Km. 20, Vore, Tirane
10. **"Halili" sh.p.k., Address:** Rr. "Qemal Stafa", Tirane.

11. **“Ital-Beton Construction”, Address:** Lunder, Tirane.
12. **“Kirchberger Albania” sh.p.k., Address:** Bul: “Zogu i Pare” Tirane.
13. **“K.D.K” sh.p.k., Address: Address:** Rr. “Dervish Hima”, Kulla No.1, Tirane
14. **“Qarri 02” sh.p.k., Address:** Zall Herr, Tirane
15. **“Sina 98” sh.p.k., Address:** Shkoze, Tirane
16. **“Shkodra Beton” sh.p.k., Address:** Rr. “Durrësit”, former greenhouse buildings, Tirane
17. **“Best Construction Alb” sh.p.k. (BestStar), Address:** Rr. “Kavajes”, Tirana Tower, Kati 6, Tirane
18. **“Edil Al-It” sh.p.k. (Tirana Beton), Address:** Rr. “Perlat Rexhepi”, Pall. 14-kat, Kati 2, Tirane

The Competition Commission,

NOTED THAT:

The Secretariat of the Competition Authority had required information from the following undertakings: “Alba-Beton” sh.p.k., “ANI” sh.p.k., “Alban-Tirana Co” sh.p.k., “Beton Ekspres”, “Delia Group” sh.p.k., “Eurovini” sh.p.k., “Eurobeton 2005” sh.p.k., “Euro Lines” sh.p.k., “Ferro Beton & Construction Co” sh.p.k., “Halili” sh.p.k., “Ital-Beton Construction”, “Kirchberger Albania” sh.p.k., “K.D.K” sh.p.k., “Qarri 02” sh.p.k., “Sina 98” sh.p.k., “Shkodra Beton” sh.p.k., “Best Construction Alb (BestStar)” sh.p.k., “Edil Al-It” sh.p.k. (Tirana Beton)”, through a letter, Prot. No. 487, dated 25.09.2007, with the following subject “Notification on the decision made by the Competition Commission for the invalidation of the agreement and request for information.”

The undertakings “Alban-Tirana Co” sh.p.k., “Beton Ekspres”, “Ferro Beton & Construction Co” sh.p.k., “Halili” sh.p.k., “Ital-Beton Construction”, “Kirchberger Albania” sh.p.k., “Qarri 02” sh.p.k., “Shkodra Beton” sh.p.k., “Best Construction Alb (BestStar)” sh.p.k. have not responded to the request for information, as required in the letter sent by the Secretariat, Prot. No. 487, dated 25.09.2007, with the following subject “Notification on the decision made by the Competition Commission for the invalidation of the agreement and request for information”, and the Form enclosed to it, in accordance with Article 61 of the Code of Administrative Procedures.

The abstaining by the aforementioned undertakings to provide the requested information constitutes a minor breach of the Law No. 9121, dated 28.07.2003, titled “On Protection of Competition”, pursuant to Article 73, paragraph 1, letter “a” of the same.

FOR THE ABOVE REASONS

Based on Article 24, letter “d”, Article 73, paragraph 1, letter “a”, and Article 80 of Law No. 9121, dated 28.07.2003, titled “On the Protection of Competition”, and upon proposal of the Secretariat, the Competition Commission,

DECIDED:

1. To impose a fine for a minor breach on the following undertakings, at an amount equal to the respective 0.1% of the annual turnover of 2006.

Name of undertaking	Amount of the fine imposed
"ALBAN - TIRANA CO"	447915
BEST CONSTRUCTION ALB	235367
BETON EKSPRES	178534
FERRO BETON & CONST.	436959
HALILI	172519
ITAL-BETON CONST.	201086
KIRCHBERGER - ALBANIA	508279
QARRI - 02	169652
SHKODRA BETON	396974

2. The Duties Police is in charge to impose the payment of the fines, at the amounts shown under paragraph 1 of this Decision.
3. The Secretariat of the Competition Authority is in charge for the notification of the parties.
4. This decision enters into effect immediately.

This decision was proclaimed today, on 18.12.2007, in Tirana.

COMPETITION AUTHORITY

Lush Përpali

(_____)

Member

Servete Gruda

(_____)

Member

Koço Broka

(_____)

Member

Lindita Milo (Lati)

CHAIRWOMAN