



REPUBLIC OF ALBANIA
-ALBANIAN COMPETITION AUTHORITY-

Press release

New regulation fines and leniency

Competition commission in its last meeting approved the new regulation “ On Fines and Leniency”, in the frame of approximation and amendment of the legislation of EU and the cooperation with the third parties. ACA with the approval of this regulation enables a new and efficient program on Leniency for the undertakings that cooperate with this institution to find out and prohibit the anticompetitive practices.

This regulation enables the growth of transparency toward public and especially undertakings. The object of this regulation is the determinations of methodology on which will be calculated the fines of undertakings that breaks the law “On Competition Protection” and also Leniency on their fines in case they cooperate with ACA on indentifying the forbidden agreements.

The most important part in this regulation is the opportunity given to undertakings to profit the 100% or partial Leniency in case they cooperate with ACA. Regarding the Law “On Competition Protection” and the regulation just entered into force all the undertakings must cooperate with ACA to profit from Leniency.

Competition Commission stimulates third parties to cooperate, as the functioning of this institution is on behalf of third parties that are part of a fair competition and consider competition as an inflammatory of innovation and constant growth. If an undertaking provides evidence relating to facts previously unknown to the Authority which have a direct bearing on the gravity or the duration of the suspected cartel, Authority will not take into account the extent and continuity of any cooperation provided by the undertakings following the date of its submission.

Any undertaking may submit a request in writing to the ACA for immunity from fines and ACA due to the Law keeps the anonymity of it.

At the closure of the investigation procedures, Competition Commission evaluates the immunity from fines on undertakings that negotiate and penalize other undertakings take part in a trust. Fines are calculated due to the article 74 of the Law (2%-10% of annual turnover. This is a substantial numeral to be taken into consideration by undertakings that are part of a forbidden agreement.

