



**REPUBLIC OF ALBANIA  
COMPETITION AUTHORITY  
COMPETITION COMMISSION**

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**July 19th, 2012**

**Press Release**

**On the organization of a roundtable with the Public Procurement Agency on the issues of competition in public procurement**

The Competition Authority considering the institutional cooperation as a crucial instrument for the promotion and protection of fair and effective competition in the market, this morning held a consultative meeting in the premises of the Competition Authority with the head of Public Procurement Agency Mrs. Klodiana Cankja regarding the issues of competition in products, market and public procurement services.

Competition Commission appreciates the cooperation with Public Procurement Agency in function of efficiency of public funds use by providing free and effective competition in the market.

The competition law gives its effects in all markets and the level of competition in public procurement is not always achieved mainly due to limitations arising from the regulatory framework, market characteristics and collusion among bidders. The starting point for achieving better procurement is to provide free and effective competition in the market.

The leaders of the two institutions shared the same vision, that legal improvements in the area of public procurement must be oriented towards the market opening, based on the principles of transparency, competition and procurement procedures that provide the identification, prevention and prosecution of public procurement agreements.

Agreements between competitors in procurement procedures appear in the forms of sub-contracting with competitors in procurement, supply, cover up and rotation of the winner and are qualified as a prohibited agreement in appliance of Article 4 of Law no. 9121 "On Competition Protection" and will be reflected in amendments of the Law "On public procurements".

Competition Authority has presented a set of proposals for the new draft law "On Public Procurement" regarding the "blacklist" of procurement for the undertakings that take part in prohibited agreements. The bidders sign a preliminary statement showing that they will not be part of the prohibited agreements.

Also, the Competition Authority and the Public Procurement Agency assisted by respective projects funded by the European Commission have published the guideline on prohibited agreements in public procurement and are in the process of judge training with modern methods of UNCTAD and the OECD to identify, prevent and prosecute the collusion in public procurement.