

Regulation
on the approval of expenses relating to Competition Authority procedures

Pursuant to Articles 24(dh) and 84(b) of Law No. 9121 of 28 July 2003 “On Competition Protection”, the Competition Authority issues this Regulation on the approval of expenses relating to Competition Authority procedures.

Article 1¹

1. The Concentration Notification Form may be received by a participating undertaking as defined in Article 12 of the Competition Protection Law (i.e. undertakings merging, acquiring control or being affected by a transaction) against the following fees:

- (a) ALL 7,500 for undertakings acquiring control, whose annual turnover in the domestic market ranges from ALL 200 million to ALL one billion;
- (b) ALL 15,000 for undertakings acquiring control, whose annual turnover in the domestic market is over ALL one billion.

2. The Authorization of Temporary Concentration may be granted by the Competition Commission following an application from the participating undertakings in accordance with Article 60(1) of the Competition Protection Law against the following fees:

- (a) ALL 150,000 for undertakings acquiring control, whose annual turnover in the domestic market ranges from ALL 200 million to ALL one billion;
- (b) ALL 300,000 for undertakings acquiring control, whose annual turnover in the domestic market is over ALL one billion.

3. The Authorization of Concentration may be granted by the Commission in accordance with Article 56 of the Law against the following fees:

- (a) ALL 250,000 for undertakings acquiring control, whose annual turnover in the domestic market ranges from ALL 200 million to ALL one billion;
- (b) ALL 500,000 for undertakings acquiring control, whose annual turnover in the domestic market is over ALL one billion.

Article 2

Undertakings may submit their notification of exemption of agreements in accordance with Articles 5, 6 and 7 of the Law against a fee of ALL 15,000. The Decision to exempt an agreement from a prohibition may be issued by the Commission in accordance with Article 50 of the Law against a fee of ALL 500,000. The Decision to defer the exemption of agreements referred to in the first Paragraph of this Article may be issued by the Commission against of fee of ALL 300,000.

¹ Amended by Competition Commission Decision No. 242 of 3 September 2012 amending the Regulation on the approval of expenses relating to the Competition Authority procedures.

Article 3

Complaints under Article 5 (Prohibited Agreements) and Article 9 (Abuse of Dominant Position) may be submitted to the Competition Authority and may be reviewed by the Competition Authority free of charge. The Authority shall give assessments and recommendations under Article 60 of the Law on issues related to competition upon requests from central and local administration bodies free of charge.

Article 4

The fees provided for in Article 1(1) and Article 2(1) of this Regulation shall be paid in cash at the Finance Office of the Authority against a receipt. The fees provided for in Article 1(2) and (3) and Article 2(2) and (3) of this Regulation shall be paid to the bank account of the Authority against a receipt.

Article 5

All payments provided for in this Regulation shall be non-refundable.

Article 6

This Regulation shall enter into force immediately.