

Newsletter

During the months of January-April, the Competition Authority has taken 28 decisions:

- Prohibited agreements: **3 decisions;**
- Abuse of a dominant position: **3 decisions;**
- Concentrations: **18 decisions;**
- Other decisions: **4 decisions.**



Among the most important decisions to mention

1 Prohibited Agreement

-Import and wholesale market of chemical fertilizers DAP, Nitrates and Urea

The Competition Commission by decision no. 874, dated 25.03.2022, decided to close the in-depth investigation procedure in the market of import and wholesale of chemical fertilizers DAP, Nitrates and Urea, and fined the undertaking AGRO BLEND in the amount of 118,978,015 ALL, the undertaking MBM in the amount of 66,088,573 ALL, and the undertaking CACA in the amount of 7,087,994 ALL for violation of article 4, point 1, letters a) and c), of law no. 9121/2003.

The Competition Commission, by decision no. 878, no. 879, no. 880, dated 15.04.2022, decided to reject the request of the undertakings AGRO BLEND, ÇAÇA, and MBM for the repeal of decision no. 874, dated 25.03.2022 of the Competition Commission.

The procedure for revoking a decision of the Competition Commission is provided in the special law, specifically in Article 46 of Law no. 9121, dated 28.07.2003, "On competition protection", according to which the repeal of this decision can be performed by the Competition Commission only when it meets at least one of the three criterias set out in this article.

From the evaluation of the requests of the three undertakings AGRO BLEND, ÇAÇA and MBM and of the arguments given by these undertakings, it is concluded that we are not in front of the conditions set out in the special law. In the sense of article 46 of law no. 9121, dated 28.09.2003, "On competition protection", the requirements of the undertakings do not meet any of the criteria set out in this article.

2

Abuse of dominant position

-The market of parking facilities of the "Tirana International Airport"

The Competition Commission by decision no. 856, dated 22.01.2022, decided to open an in-depth investigation procedure against the undertaking Star Parking Albania in the market of managing the parking facilities of the "Mother Teresa" Airport (Tirana International Airport). The undertaking Star Parking has a dominant position in the economic activity for providing paid parking service at TIA. This undertaking in the sense of article 9, of law no. 9121, dated 28.07.2003 "On competition protection", as amended, has a dominant position by having 100% of the respective relevant market. Pursuant the law and the relevant guidelines of the dominant position, but also on the best practices of the European Commission and the OECD, the monopoly, in this case Star Parking Albania, could potentially cause restrictions of competition in the relevant markets.

the in-depth investigation covers the period from 1 January 2019 to 31 December 2021.

3

Concentration

The Competition Commission, by decision no. 855, dated 14.01.2022 "On the authorization of the concentration obtained from the acquisition of control through the purchase of 80.27% of the JSCres of the undertaking ALBTELECOM from the undertaking 4iG NYILVANOSAN MUKODO RESZVENYTARSASAG", decided to authorize the concentration obtained through the acquisition of 80.2 % of JSCres of Albtelecom from 4iG Nyilvanosan Mukodo Reszvenytarsasag.



International activities



International
Competition
Network

The International Competition Network (ICN) in cooperation with the Administrative Council of Brazil for Economic Defense CADE, from 29th of March 29 to 1st of April, held the annual workshop on concentrations in El Salvador, Brazil. The Competition Authority was represented by the Chairman of the Competition Commission, Mr. Denar Biba. This workshop discussed current topics related to concentrations and effects after the pandemic, including recent challenges faced by authorities and new digital solutions. ICN is the most important network of competition authorities worldwide. It includes 140 competition agencies and offers a forum for sharing experiences.

ICN in cooperation with the Bundeskartellamt, on 4-6 May 2022, held the 21st Annual Conference of the ICN in Berlin, Germany. The Competition Authority was represented by the Chairman of the Competition Commission, Mr. Denar Biba. The Annual Conference is one of the main and most important events of the year for ICN. At this global conference, current topics related to the future of the competition network were discussed, providing opportunities to discuss the experiences, methodologies and projects of the working groups and their implementation.