

Newsletter

The Competition Authority during the months of October-December 2024 has taken 35 decisions:

- **Prohibited agreements:** 6 decisions;
- **Abuse of dominant position:** 5 decisions;
- **Concentrations:** 16 decisions;
- **Decisions with fines:** 2 decisions;
- **Recommendations:** 2 decisions;
- **Other decisions:** 4 decisions.



Among the most important decisions we can mention:

1

Opening of the preliminary investigation procedure

The Competition Authority places second-tier banks under preliminary investigation for abuse of dominant position for the product "life insurance for credit".

Competition Commission Opens Preliminary Investigation into Life Insurance Market for Loans.

Following a complaint, the Competition Authority initiated a monitoring procedure into the life insurance market related to loan products. As part of this process, the Competition Commission, after evaluating the existence of sufficient evidence suggesting potential anti-competitive practices by second-tier banks, reviewed a proposal from the Competition Secretariat during its meeting on 7 November 2024.

Based on the Secretariat's findings, it was determined that the distribution of the life insurance market for loans does not reflect the actual market shares of life insurance companies. This discrepancy may be the result of exclusionary practices that restrict consumer choice and hinder competition, potentially constituting a violation under Article 9 of Law No. 9121, dated 27.03.2003 "On the Protection of Competition."

The Commission found that borrowers may not be freely able to select life insurance providers for their loan products, due to possible conduct by banks that limits such choices. These practices could be restricting fair competition in the market.

As a result, the Competition Commission, through Decision No. 1130 dated 07.11.2024, has decided to open a preliminary investigation into the life insurance market for loans.

The investigation will cover the period from 7 November 2021 to 7 November 2024.

2

Closure of the in-depth investigation procedure

Closure of the In-Depth Investigation Procedure in the Market for the Production and Wholesale Trade of Dairy By-Products (Cheese and Butter).



On 7 November 2024, the Competition Authority officially closed the in-depth investigation procedure concerning the companies Erzeni SHPK, Gjirofarma SHA, ADG SHPK (Lufra), and SHAKA Boboshticë SHPK, operating in the market for the production and wholesale trade of dairy by-products, specifically cheese and butter.

Following the conclusion of the investigation, and after a thorough evaluation of all documentation gathered during the procedure, as well as an analysis of the conduct of undertakings active in the market for white cow cheese, white sheep cheese, white goat cheese, cow and sheep kashkaval cheese, and cow butter, the Competition Authority found the following:

Based on the competition analysis—covering market structure, wholesale pricing, and economic-financial power—no direct or indirect evidence was found indicating cooperation between the undertakings. There were no signs of any agreement or coordinated behavior between them, as defined under Article 4 of Law no. 9121, dated 28.07.2003 “On the Protection of Competition.”

Additionally, based on the assessment criteria for the existence of a dominant position—such as market share, entry barriers, potential competition, buyer countervailing power, and the financial and economic strength of the undertakings—the investigation concluded that none of the companies held a dominant position in the relevant market. Therefore, the conditions for the application of Article 9 of Law no. 9121/2003 were not met.

However, despite the absence of violations, certain issues identified during the investigation call for intervention by relevant public institutions. As a result, through Decision no. 1131, dated 07.11.2024, the Competition Commission, in addition to closing the investigation, issued the following recommendations:

1. To the National Food Authority:

- To strengthen its role in rigorously enforcing controls related to the quality and microbiological parameters of raw milk.

2. To the Ministry of Finance:

- To initiate the drafting of an “Integrated Strategy in the Fight Against Informality”, as the competent authority responsible for the prevention and reduction of informality in the market.

3. To the Ministry of Agriculture and Rural Development:

- To undertake the drafting and revision of secondary legislation issued in implementation of Law no. 9441, dated 11.11.2005, with the aim of improving regulation and enhancing competition in the market for milk and its by-products.
- To take the initiative for the creation of a price monitoring database for retail prices of essential dairy products (milk by-products), in order to enhance market transparency and promote competition through better price comparability and public access to online price information.

3 Opening of the in-depth investigation procedure

The Competition Authority opens an in-depth investigation procedure in the fruit and vegetable collection and wholesale market in the districts of Tirana, Elbasan, Berat, Fier and Korça.

In its meeting held on 4 October 2024, the Competition Commission assessed the data collected during the preliminary investigation phase concerning the market for the collection and wholesale of fruits and vegetables in the districts of Tirana, Elbasan, Berat, Fier, and Korçë. Following an in-depth analysis of the market structure, the level of vertical integration, the behavior of collecting enterprises, and the significant disparities observed throughout the product value chain—from producers, collectors, and wholesalers to end consumers—it was concluded that this market may exhibit anti-competitive behavior. Such behavior may result from agreements and/or concerted practices between two or more undertakings operating in the relevant market, in violation of Article 4 of Law No. 9121, dated 28.07.2003 “On the Protection of Competition.”

In light of these findings, the Competition Commission, by Decision no. 1114, dated 04.10.2024, decided to initiate an in-depth investigation procedure in the market for the collection and wholesale of fruits and vegetables.

The investigation will cover the period from 1 January 2023 to 30 September 2024.



Activities



Cooperation Agreement Signed Between the Albanian Competition Authority and the Competition Authority of the Republic of Montenegro.

On 7 October 2024, the Chairman of the Albanian Competition Authority, Mr. Denar Biba, welcomed the Chairman of the Competition Authority of the Republic of Montenegro, Mr. Dragan Damjanović, on an official working visit to Tirana.

The purpose of the meeting was to strengthen institutional cooperation between the two authorities, in support of enhanced competition, economic integration, and the development of an open and competitive market economy.

As part of this visit, the two sides signed a Memorandum of Understanding on Competition Policy and Enforcement.

This agreement aims to further enhance the exchange of information and policies in the field of competition law enforcement, the sharing of expertise in the field of investigations related to the violation of competition rules, the exchange of experiences in the field of competition promotion, as well as the organization of study visits and training of experts.

The Albanian Competition Authority continues to prioritize the expansion of cooperation with regional and international competition authorities, with the objective of promoting a strong competition culture and ensuring effective enforcement of competition rules across borders.





Activities



The Competition Authority organized on October 17, 2024, at the premises of the Tirana International Hotel, a workshop on the topic of "Competition Advocacy", where various media representatives were invited and participated.

The activity was moderated by the Chairman of the Competition Authority, Mr. Denar Biba, and members of the ACA staff and aimed to emphasize the role of the media as a bridge between the Competition Authority and citizens. Continuous interaction with the media is essential to bring the public a better understanding of the role and activity of the Competition Authority in protecting a fair and competitive market.

During the presentations, various issues in the field of competition and the importance of its promotion for sustainable economic development were addressed.

The workshop significantly contributes to raising public awareness of the importance of fair competition.

On the occasion of International Competition Day, marked annually on December 5, and as part of its ongoing efforts to promote a culture of competition, the Competition Authority organized a workshop with students from the Faculty of Economics, University of Tirana.

This activity addressed various issues in the field of competition and the importance of its promotion for sustainable economic development.

The participating students and lecturers had the opportunity to hear more about the processes of monitoring and implementing competition law.

The activity, which was also welcomed by the Dean of the Faculty of Economics, Mr. Bernard Dosti, aroused great interest among the students, which helps to create a very positive synergy between the Competition Authority as an independent institution and the academic world.

