

Title: ENG Final Protection of Competition from Abuse with Dominant Positions and Anticompetitive Agreements in the Market,...docx

Date: 04/23/2022

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This paper aims to reflect legislation pertaining to protection of competition from abuse with dominant positions and anticompetitive agreements in the market, in full compliance with the Law on Protection of Competition in Kosovo and in virtue of the Treaty on the Functioning of the European Union

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...Law No. 04/L-226 on Amending and Supplementing the Law No . 03/L-229 on Protection of Competition. In: Official Gazette of th e Republic of Kosovo [online]. [2020-07-10]. Available at: https:// gzk. rks-gov. net/ActDetail. aspx? ActID=2727>. VALBON MULAJ 346-356 348 www. ilaw. cas. cz/tlq TLQ 3/2020 Republic of Kosov o, Competition is regulated by paragraph 3 **of the** 2008 Constitu tion **of the** Republic **of Kosovo**, which states: "Actions limiting fr ee **competition** through **the** establishment or **abuse of a domi nant** position or practices restricting **competition** are prohibite d, unless explicitly allowed by law". Then, **in** accordance **with th e** constitution, **Law** No. 03/L-229 **on Protection of Competitio n and Law** No. 04/L-226 **on** amending **and** supplementing **Law** No. 03/L-229 **on Protection of Competition**, harmonizing it **wi th the** member states **of the European Union. And** based on t he law in question, a competent institution for the protection of c ompetition was established under the name of the Kosovo Comp etition Authority,¹⁶ where the Commission for the Protection of C ompetition was initially established as a panel body managing th e work of the Authority consisting of five members,¹⁷...

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Crucial is to make aware and educate everyone pertaining the role and importance of competition in the market

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...the second phase, the concept of competition law was enshrined within the constitutional provisions. The adoption of the Const itution in 2008 marked a new starting point for competition law. This is because, after the independence of Kosovo, much legislati on and many policies underwent a process of amendment. Specif ically, the **in** a number **of** Articles **the role and importance of competition in the market** economy **of** Kosovo and in Kosovo' s economic development. The Competition Authority of Kosovo w as established in 2008. In 2010, with the aim of meeting further European standards for competition rules, Kosovo adopted a new Law on Competition. With the adoption of this law, Kosovo marke d solid progress towards a market economy and...

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This paper sets forth establishment of competition and its protection from abuse with dominant positions and anticompetitive agreements in the market, in virtue of the Treaty on the Functioning of the European Union and the Law on Protection of Competition in Kosovo

<https://konsultimet.rks-gov.net/Storage/Consultations/41048-U...>

...and the SAA for the scope of the Kosovo Competition Authority, which are the following: Strengthening internal procedures and c apacities of KCA: The Kosovo Competition Authority, in addition t o identifying monopolies, will also identify other commercial und ertakings that have significant relevant market power, where the Authority will make appropriate based **on the Law on Protectio n of Competition**. If **the Kosovo Competition** Authority identi ties, during **this** research, any anti competitive behaviour by **the** undertakings **in the** respective markets, **the** Authority will exerci se **its** legal powers **and** will act promptly **in** accordance **with th e** provisions **of the Law on Protection of Competition**. KCA h as researched **and** monopolies in Kosovo in 14 markets (telecom munications, transportation, gambling, energy, media and cinem atographic productions, mining, insurance, procurement, waste, petroleum products, banks, water supply, pharmaceuticals, and f iscal equipment), and the Monopoly Research Report in the Repu blic of Kosovo (on the state of play of monopolies and recommen dations) has been shared with...

Match #4

67% similar

with dominant positions in the market, in accordance with the Treaty on the Functioning of the European UnionThe primary competition law in Europe is the Treaty on the Functioning of

<http://web.archive.org/web/20210423021943/https://www.baye...>

...on cross-border trade between member states. Unlike in the past, European competition law no longer allows within its scope any national deviations when cooperations are assessed from the perspective of competition law. (extended primacy of European law). Parallel to this, the modernization package comprises seven further regulatory frameworks of **the** Commission and these also came into effect **on** 1 May 2004. **In accordance with the Treaty on the Functioning of the European** Union (TFEU), **the** extended primacy **of European competition law** does not apply **in the** case **of the** control **of** practices in unilateral anti-competitive behaviour (Art. 102 TFEU or §§ 18 et seqq. ARC). Competition Policy& Protection of CompetitionResponsibilitiesDutiesCompetition LawEuropean Anti-Trust RegulationLaw on Pricing Abuses8th Amendment to the ARC NavigationCompetition Policy& Protection of CompetitionResponsibilitiesDutiesCompetition LawContactBavarian Ministry ofEconomic Affairs, Regional Development and Energyas Bavarian Competition Authority Prinzregentenstraße 28 80538...

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63% similar

The Treaty on the Functioning of the European Union contains in its content certain provisions relating to definitions in the field of competition, protection and strengthening of the internal market with a view to the protection and welfare of consumers

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...needed to implement this legislation and policies, as well as to implement horizontal and procedural measures in specific areas of standardization, conformity assessment, accreditation, metrology and market surveillance. Free movement of goods is a key element in creation and development of the internal market. Articles 34, 35 and 36 **of the Treaty on the Functioning of the** EU (TFEU) prevent Member States from adopting **and** imposing unjustified restrictions **on the** free trade **of** goods within **the internal market, in** addition **to** trade within **the** EU. **The provisions of the** TFEU do not exclude prohibitions justified **and** applied proportionally, **on** grounds **of** or public security, protection of health and life of humans, animals or plants, or the protection of industrial and commercial property, as well as other mandatory requirements recognized by the Court of Justice (for instance environmental protection). Measures having an effect equivalent to a quantitative restriction, with some exceptions, are...

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The second element of antitrust is the prohibition on the abuse of dominance in Article 102 TFEU

<https://core.ac.uk/download/pdf/159995229.pdf>

...and Australian competition law. According to the General Court (a constituent court of the Court of Justice of the European Union), the competition referred to in the prohibition on anti-competitive agreements in Article 101 of the Treaty on the Functioning of the European Union ("TFEU") is taken to mean 31 For **the** purposes **of the prohibition on the abuse of dominance in Article 102 of the TFEU**, dominant position is 30 Damien Geradin, 'Access to Content by New Media Platforms: A Review of the Competition Law Problems' (2005) 30(1) European Law Review 68. 31 Case T-168/01 GlaxoSmithKline Services Unlimited v Commission [2006] ECR II--2969 [109]; Consolidated versions of the Treaty on European Union and the Treaty on...

Match #7

74% similar

of rights under the consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union, states: Nothing in this Treaty is interpreted as

<http://web.archive.org/web/20220408151117/https://www.refw...>

...Title Consolidated version of the Treaty on the Functioning of the European Union Publisher European Union Author Conference of the Representatives of the Governments of the Member States Publication Date 13 December 2007 Citation/ Document Symbol 2008/C 115/01 Reference 2008/C 115/01 Other Languages/ Attachments Greek Table **of** Contents **of the Consolidated** versions **of the Treaty on European Union and the Treaty on the Functioning of the European Union** Cite **as European Union, Consolidated version of the Treaty on the Functioning** of the European Union, 13 December 2007, 2008/C 115/01, available at : <https://www.refworld.org/docid/4b17a07e2.html> [accessed 8 April 2022] Comments Published in the Official Journal of the European Union (OJ C 115/47) of 9 May 2008. This Consolidated version is the result of the amendments introduced by the Treaty of...

Match #8

73% similar

implying the right to engage in any activity or to take any action aimed at destroying any of the rights and freedoms recognized by this Treaty or restricting them to a greater extent than provided herein

<https://www.osce.org/files/f/documents/2/3/16526.pdf>

...concerning these persons. How should the function of the media, especially the audio-visual media as a follower of the democratic pluralism, be evaluated in terms of that cautious and fair balance? In the light of Article 17 of the Convention, the freedom of expression may not be interpreted as **implying the right to engage in any activity or** perform **any** act **aimed at the** destruction **of any of the rights and freedoms** set forth **in the** Convention **or at** their limitation **to a greater extent than** is **provided** for **in the** Convention. In short, "freedom to destroy freedom" is out of question. International law is in line with this European legal practice. For instance, the UN Human Rights Committee in its General Comment No. 1112 on Article 19 and 20 of the International Covenant of Civil and Political Rights mentioned that...

Match #9

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Article 102 (ex Article 82 TEC) Any abuse by one or more undertakings of a dominant position within the internal market or in a substantial part of it shall be prohibited as incompatible with the internal market in so far as it may affect trade between Member States

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...allowing consumers a fair share of the resulting benefit, and which does not: (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of these objectives; (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question. **Article 102 (ex Article 82 TEC) Any abuse by one or more undertakings of a dominant position within the internal market or in a substantial part of it shall be prohibited as incompatible with the internal market in so far as it may affect trade between Member States.** Such abuse may, in particular, consist in: (a) directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions; (b) limiting production, markets or technical development to the prejudice of consumers; (c) applying dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at...

Match #10

100% similar

Such abuse may, in particular, consist in: (a) directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions; (b) limiting production, markets or technical development

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...in question. Article 102 (ex Article 82 TEC) Any abuse by one or more undertakings of a dominant position within the internal market or in a substantial part of it shall be prohibited as incompatible with the internal market in so far as it may affect trade between Member States. **Such abuse may, in particular, consist in: (a) directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions; (b) limiting production, markets or technical development** to the prejudice of consumers; (c) applying dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage; (d) making the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no...

Match #11

100% similar

to the prejudice of consumers; (c) applying dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage; (d) making the conclusion of contracts subject

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>

...shall be prohibited as incompatible with the internal market in so far as it may affect trade between Member States. Such abuse may, in particular, consist in: (a) directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions; (b) limiting production, markets or technical development **to the prejudice of consumers; (c) applying dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage; (d) making the conclusion of contracts subject** to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts. Article 103 (ex Article 83 TEC) 1. The appropriate regulations or directives to give effect to the principles set out in Articles 101...

Match #12

100% similar

to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...selling prices or any other trading conditions; (b) limit or control production, markets, technical development, or investment; (c) share markets or sources of supply; (d) apply dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage; (e) make the conclusion of contracts subject **to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts.** 2. Any agreements or decisions prohibited pursuant to this Article shall be automatically void. 3. The provisions of paragraph 1 may, however, be declared inapplicable in the case of:- any agreement or category of agreements between undertakings,- any decision or category of decisions by associations of undertakings,...

Match #13

81% similar

The European Court of Justice underlines that “the abuse is an objective concept relating to the behaviour of an undertaking in a dominant position which is such as to

<https://www.wilmerhale.com/-/media/398055e9ff3b4643932f70...>
...based on 1 Case 322/81, Michelin v. Commission [1983] ECR 3461. 2 For example, in the recent Michelin decision, the Commission found that a rebate for respecting "spontaneous customer demand" was unlawful. This had been a frequent rebate justification in France after the first Michelin decision; see, OJ L143/1, 31 10 7 and 317. 3 **"The concept of an abuse is an objective concept relating to the behaviour of an undertaking in a dominant position which is such as to** the structure of a market where, as a result of the very presence of the undertaking in question, the degree of competition is weakened and which, through recourse to methods different from those which condition normal competition in products or services on the basis of transactions of commercial operators, has...

Match #14

96% similar

influence the structure of a market where, as a result of the very presence of the undertaking in question, the degree of competition is weakened and which, by recourse to

<https://prawo.uni.wroc.pl/sites/default/files/students-resources/...>
...Article 102 cases Abuse of a Dominant Position Abuse of a dominant position according to the CJ (C-85/76- Hoffmann-La Roche v Commission, para 91): "The concept of abuse is an objective concept relating to the behaviour of an undertaking in a dominant position which is such as to **influence the structure of a market where, as a result of the very presence of the undertaking in question, the degree of competition is weakened and which,** through **recourse to** methods different from those which condition normal competition in products or services on the basis of the transactions of commercial operators, has the effect of hindering the maintenance of the degree of competition still existing in the market or the growth of that competition." Abuse of a Dominant Position The...

Match #15

100% similar

methods different from those which condition normal competition in products or services on the basis of the transactions of commercial operators, has the effect of hindering the maintenance of the

<https://prawo.uni.wroc.pl/sites/default/files/students-resources/...>
...an objective concept relating to the behaviour of an undertaking in a dominant position which is such as to influence the structure of a market where, as a result of the very presence of the undertaking in question, the degree of competition is weakened and which, through recourse to **methods different from those which condition normal competition in products or services on the basis of the transactions of commercial operators, has as the effect of hindering the maintenance of the** degree of competition still existing in the market or the growth of that competition." Abuse of a Dominant Position The concept of abuse of a dominant position: It is an objective concept* (no fault of undertaking needs to be established; it does not depend upon the subjective intent of the...

Match #16

100% similar

degree of competition still existing in the market or the growth of that competition”

<https://prawo.uni.wroc.pl/sites/default/files/students-resources/...>

...the very presence of the undertaking in question, the degree of competition is weakened and which, through recourse to method s different from those which condition normal competition in pro ducts or services on the basis of the transactions of commercial operators, has the effect of hindering the maintenance of the **de gree of competition still existing in the market or the gro wth of that competition.**" Abuse of a Dominant Position The co ncept of abuse of a dominant position: It is an objective concept* (no fault of undertaking needs to be estabslihed; it does not dep end upon the subjective intent of the dominant undertaking; *Se e AKZO); Competition on the merits is permitted (for example lo wering...

Match #17

72% similar

In the Republic of Kosovo, competition is governed by Article 10 of the Constitution of the Republic of Kosovo of 2008, which states that: “A market economy with free

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...07-10]. Available at: [https://gzk.rks-gov.net/ActDetail.aspx? ActID=2727](https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727)>. 15 Law No. 04/L-226 on Amending and Supplement ing the Law No. 03/L-229 on Protection of Competition. In: Officia l Gazette of the Republic of Kosovo [online]. [2020-07-10]. Availa ble at: [https://gzk.rks-gov.net/ActDetail.aspx? ActID=2727](https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727)>. V ALBON MULAJ 346-356 348 [www.ilaw.cas.cz/tlq 3/2020](http://www.ilaw.cas.cz/tlq/3/2020) **Republ ic of Kosovo, Competition is regulated by Article 119, paragr aph 3 of the 2008 Constitution of the Republic of Kosovo, which states:** "Actions limiting **free competition** through **the** or abuse of a dominant position or practices restricting competiti on are prohibited, unless explicitly allowed by law". Then, in acco rdance with the constitution, Law No. 03/L-229 on Protection of C ompetition and Law No. 04/L-226 on amending and supplementi ng Law No. 03/L-229 on Protection of Competition, harmonizing it with the member...

Match #18

73% similar

competition is the basis of the economic order of the Republic of Kosovo” , then with Article 119 paragraph 3, which states that: “Actions limiting free competition through the establishment

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...In: Official Gazette of the Republic of Kosovo [online]. 2010 [20 20- 07-10]. Available at: [https://gzk.rks-gov.net/ActDetail.aspx? ActID=2727](https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727)>. 15 Law No. 04/L-226 on Amending and Suppleme nting the Law No. 03/L-229 on Protection of Competition. In: Offic ial Gazette of the Republic of Kosovo [online]. [2020-07-10]. Availa ble at: <https://gzk.rks-gov.net/> 348 [www.ilaw.cas.cz/tlq TLQ 3 /2020](http://www.ilaw.cas.cz/tlq/3/2020) **Republic of Kosovo, Competition is regulated by Articl e 119, paragraph 3 of the 2008 Constitution of the Republic of Kosovo, which states: "Actions limiting free competitio n through the establishment** abuse of a dominant position or practices restricting competition are prohibited, unless explicitly allowed by law". Then, in accordance with the constitution, Law No. 03/L-229 on Protection of Competition and Law No. 04/L-226 on amending and supplementing Law No. 03/L-229 on Protection of Competition, harmonizing it with the member states...

Match #19

100% similar

or abuse of a dominant position or practices restricting competition are prohibited, unless explicitly allowed by law”

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...Kosovo [online]. [2020-07-10]. Available at: [https://gzk.rks-gov .net/ActDetail.aspx? ActID=2727](https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727)>. VALBON MULAJ 346-356 348 [www.ilaw.cas.cz/tlq TLQ 3/2020](http://www.ilaw.cas.cz/tlq/3/2020) Republic of Kosovo, Competitio n is regulated by Article 119, paragraph 3 of the 2008 Constitutio n of the Republic of Kosovo, which states: "Actions limiting free c ompetition through the establishment **or abuse of a dominant position or practices restricting competition are prohibite d, unless explicitly allowed by law**". Then, in accordance with the constitution, Law No. 03/L-229 on Protection of Competition a nd Law No. 04/L-226 on amending and supplementing Law No. 0 3/L-229 on Protection of Competition, harmonizing it with the me mber states of the European Union. And then, based on the law i n question, a competent institution...

Match #20

82% similar

Based on the Constitution of Kosovo, Law no

<https://konsultimet.rks-gov.net/Storage/Consultations/41048-U...>

...the mandate of the Assembly of the Republic of Kosovo, as a legislative body that approves laws and resolutions, and, among others reviews and approves international agreements. This chapter covers as well the supervisory aspect of the Assembly regarding the work of the Government and other public institutions, which, **based on the Constitution** and **the laws of Kosovo**, the Assembly, and, it also covers the role of the Assembly in the process of European integration. Other important points covered by this chapter include the following: key constitutional reforms required for EU accession; composition and structure, including immunity of the deputies;...

Match #21

90% similar

03/L-229 on Protection of Competition as well as Law no. 04/L-226 on Amending and Supplementing Law no

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...of Law No. **03/L-229 on Protection of** Competition,¹⁴ **Law No. 04/L-226 on amending and supplementing** the **Law No. 2** 9 on Protection of Competition,¹⁵ and Statute of the Kosovo Competition Authority No. 04-V-312. In the 6 ZHEZHA, V. Competition Policy Analysis in the European Union. In: University of Tirana [online]. 2016 [2020- 07-14]. Available at: http://www.doktoratura.unitir.edu.al/wp-content/uploads/2016/10/Vaeld-Zhezha_tesi.pdf. 7 PULA, E., ELSHANI, D. The (Un) equal:...

Match #22

95% similar

03/L-229 on Protection of Competition, harmonizing them with the member states of the European Union

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...Kosovo, which states: "Actions limiting free competition through the establishment or abuse of a dominant position or practices restricting competition are prohibited, unless explicitly allowed by law". Then, in accordance with the constitution, Law No. 03/L-229 on Protection of Competition and Law No. 04/L-226 on amending and supplementing Law No. **03/L-229 on Protection of Competition, harmonizing it with the member states of the European Union**. then, based on the law in question, a competent institution for the protection of competition was established under the name of the Kosovo Competition Authority,¹⁶ where the Commission for the Protection of Competition was initially established as a panel body managing the work of the Authority consisting of five members,¹⁷...

Match #23

88% similar

And then based on the law in question was established the competent institution for protection of competition with the name Kosovo Competition Authority

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...position or practices restricting competition are prohibited, unless explicitly allowed by law". Then, in accordance with the constitution, Law No. 03/L-229 on Protection of Competition and Law No. 04/L-226 on amending and supplementing Law No. 03/L-229 on Protection of Competition, harmonizing it with the member states of the European Union. **And then, based on the law in question, a competent institution for the protection of competition was established** under **the name of the Kosovo Competition** Authority,¹⁶ where **the** for the Protection of Competition was initially established as a panel body managing the work of the Authority consisting of five members,¹⁷ who have drafted the Statute of the Kosovo Competition Authority, together with local and international experts, and have sent it to the Kosovo Assembly for approval, which after...

Match #24

87% similar

The Kosovo Competition Authority was established by the Assembly of the Republic of Kosovo on 7 November 2008, based on the Law on Competition no. 2004/36

<https://ak.rks-gov.net/assets/cms/uploads/files/KCA%20Strateg...>

...one of the major priorities of our work in the years 2020-2023. The Authority will remain a committed advocate of free competition and the interests of consumers by believing that, only in this way, can it accomplish its final goal of more development and wellbeing for all. Thank you. **The Kosovo Competition Authority was established by the Assembly of the Republic of Kosovo on 7 November 2008** pursuant to **the Law on the Protection of Competition, No 2004/36. The** Authority is a legal entity. ..

Match #25

100% similar

2 of Article 10 of the LPC it is stated that: “An enterprise is considered to have a dominant position if it has more than forty per-cent (40%) presence at the market”

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...particularly taken into consideration: his participation and position on the corresponding market, his financial power; his approach towards supplies or markets; his connections with other enterprises; legal or factual obstacles of other enterprises on the market; current or potential competition with enterprises established inside or outside Kosovo". Also in par. **2 of Article 10 of the LPC it is stated that: "An enterprise is considered to have a dominant position if it has more than forty percent (40%) presence at the market"**. However, this provision was amended in 2014, where 23 Ibid., p, 8. 24 ZHEZHA, V. Competition Policy Analysis in the European Union, p. 57. 25 Ibid., p, 57. VALBON MULAJ 346-356 352 www. ilaw. cas. cz/tlq TLQ 3/2020 the amendment law is worded as follows: "Article 10 paragraph 2....

Match #26

61% similar

However, this provision was amended in 2014, where the amendment law is worded as follows: “Article 10 paragraph 2

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...enterprises on the market; current or potential competition with enterprises established inside or outside Kosovo". Also in par. 2 of Article 10 of the LPC it is stated that: "An enterprise is considered to have a dominant position if it has more than forty percent (40%) presence at the market". **However, this provision was amended in 2014, where** 23 Ibid., p, 8. 24 ZHEZHA, V. Competition Policy Analysis **in the** European Union, p. 57. 25 Ibid., p, 57. VALBON MULAJ 346 356 352 www. ilaw. cas. cz/tlq TLQ 3/2020 **the amendment law is worded as follows: "Article 10 paragraph 2.** of the basic Law, the percentage of dominant position is changed from "forty percent (40%)" to "twenty-five percent (25%)". 26 As of 2014, companies with more than 25% market presence compared to other competitors are considered as the dominant position. With a dominant position of over 40% under Article...

Match #27

98% similar

of the basic Law, the percentage of dominant position is changed from “forty percent (40%)” to “twenty-five percent (25%)”

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...market". However, this provision was amended in 2014, where 23 Ibid., p, 8. 24 ZHEZHA, V. Competition Policy Analysis in the European Union, p. 57. 25 Ibid., p, 57. VALBON MULAJ 346-356 352 www. ilaw. cas. cz/tlq TLQ 3/2020 the amendment law is worded as follows: "Article 10 paragraph 2. **of the basic Law, the percentage of dominant position is changed from "forty percent (40%)" to "twenty five percent"**. 26 As of 2014, companies with more than 25% market presence compared to other competitors are considered as the dominant position. With a dominant position of over 40% under Article 6 (3) of Law No. 04/L-226 on amending and supplementing the Law No. 03/L-229 on Protection of Competition are...

Match #28

100% similar

26 As of 2014, companies with more than 25% market presence compared to other competitors are considered as the dominant position

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...the European Union, p. 57. 25 Ibid., p, 57. VALBON MULAJ 346-356 352 www. ilaw. cas. cz/tlq TLQ 3/2020 the amendment law is worded as follows: "Article 10 paragraph 2. of the basic Law, the percentage of dominant position is changed from "forty percent (40%)" to "twenty-five percent (25%)". **26 As of 2014, companies with more than 25% market presence compared to other competitors are considered as the dominant position.** With a dominant position of over 40% under Article 6 (3) of Law No. 04/L-226 on amending and supplementing the Law No. 03/L-229 on Protection of Competition are said to be: "Two or more independent enterprises may be in a dominant position if, in relation to their competitors they...

Match #29

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With a dominant position of over 40% under Article 6 (3) of Law No

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...amendment law is worded as follows: "Article 10 paragraph 2. of the basic Law, the percentage of dominant position is changed from "forty percent (40%)" to "twenty-five percent (25%)". 26 As of 2014, companies with more than 25% market presence compared to other competitors are considered as the dominant position . **With a dominant position of over 40% under Article 6 (3) of Law No.** 04/L-226 on amending and supplementing the Law No. 03/L-229 on Protection of Competition are said to be: "Two or more independent enterprises may be in a dominant position if, in relation to their competitors they operate jointly on the relevant market and if their general market share is higher...

Match #30

100% similar

04/L-226 on amending and supplementing the Law No

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...Law No. **04/L-226 on Amending and Supplementing the Law No.** 03/L-229 on Protection of Competition. In: Official Gazette of the Republic of Kosovo [online]. [2020-07-10]. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727>>. VALBON MULAJ 346-356 348 www.ilaw.cas.cz/tlq TLQ 3/2020 Republic of Kosovo, Competition is regulated by Article 119, paragraph 3 of the 2008 Constitution of the...

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100% similar

03/L-229 on Protection of Competition are said to be: “Two or more independent enterprises may be in a dominant position if, in relation to their competitors they operate jointly on the relevant market and if their general market share is higher than forty percent (40%) (collective dominance position)”

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

..."forty percent (40%)" to "twenty-five percent (25%)". 26 As of 2014, companies with more than 25% market presence compared to other competitors are considered as the dominant position. With a dominant position of over 40% under Article 6 (3) of Law No. 04/L-226 on amending and supplementing the Law No. **03/L-229 on Protection of Competition are said to be: "Two or more independent enterprises may be in a dominant position if, in relation to their competitors they operate jointly on the relevant market and if their general market share is higher than forty percent (40%) (collective dominance position)"**. Since its establishment, the Kosovo Competition Authority has not dealt with cases promptly and has not shown any results that have influenced others to consider respecting competition in the country. Until 2017, it has not published any report on which companies are in dominant position. At the end...

Match #32

60% similar

Therefore, the abuse of a dominant position is contrary to the Law on Protection of Competition in Kosovo

<http://icn.flywheelsites.com/wp-content/uploads/2018/07/MWG...>

...Kosovo. F. Can the agency exchange documents or information with other reviewing agencies? If so, does it need the consent from the parties who have submitted confidential information to exchange such information? No, the confidential information cannot be exchanged. 14. Transparency 21 A. Does the agency publish an annual report? provide **the** web address if available. According **to the Law on Protection of Competition the** Commission for **Protection** of Competition shall be accountable for its work to the Assembly of the Republic of Macedonia and shall submit an annual report for its activities no later than by March 31st. The Web address of the Commission is www.kzk.gov.mk. B. Does the agency publish press releases related...

Match #33

67% similar

6 of Law no. 03/L-229 on Protection of Competition in Kosovo provides that: “1

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...of the Republic of Kosovo [online]. 2008 [2020-07-10]. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702>>. 14 Law on Protection of Competition in Kosovo. In: Official Gazette of the Republic of Kosovo [online]. 2010 [2020-07-10]. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727>>. 15 Law No. 04/L-226 on Amending and the **Law No. 03/L-229 on Protection of Competition. In:** Official Gazette of Kosovo [online]. [2020-07-10]. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727>>. VALBON MULAJ 346-356 348 www.ilaw.cas.cz/tlq TLQ 3/2020 Republic of Kosovo, Competition is regulated by Article 119, paragraph 3 of the 2008 Constitution of the Republic of Kosovo, which states: "Actions limiting free competition through the establishment...

Match #34

100% similar

Abuse of a dominant position by one or more enterprises on the corresponding market is prohibited, in particular if: 1

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...sub-paragraph 1. 2 of this paragraph. 3. Two (2) or more independent enterprises may have a dominant position if, in comparison to their competitors, they operate together on the market. On the abuse of a dominant position, Article 11 stipulates the following: Article 11 Abuse of a Dominant Position 1. **Abuse of a dominant position by one or more enterprises on the corresponding market is prohibited, in particular if: 1.** 1. direct or indirect setting of unreal purchase or sale prices and other unfair trade conditions, respectively; 1. 2. limitation of production, markets or technological development to the prejudice of consumers; 1. 3. implementation of different conditions for similar duties with other enterprises thereby placing them in a disadvantageous...

Match #35

100% similar

1. direct or indirect setting of unreal purchase or sale prices and other unfair trade conditions, respectively; 1

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...to their competitors, they operate together on the market. On the abuse of a dominant position, Article 11 stipulates the following: Article 11 Abuse of a Dominant Position 1. Abuse of a dominant position by one or more enterprises on the corresponding market is prohibited, in particular if: 1. **1. direct or indirect setting of unreal purchase or sale prices and other unfair trade conditions, respectively; 1.** 2. limitation of production, markets or technological development to the prejudice of consumers; 1. 3. implementation of different conditions for similar duties with other enterprises thereby placing them in a disadvantageous competitive position; 1. 4. agreeing on contracts under condition that other contracting parties accept additional obligations; 1. 5....

Match #36

98% similar

2. limitation of production, markets or technological development to the prejudice of consumers; 1.3

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...of the Law on Protection of Competition in Kosovo of 2010 it is stated that: "Abuse of a dominant position by one or more enterprises on the corresponding market is prohibited, in particular if: direct or indirect setting of unreal purchase or sale prices and other unfair trade conditions, respectively; **limitation of production, markets or technological development to the prejudice of consumers;** implementation of different conditions for similar duties with other enterprises thereby placing them in a disadvantageous competitive position; agreeing on contracts under condition that other contracting parties accept additional obligations ; setting prices or other conditions, the objective or the result of which is to prevent entering or exclude certain competitors...

Match #37

100% similar

implementation of different conditions for similar duties with other enterprises thereby placing them in a disadvantageous competitive position; 1

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...dominant position by one or more enterprises on the corresponding market is prohibited, in particular if: 1. 1. direct or indirect setting of unreal purchase or sale prices and other unfair trade conditions, respectively; 1. 2. limitation of production, markets or technological development to the prejudice of consumers; 1. 3. **implementation of different conditions for similar duties with other enterprises thereby placing them in a disadvantageous competitive position; 1.** 4. agreeing on contracts under condition that other contracting parties accept additional obligations; 1. 5. setting prices or other conditions, the objective or the result of which is to prevent entering or exclude certain competitors or one of their products from the relevant market; 1. 6. refusal of entrance...

Match #3898% similar	
4. agreeing on contracts under condition that other contracting parties accept additional obligations; 1.5	https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424 ...prohibited, in particular if: direct or indirect setting of unreal purchase or sale prices and other unfair trade conditions, respectively; limitation of production, markets or technological development to the prejudice of consumers; implementation of different conditions for similar duties with other enterprises thereby placing them in a disadvantageous competitive position; agreeing on contracts under condition that other contracting parties accept additional obligations ; setting prices or other conditions, the objective or the result of which is to prevent entering or exclude certain competitors or one of their products from the relevant market; refusal of entrance of another enterprise, by giving an appropriate compensation, in the network or infrastructures of the enterprise with dominant...

Match #3999% similar	
setting prices or other conditions, the objective or the result of which is to prevent entering or exclude certain competitors or one of their products from the relevant market; 1.6	https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424 ...sale prices and other unfair trade conditions, respectively; limitation of production, markets or technological development to the prejudice of consumers; implementation of different conditions for similar duties with other enterprises thereby placing them in a disadvantageous competitive position; agreeing on contracts under condition that other contracting parties accept additional obligations; setting prices or other conditions, the objective or the result of which is to prevent entering or exclude certain competitors or one of their products from the relevant market ; refusal of entrance of another enterprise, by giving an appropriate compensation, in the network or infrastructures of the enterprise with dominant position, if this refusal for usage of the 26 Article 6 par. 1 of Law No. 04/L-226 on Amending and Supplementing the Law No. 03/L-229 on Protection of Competition....

Match #40100% similar	
refusal of entrance of another enterprise, by giving an appropriate compensation, in the network or infrastructures of the enterprise with dominant position, if this refusal for usage of the network or infrastructures prevents the other enterprise to act as a competitor of the enterprise with dominant position”	https://www.econstor.eu/bitstream/10419/110957/1/82702071... ...disadvantageous competitive position; 1. 4. agreeing on contracts under condition that other contracting parties accept additional obligations; 1. 5. setting prices or other conditions, the objective or the result of which is to prevent entering or exclude certain competitors or one of their products from the relevant market; 1. 6. refusal of entrance of another enterprise, by giving an appropriate compensation, in the network or infrastructures of the enterprise with dominant position, if this refusal for usage of the network or infrastructures prevents the other enterprise to act as a competitor of the enterprise with dominant position. The language of three of the Articles mentioned above appears to reflect a reference to EU law. The wording of the criteria for ascertaining abuse and assessing dominance are a reflection of the TFEU. The second development is related to the regulation of state aid. After 2008, a new...

Match #4174% similar	
e. increase in profit.Law No. 03/L-229 on Protection of Competition, as well as Law no. 04/L-226 on Amending and Supplementing Law no	https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424 ...11 The Authority is a legal entity with public authorizations that autonomously and independently carries out its activities based on the provisions12 of the Constitution of the Republic of Kosovo, 13 and provisions of Law No. 03/L-229 on Protection of Competition ,14 Law No. 04/L-226 on amending and supplementing the Law No. 03/L-229 on Protection of Competition ,15 and Statute of the Kosovo Competition Authority No. 04-V-312. In the 6 ZHEZHA, V. Competition Policy Analysis in the European Union. In: University of Tirana [online]. 2016 [2020- 07-14]. Available at: http://www.doktoratura.unitir.edu.al/wp-content/uploads/2016/10/Vaeld-Zhezha_tesi.pdf >. 7 PULA, E., ELSHANI, D. The (Un) equal: A Story on...

Match #42

66% similar

03/L-229 on Protection of Competition in Kosovo, are drafted in adherence with the Treaty on the Functioning of the European Union

<https://treaties.un.org/doc/Publication/CN/2017/CN.279.2017-E...>

...respect of the matters governed by this Convention. Any such organization shall also inform the Depositary, who shall in turn in form the Parties, of any modification **of the** extent **of** its compet ence.' **The European Union** declares that, **in** accordance **with t he Treaty on the Functioning of the European Union**, in par ticular Article 192 (1) thereof, it is competent for entering into int ernational agreements, and for implementing the obligations res ulting therefrom, which contribute to the pursuit of the following objectives: (XXVII. 17) Attention: Treaty Services of Ministries of F oreign Affairs and of international organizations concerned. Depo sitary notifications are issued in...

Match #43

65% similar

The way they are governed and a reference to Article 102 of the Treaty on the Functioning of the European Union and Article 11, paragraphs 1 to 1

https://ec.europa.eu/competition/antitrust/cases/dec_docs/383...

..... 289 19. 5. 15.
Conclusion.....
..... 289 19. 6. The Amounts of the Fines
to be Imposed in this Decision..... 289 EN
8 EN COMMISSION DECISION **Of** 30. 6. 2010 relating **to a** procee ding under **Article 101 of the Treaty on the Functioning of t he European Union and Article 53 of the** 44- Prestressing Ste el THE EUROPEAN COMMISSION, Having regard to the Treaty on t he Functioning of the European Union, Having regard to the Agre ement on the European Economic Area, Having regard to Council Regulation No 1/2003 of 16 December 2002 on the implementati on of the rules on competition laid down...

Match #44

73% similar

05/2012 on the criteria and conditions for the award of small value agreements, which partially transposes the notification of the Commission on agreements of minor importance (de minimis) that do not restrict competition under Article 81 point 1 (now Article 101) of the Treaty establishing European Community (OJ/C 368/13, dated 22 December 2001) 1; AI no

<https://konsultimet.rks-gov.net/Storage/Consultations/41048-U...>

...05/2017 on Group Exemptions of Agreements in the Sector of I nsurance; AI No. 06/2017 on Group Exemption of the Agreement on Motor Vehicle Distribution and Service; AI No. 01/2018 on the criteria for imposing administrative sanctions; AI No. 02/2018 on the manner of defining the relevant market; 105 Regulation No. Regulation **No.** 02/2019 **on** Some Categories **of** Research **and** D evelopment **Agreements**. These normative acts have transpose d **the** following acquis acts: Articles **101** 105 **of the** TFEU; **Com mission** Notice **on agreements of minor importance which do not** appreciably **restrict competition under Article 81(1) (now Article 101) of the Treaty establishing the European C ommunity (de minimis) (OJ/C 368/13 of 22 December 2001)** ; Some elements **of the** request **and criteria** for merger/concen tration defined in Commission Regulation No. 802/2004 impleme nting Council Regulation No. 139/2004 on the control of concentr ations between undertakings; Commission Regulation (EC) No. 7 73/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission in accordance with Articles 81 and 82 of the EC Treaty as...

Match #45

62% similar

06/2012 on the manner of submitting the request and the criteria for ascertaining the concentration of enterprises - which transposes elements of the request and the criteria for merger/concentration defined in Commission Regulation No

<https://konsultimet.rks-gov.net/Storage/Consultations/41048-U...>

...02/2018 on the manner of defining the relevant market; 105 R egulation No. 01/2019 on Categories of Specialization Agreement s; Regulation No. 02/2019 on Some Categories of Research and D evelopment Agreements. These normative acts have transposed the following acquis acts: Articles 101-105 of the TFEU; Commiss ion Notice on agreements of minor under Article 81(1) (now Artic le 101) **of the** Treaty establishing **the** European Community (de minimis) (OJ/C 368/13 **of** 22 December 2001); Some **elements o f the request and criteria for merger/concentration define d in Commission Regulation No.** 04 implementing Council Re gulation No. 139/2004 on the control of concentrations between undertakings; Commission Regulation (EC) No. 773/2004 of 7 Apr il 2004 relating to the conduct of proceedings by the Commission in accordance with Articles 81 and 82 of the EC Treaty as amend ed by Regulation No. 2015/1348; Commission Regulation...

Match #46

93% similar

802/2004 implementing Council Regulation no. 139/2004 on the control of concentrations between enterprises

<https://konsultimet.rks-gov.net/Storage/Consultations/41048-U...>

...the TFEU; Commission Notice on agreements of minor importance which do not appreciably restrict competition under Article 81(1) (now Article 101) of the Treaty establishing the European Community (de minimis) (OJ/C 368/13 of 22 December 2001); Some elements of the request and criteria for merger/concentration defined in Commission Regulation No. **802/2004 implementing Council Regulation No. 139/2004 on the control of concentrations between** Commission Regulation (EC) No. 773/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission in accordance with Articles 81 and 82 of the EC Treaty as amended by Regulation No. 2015/1348; Commission Regulation (EC) No. 1217/2010; Commission Regulation (EC) No. 1218/2010. State Aid The basic...

Match #47

78% similar

Regulation (EC) No 773/2004 of 7 April 2004 concerning the conduct of proceedings by the Commission pursuant to Articles 81 and 82 of the EC Treaty as amended by Regulation No

<https://mobt3ath.net/uplode/books/book-49845.pdf>

...and amending Regulation (EC) No 1/2003 as regards the extension of its scope to include international tramp services (2006) OJ L 269/1 (_Regulation 1/2003'). 292 Ibid. 293 Ibid, art 3. 294 Ibid, arts 3(1) and 3(2). 295 Ibid, art 3(3). 296 Ibid, art. 16. 297 Ibid, art 3(1). 298 **Commission Regulation (EC) No 773/2004 of 7 April, 2004** relating **to the conduct of** competition **proceedings by the Commission pursuant to Articles 81 and 82 of the EC Treaty;** see, also, **Commission,** Enforcement by the Member States'...

Match #48

60% similar

The Kosovo Competition Authority, as a competent institution for the protection of competition, has started to publish annual reports that reflect the work of this institution

<https://konsultimet.rks-gov.net/Storage/Consultations/41048-U...>

...of Kosovo (on the state of play of monopolies and recommendations) has been shared with the Government, Parliament and the European Commission. Based on its findings, the Authority has taken concrete steps in some of the markets investigated: 106 Institutional Framework Competition Pursuant to the Law on Protection of Competition, **the Kosovo Competition Authority** (KCA) is **the** main **institution for the** prevention and prohibition **of** anti competitive practices including prohibited agreements, abuse **of** dominant position, concentrations or **the** sale and purchase **of** shares in **the** of advocacy in the area of competition. The Authority has the powers to initiate investigative procedures, oversee the market and propose measures to restore competition in cases of obstruction, restriction or disruption of the competition in the market. State Aid The institutional framework consists of the State Aid Commission and...

Match #49

67% similar

PROTECTION OF COMPETITION FROM ANTICOMPETITIVE AGREEMENTS UNDER THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND THE LAW ON PROTECTION OF COMPETITION IN KOSOVOLegal aspects of Anticompetitive agreements in the market, according to the Treaty on the Functioning of the European UnionUsually market processes do function, but there emerge dysfunctionalities, if there is a cartel in the market

<https://core.ac.uk/download/pdf/159995229.pdf>

...Hence the thesis reinforces the importance of regulating market power over the supply of premium pay-TV in the light of this context--specific concept of effective competition. 1. 3. 1 Effective competition and the goals of competition law and policy The concept of "effective competition" is fundamental to the main **and** Australian **competition law. According to the** General Court (**a** constituent court **of the** Court **of Justice of the European Union**), **the competition** referred **to in the** prohibition **on** anti--competitive **agreements in** Article 101 **of the Treaty on the Functioning of the European Union** ("TFEU") **is** taken **to** mean effective **competition. 31** For **the** purposes **of the** prohibition **on the** abuse **of** dominance **in** Article 102 **of the** TFEU, **a** is 30 Damien Geradin, 'Access to Content by New Media Platforms: A Review of the Competition Law Problems' (2005) 30(1) European Law Review 68. 31 Case T--168/01 GlaxoSmithKline Services Unlimited v Commission [2006] ECR II--2969 [109]; Consolidated versions of the Treaty on European Union and the Treaty on the Functioning...

Match #50

90% similar

Article 101 prohibits all agreements between undertakings, decisions by associations of undertakings, and concerted practices that may affect trade between Member States and that have as their object or effect the prevention, restriction, or distortion of competition within the common market

<https://library.oapen.org/bitstream/id/2cf8ea42-17fc-45f3-80e3-...>

...policy has evolved, so these rules have been central to the establishment of a more economically and politically cohesive Single European Market and increasingly a tool for helping European undertakings compete in the global marketplace. Article 81 Article 81 comprises three paragraphs: 1 The following shall be prohibited as with **the common market: all agreements between undertakings, decisions by associations of undertakings and concerted practices** which **may affect trade between member states and** which **have as their object or effect the prevention, restriction or distortion of competition within the common market,** and in particular those which: a directly or indirectly fix purchase or selling prices or any other trading conditions; b limit or control production, markets, technical development, or investment; c share markets or sources of supply; d apply dissimilar conditions to equivalent transactions with other trading parties, thereby placing them...

Match #51

64% similar

Antitrust consists firstly of Article 101 (1) of the Treaty on the Functioning of the European Union (TFEU) which prohibits anticompetitive agreements practices by undertakings, unless the limited conditions for an exception (and an exemption) set out in Article 101 (3) TFEU are met

<https://core.ac.uk/download/pdf/159995229.pdf>

...the goals of competition law and policy The concept of "effective competition" is fundamental to the main provisions of UK/EU and Australian competition law. According to the General Court (a constituent court of the Court of Justice of the European Union), the competition referred to in the prohibition on **agreements in Article 101 of the Treaty on the Functioning of the European Union** ("TFEU") is taken to mean effective competition. 31 **For the purposes of the prohibition on the abuse of dominance in Article 102 of the TFEU,** a dominant position is 30 Damien Geradin, 'Access to Content **by** New Media Platforms: A Review **of the** Competition Law Problems' (2005) 30(1) **European** -168/01 GlaxoSmithKline Services Unlimited v Commission [2006] ECR II--2969 [109]; Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union [2012] OJ C326/1 ("TFEU"). 15 defined as the power to "prevent effective competition being maintained on the relevant market."32 The substantive test...

Match #52

100% similar

Economic studies perceive cartels in terms of a game-theoretical problem: it starts from the idea that cartel participants are motivated instrumentally, and the perceived costs and benefits are part of a rational assessment

<http://web.archive.org/web/20220320043020/https://link.spring...>

...not to Cheat: Theoretical Perspectives on Cartel StabilityThe Economic Perspective: Stability Through RetaliationEconomic literature on cartels uses a model that departs from the idea of a lack of trust between member firms. In this model, firms are bound to cheat on the mutual agreement because of incentives to do so. **Economic studies perceive cartels in terms of a game theoretical problem: it starts from the idea that cartel participants are motivated instrumentally, and the perceived costs and benefits are part of a rational assessment.** With this comes a focus on incentives for players in the cartel to cheat, such as overselling or underpricing (Stigler 1968). Firms will do so in order to maximise individual profits further or to expand market shares beyond the cartel's collective agreement. This leads to the perceived 'inherent instability'...

Match #53

100% similar

With this comes a focus on incentives for players in the cartel to cheat, such as overselling or underpricing (Stigler 1968)

<http://web.archive.org/web/20220320043020/https://link.spring...>

...this model, firms are bound to cheat on the mutual agreement because of incentives to do so. Economic studies perceive cartels in terms of a game-theoretical problem: it starts from the idea that cartel participants are motivated instrumentally, and the perceived costs and benefits are part of a rational assessment. **With this comes a focus on incentives for players in the cartel to cheat, such as overselling or underpricing (Stigler 1968).** Firms will do so in order to maximise individual profits further or to expand market shares beyond the cartel's collective agreement. This leads to the perceived 'inherent instability' of cartels (Rapoport and Chammah 1965). This model is vividly illustrated by one of the directors of ADM in the lysine...

Match #54

100% similar

Firms will do so in order to maximise individual profits further or to expand market shares beyond the cartel’s collective agreement

<http://web.archive.org/web/20220320043020/https://link.spring...>

...in terms of a game-theoretical problem: it starts from the idea that cartel participants are motivated instrumentally, and the perceived costs and benefits are part of a rational assessment. With this comes a focus on incentives for players in the cartel to cheat , such as overselling or underpricing (Stigler 1968). **Firms will do so in order to maximise individual profits further or to expand market shares beyond the cartel's collective agreement.** This leads to the perceived 'inherent instability' of cartels (Rapoport and Chammah 1965). This model is vividly illustrated by one of the directors of ADM in the lysine cartelFootnote 4: 'Everybody's going to want to cheat anyway. Knowing them, we will want to cheat' (Leslie 2004: 561; Eichenwald 2001:...

Match #55

66% similar

Legal aspects of anticompetitive agreements in the market, according to the Treaty on the Functioning of the European Union are provided in Article 101 (ex Article 81 TEC) 1

https://en.wikipedia.org/wiki/Article_101_of_the_Treaty_on_the_...

...Article 101 of the **Treaty on the Functioning of the European Union** prohibits cartels and other **agreements** that could disrupt free competition **in the European** Economic Area's internal market. **Article 101 Article 101** reads,[1] **1. The** as incompatible with the internal market: all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the internal market, and in particular those which: (a)...

Match #56

100% similar

The following shall be prohibited as incompatible with the internal market: all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>

...for sea and air transport. They shall act after consulting the Economic and Social Committee and the Committee of the Regions. TITLE VII COMMON RULES ON COMPETITION, TAXATION AND APPROXIMATION OF LAWS CHAPTER 1 RULES ON COMPETITION SECTION 1 RULES APPLYING TO UNDERTAKINGS Article 101 (ex Article 81 TEC) 1. **The following shall be prohibited as incompatible with the internal market: all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member** States and which have as their object or effect the prevention, restriction or distortion of competition within the internal market, and in particular those which: (a) directly or indirectly fix purchase or selling prices or any other trading conditions; (b) limit or control production, markets, technical development, or investment; (c)...

Match #57

100% similar

States and which have as their object or effect the prevention, restriction or distortion of competition within the internal market, and in particular those which: (a) directly or indirectly fix

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>

...OF LAWS CHAPTER 1 RULES ON COMPETITION SECTION 1 RULES APPLYING TO UNDERTAKINGS Article 101 (ex Article 81 TEC) 1. The following shall be prohibited as incompatible with the internal market: all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member **States and which have as their object or effect the prevention, restriction or distortion of competition within the internal market, and in particular those which: (a) directly or indirectly fix** purchase or selling prices or any other trading conditions; (b) limit or control production, markets, technical development, or investment; (c) share markets or sources of supply; (d) apply dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage; (e) make the conclusion of contracts...

Match #58100% similar	
purchase or selling prices or any other trading conditions; (b) limit or control production, markets, technical development, or investment; (c) share markets or sources of supply; (d) apply dissimilar conditions	http://web.archive.org/web/20220414174226/https://eur-lex.eu... ...market: all agreements between undertakings, decisions by as sociations of undertakings and concerted practices which may af fect trade between Member States and which have as their objec t or effect the prevention, restriction or distortion of competition within the internal market, and in particular those which: (a) dire ctly or indirectly fix purchase or selling prices or any other t rading conditions; (b) limit or control production, markets , technical development, or investment; (c) share markets or sources of supply; (d) apply dissimilar conditions to equ ivalent transactions with other trading parties, thereby placing th em at a competitive disadvantage; (e) make the conclusion of co ntracts subject to acceptance by the other parties of supplement ary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts. 2. Any...

Match #59100% similar	
to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage; (e) make the conclusion of contracts subject to acceptance by the other parties of supplementary obligations	http://web.archive.org/web/20220414174226/https://eur-lex.eu... ...restriction or distortion of competition within the internal mark et, and in particular those which: (a) directly or indirectly fix purc hase or selling prices or any other trading conditions; (b) limit or control production, markets, technical development, or investme nt; (c) share markets or sources of supply; (d) apply dissimilar co nditions to equivalent transactions with other trading parti es, thereby placing them at a competitive disadvantage; (e) make the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, b y their nature or according to commercial usage, have no connec tion with the subject of such contracts. 2. Any agreements or dec isions prohibited pursuant to this Article shall be automatically v oid. 3. The provisions of paragraph 1 may, however, be declared inapplicable in the case of:- any agreement...

Match #60100% similar	
which, by their nature or according to commercial usage, have no connection with the subject of such contracts	http://web.archive.org/web/20220414174226/https://eur-lex.eu... ...or control production, markets, technical development, or inves tment; (c) share markets or sources of supply; (d) apply dissimila r conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage; (e) make th e conclusion of contracts subject to acceptance by the other part ies of supplementary obligations which, by their nature or acc ording to commercial usage, have no connection with the subject of such contracts. 2. Any agreements or decisions pro hibited pursuant to this Article shall be automatically void. 3. The provisions of paragraph 1 may, however, be declared inapplicabl e in the case of:- any agreement or category of agreements betw een undertakings,- any decision or category of decisions by asso ciations of undertakings,...

Match #61100% similar	
2. Any agreements or decisions prohibited pursuant to this Article shall be automatically void. 3	http://web.archive.org/web/20220414174226/https://eur-lex.eu... ...conditions to equivalent transactions with other trading parties , thereby placing them at a competitive disadvantage; (e) make t he conclusion of contracts subject to acceptance by the other pa rties of supplementary obligations which, by their nature or acco rding to commercial usage, have no connection with the subject of such contracts. 2. Any agreements or decisions prohibite d pursuant to this Article shall be automatically void. 3. Th e provisions of paragraph 1 may, however, be declared inapplica ble in the case of:- any agreement or category of agreements betw een undertakings,- any decision or category of decisions by ass ociations of undertakings,- any concerted practice or category of concerted practices, which contributes to improving the producti on...

Match #62

100% similar

The provisions of paragraph 1 may, however, be declared inapplicable in the case of: - any agreement or category of agreements between undertakings, - any decision or category of

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...disadvantage; (e) make the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts. 2. Any agreements or decisions prohibited pursuant to this Article shall be automatically void. 3. **The provisions of paragraph 1 may, however, be declared inapplicable in the case of: any agreement or category of agreements between undertakings, any decision or category of** decisions by associations of undertakings,- any concerted practice or category of concerted practices, which contributes to improving the production or distribution of goods or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and which does not: (a) impose on the undertakings...

Match #63

100% similar

decisions by associations of undertakings, - any concerted practice or category of concerted practices, which contributes to improving the production or distribution of goods or to promoting technical or economic

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...the subject of such contracts. 2. Any agreements or decisions prohibited pursuant to this Article shall be automatically void. 3. The provisions of paragraph 1 may, however, be declared inapplicable in the case of:- any agreement or category of agreements between undertakings,- any decision or category of **decisions by associations of undertakings, any concerted practice or category of concerted practices, which contributes to improving the production or distribution of goods or to promoting technical or economic** progress, while allowing consumers a fair share of the resulting benefit, and which does not: (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of these objectives; (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products...

Match #64

100% similar

progress, while allowing consumers a fair share of the resulting benefit, and which does not: (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...in the case of:- any agreement or category of agreements between undertakings,- any decision or category of decisions by associations of undertakings,- any concerted practice or category of concerted practices, which contributes to improving the production or distribution of goods or to promoting technical or economic **progress, while allowing consumers a fair share of the resulting benefit, and which does not: (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of** these objectives; (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question. Article 102 (ex Article 82 TEC) Any abuse by one or more undertakings of a dominant position within the internal market or in a substantial part of it...

Match #65

100% similar

these objectives; (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...of concerted practices, which contributes to improving the production or distribution of goods or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and which does not: (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of **these objectives; (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question.** Article 102 (ex Article 82 TEC) Any abuse by one or more undertakings of a dominant position within the internal market or in a substantial part of it shall be prohibited as incompatible with the internal market in so far as it may affect trade between Member States. Such...

Match #6668% similar	
461/2010 dated 27 May 2010 “On the implementation of Article 101/3 of the Treaty on European Union for the categories of vertical agreements and coordinated practices in the motor vehicle sector”; Regulation no	https://core.ac.uk/download/pdf/159995229.pdf ...restricting which distributors could sell the relevant products, and for limiting how the relevant products could be imported/exported. 845 Since the agreement was found to be restrictive of competition by object, it was considered unnecessary to examine the effects of the agreement on the market. 846 843 Commission Regulation No. 20 April 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices [2010] OJ L102/1, art 3(1). 844 Joined Cases C--56--64 and C--58--64 Etablissements Consten SARL and Grundig--Verkaufs--GmbH v Commission of the European Economic Community [1966] ECR 00429. 845 ibid 343. 846 ibid 342. 205 Following Coditel II, 847 exclusive broadcast rights are not as such prohibited by Article 101(1) of the TFEU. A Belgian film distribution company acquired the exclusive right to...

Match #6783% similar	
03/L-229 on Protection of Competition in Kosovo, states that: “1 All agreements between two or more independent enterprises are prohibited, decisions made by business associations and concerted practices that aim or may significantly influence on disturbance of market competition in relevant market, and in particular the ones that: 1	https://www.econstor.eu/bitstream/10419/110957/1/82702071... ...88/2010, 25 November 2010 as amended by the Law No. 04/L-226 amending and supplementing Law No. 03/L-229 on Protection of Competition, Official Gazette: 17/2014, 10. 03. 2014. 23 Ibid Article 2. 24 Ibid Article 3. 25 Ibid Article 4. 26 Ibid Article 10. 27 Ibid Article 23. 28 Ibid 12 Article 4 Prohibited Agreements30 1. All agreements between two or more independent enterprises are prohibited, decisions made by business associations and concerted practices that aim or may significantly influence or disturb market competition in relevant market , and in particular the ones that: 1. 1. directly or indirectly impose purchase or sale price or any other condition in trade; 1. 2. limit or control production, market, technological development and investments; 1. 3. share markets or supply sources; 1. 4. implement unequal conditions for similar transactions with other enterprises, consequently placing them in an unfavourable competitive position; 1....

Match #68100% similar	
1. directly or indirectly impose purchase or sale price or any other condition in trade; 1	https://www.econstor.eu/bitstream/10419/110957/1/82702071... ...29 Ibid Article 23. 12 Article 4- Prohibited Agreements30 1. All agreements between two or more independent enterprises are prohibited, decisions made by business associations and concerted practices that aim or may significantly influence or disturb market competition in relevant market, and in particular the ones that: 1. 1. directly or indirectly impose purchase or sale price or any other condition in trade; 1. 2. limit or control production, market, technological development and investments; 1. 3. share markets or supply sources; 1. 4. implement unequal conditions for similar transactions with other enterprises, consequently placing them in an unfavourable competitive position; 1. 5. apply conditions for agreements or contracts to rely on other contracting...

Match #69100% similar	
2. limit or control production, market, technological development and investments; 1	https://www.econstor.eu/bitstream/10419/110957/1/82702071... ...more independent enterprises are prohibited, decisions made by business associations and concerted practices that aim or may significantly influence or disturb market competition in relevant market, and in particular the ones that: 1. 1. directly or indirectly impose purchase or sale price or any other condition in trade; 1. 2. limit or control production, market, technological development and investments; 1. 3. share markets or supply sources; 1. 4. implement unequal conditions for similar transactions with other enterprises, consequently placing them in an unfavourable competitive position; 1. 5. apply conditions for agreements or contracts to rely on other contracting subjects, through other supplementing conditions that do not have any natural...

Match #70

96% similar

3. share markets or supply sources; 1.4

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...significantly influence or disturb market competition in relevant market, and in particular the ones that: 1. 1. directly or indirectly impose purchase or sale price or any other condition in trade; 1. 2. limit or control production, market, technological development and investments; 1. **3. share markets or supply sources;** implement unequal conditions for similar transactions with other enterprises, consequently placing them in an unfavourable competitive position; 1. 5. apply conditions for agreements or contracts to rely on other contracting subjects, through other supplementing conditions...

Match #71

99% similar

implement unequal conditions for similar transactions with other enterprises, consequently placing them in an unfavourable competitive position; 1.5

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...www. ilaw. cas. cz/tlq TLQ 3/2020 significantly influence on disturbance of market competition in relevant market, and in particular the ones that:34 "directly or indirectly impose purchase or sale price or any other condition in trade; limit or control production , market, technological development and investments; share markets or supply sources; **implement unequal conditions for similar transactions with other enterprises, consequently placing them in an unfavourable competitive position;** apply conditions for agreements on contracts to rely on other contracting subjects, through other supplementing conditions that do not have any natural or common trade practice connection to the object of such contract". 35 The Kosovo Competition Authority, as a competition monitoring institution in the country, should maintain genuine competition...

Match #72

98% similar

apply conditions for agreements on contracts to rely on other contracting subjects, through other supplementing conditions that do not have any natural or common trade practice connection to the object of such contract 2

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...impose purchase or sale price or any other condition in trade; 1. 2. limit or control production, market, technological development and investments; 1. 3. share markets or supply sources; 1. 4. implement unequal conditions for similar transactions with other enterprises, consequently placing them in an unfavourable competitive position; 1. 5. **apply conditions for agreements or contracts to rely on other contracting subjects, through other supplementing conditions that do not have any natural or common trade practice connection to the object of such contract.** Regarding exemptions of vertical agreements: Article 6-Exemption of Vertical Agreements 1. Vertical agreements may be exempted from prohibited agreements set forth in Article 4 of this law due to economic efficiency, especially agreements the objective of which is: 1. 1. to limit direct contact sales within an exclusive...

Match #73

64% similar

Agreements or decisions prohibited by paragraph 1 of this Article and which are not excluded according to Article 5, 6, 7 and 8 of this law, are null and void”

<https://ak.rks-gov.net/assets/cms/uploads/files/Law%20No.%20...>

...the fact if it is considered a business subject or not. 3. Article 3 paragraph 1. sup-paragraph 1. 9., 1. 10. and 1. 11. of the basic Law are deleted entirely. Article 3 Article 4, paragraph 2. of the basic Law shall be reworded with the following text: 2. **Prohibited agreements,** referred **to** in **paragraph 1. of this Article and** that **are not** exempted under Articles **5, 6, 7, 8 of** the basic **Law and Article 4 of this Law are null and void. Article** 4 After **Article** 7 of the basic Law is added a new Article 7A with the following text: Article 7A Group exemptions 1. Provisions on group exemptions determine the conditions which must be met by certain agreements in order to be exempted from the general prohibitions referred to in Article 4 paragraph 1....

Match #74

84% similar

Article 3 of Law no. 04/L-226 on Amending and Supplementing Law no

<https://ak.rks-gov.net/assets/cms/uploads/files/Law%20No.%20...>

...1 Republika e Kosovës Republika Kosovo- Republic of Kosovo Kuvendi- Skupština- Assembly_____ **Law No. 04/L-226 ON AMENDING AND SUPPLEMENTING THE LAW No. 03/L-229 ON PROTECTION OF COMPETITION** Assembly of Republic of Kosovo, Based on Article 65 (1) of the Constitution of the Republic of Kosovo, Approves LAW ON AMENDING AND SUPPLEMENTING THE LAW No . 03/L- 229 ON PROTECTION OF COMPETITION Article 1 Article 2 of the basic Law, after paragraph 1....

Match #75

71% similar

03/L-229 on Protection of Competition, states:
“Article 4, paragraph 2

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...Official Gazette: 37/2012. Law No. 04/I-115 amending and supplementing the Laws related to the Ending of International Supervision of Independence of Kosovo, Official Gazette: 25/2012. 19 Law 03/L-229 on Protection of Competition, Official Gazette: 88/2010, 25 November 2010 as amended by the Law No. 04/L-226 amending and supplementing Law No. **03/L-229 on Protection of Competition**, //www. kryeministri-ks. net/repository/docs/Rregullorja_02-2011-e_miratuar_nga_Qeveria-finale. pdf http://www. kryeministri-ks. net/repository/docs/Rregullorja_02-2011-e_miratuar_nga_Qeveria-finale. pdf 10 Overall, the Constitution stipulates appropriate mechanisms for ensuring that the competition rules are applied in practice. From the contextual interpretation in the above analysis...

Match #76

65% similar

of the basic Law shall be reworded with the following text: 2. Prohibited agreements, referred to in paragraph 1

https://www.ecoi.net/en/file/local/1304950/1226_1400839630_...

...text: Article 3 Special Prosecution Office The criminal offences according to this Law and basic Law, fall within the exclusive competence of the Special Prosecution Office of the Republic of Kosovo established by Law No 03/L-052 on the Special Prosecution Office of the Republic of Kosovo. Article 4 Article 11 **of the basic Law paragraph 2. shall be reworded with the following text : 2.** Director **of** FIU nominates **the** Deputy Director **of** in written form. Article 5 1. Article 15 of the basic law, after paragraph 1 a new paragraph 1. a., shall be added with the following text: 1. a. The FIU is able to exchange, domestically as well as internationally, all information accessible or obtainable directly or indirectly by the...

Match #77

100% similar

of this Article and that are not exempted under Articles 5, 6, 7, 8 of the basic Law and Article 4 of this Law are null and void”

<https://ak.rks-gov.net/assets/cms/uploads/files/Law%20No.%20...>

...paragraph 2. of the basic Law shall be reworded with the following text: 2. Prohibited agreements, referred to in paragraph 1. **of this Article and that are not exempted under Articles 5, 6, 7, 8 of the basic Law and Article 4 of this Law are null and void.** Article 4 After Article 7 of the basic Law is added a new Article 7A with the following text: Article 7A Group exemptions 1. Provisions on group exemptions determine the conditions which must be met by certain agreements in order to be exempted from the general prohibitions referred to...

Match #78

90% similar

03/L-229 on Protection of Competition, as well as Law no. 04/L-226 on Amending and Supplementing Law no

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...of Law No. **03/L-229 on Protection of** Competition,14 **Law No. 04/L-226 on amending and supplementing** the **Law No. 29** on Protection of Competition,15 and Statute of the Kosovo Competition Authority No. 04-V-312. In the 6 ZHEZHA, V. Competition Policy Analysis in the European Union. In: University of Tirana [online]. 2016 [2020- 07-14]. Available at: http://www. doktoratura. unitir. edu. al/wp-content/uploads/2016/10/Vaeld-Zhezha_tesi. pdf>. 7 PULA, E., ELSHANI, D. The (Un) equal:...

Match #79

63% similar

And we can see this best through their regulation, where if we refer to Article 101 of the Treaty on the Functioning of the European Union and Article 4, paragraphs 1 to 1

https://ec.europa.eu/competition/antitrust/cases/dec_docs/383...

.....
..... 289 19. 5. 14.(...)
..... 289 19. 5
. 15. Conclusion.....
..... 289 19. 6. The Amounts of the Fines to be Imposed in this Decision..... E
N COMMISSION DECISION **Of** 30. 6. 2010 relating **to** a proceeding under **Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the** COMP/38344- Prestressing Steel THE EUROPEAN COMMISSION, Having regard to the Treaty on the Functioning of the European Union, Having regard to the Agreement on the European Economic Area, Having regard to Council Regulation No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down...

Match #80

60% similar

It is important to note that both under the Treaty on the Functioning of the European Union and under the Law on Protection of Competition in Kosovo, abuse with

<https://core.ac.uk/download/pdf/159995229.pdf>

...1. 3. 1 Effective competition and the goals of competition law and policy The concept of "effective competition" is fundamental to the main provisions of UK/EU and Australian competition law. According to the General Court (a constituent court of the Court of Justice of the European Union), the competition **to in the prohibition on anti-competitive agreements in Article 101 of the Treaty on the Functioning of the European Union** ("TFEU") **is taken to mean effective competition.** 31 For **the purposes of the** on the abuse of dominance in Article 102 of the TFEU, a dominant position is 30 Damien Geradin, 'Access to Content by New Media Platforms: A Review of the Competition Law Problems' (2005) 30(1) European Law Review 68. 31 Case T-168/01 GlaxoSmithKline Services Unlimited v Commission [2006] ECR II-2969 [109];...

Match #81

70% similar

The competent institution for the protection of competition in Kosovo was established under the name of the Kosovo Competition Authority, where its strategic objective is, strengthening professional and administrative

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...explicitly allowed by law". Then, in accordance with the constitution, Law No. 03/L-229 on Protection of Competition and Law No. 04/L-226 on amending and supplementing Law No. 03/L-229 on Protection of Competition, harmonizing it with the member states of the European Union. And then, based on the law in question, **competent institution for the protection of competition was established under the name of the Kosovo Competition Authority,**¹⁶ **where the Commission for the Protection of Competition was** initially **established** as a panel body managing **the work of the Authority** consisting of five members,¹⁷ who have drafted the Statute of the Kosovo Competition Authority, together with local and international experts, and have sent it to the Kosovo Assembly for approval, which after approval by the members of parliament of the Republic of Kosovo, entered into force and the Kosovo Competition...

Match #82

66% similar

to abuse dominant positions and anticompetitive agreements in the market

<http://web.archive.org/web/20201028113738/https://www.conc...>

...article The Italian Council of State confirms the 180 million fine imposed on a pharmaceutical cartel for entering into an anticompetitive agreement by object (Hoffman-La Roche/ Novartis) Share on Your email address Recipient Text of your message Please leave this field empty: 17 Jul 2019 The Italian Competition having implemented two **anticompetitive agreements in the market** for corrugated cardboard sheets and in the market for corrugated cardboard packaging (Pro-Gest, Cartonstrong Italia, Ondulato Trevigiano, Ondulati Maranello...) KEYWORDS ItalyAnticompetitive practicesEffect on competitionSanctions/ Fines/ PenaltiesAgreement (notion)LeniencyPrice fixingManufacturing Reference Italian Competition Authority (Rome), Pro-Gest, Cartonstrong Italia, Ondulato Trevigiano, Ondulati Maranello, Plurionda, Laveggia, Scatolificio Laveggia, Ondulati Santerno, DS Smith...

Match #83

100% similar

The Kosovo Competition Authority, as a competition monitoring institution in the country, should maintain genuine competition in the country and as a result should not allow companies in the market to sign prohibited agreements or otherwise called unlawful agreements because if prohibited agreements are allowed, they put the competitor companies in an unequal and unfavourable position

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...contract". 35 **The Kosovo Competition Authority, as a competition monitoring institution in the country, should maintain genuine competition in the country and as a result should not allow companies in the market to sign prohibited agreements or otherwise called unlawful agreements because if prohibited agreements are allowed, they put the competitor companies in an unequal and unfavourable position.** Prohibited agreements that undermine competition in the country are e. g. if there are two competing companies in the market that supply the same product in the country and are in competition with each other. If these two companies create a merger agreement or the acquisition of one company...

Match #84

98% similar

Prohibited agreements that undermine competition in the country are e.g

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...competition monitoring institution in the country, should maintain genuine competition in the country and as a result should not allow companies in the market to sign prohibited agreements or otherwise called unlawful agreements because if prohibited agreements are allowed, they put the competitor companies in an unequal and unfavourable position. **Prohibited agreements that undermine competition in the country are** if there are two competing companies in the market that supply the same product in the country and are in competition with each other. If these two companies create a merger agreement or the acquisition of one company by the other, this kind of agreement should not be allowed...

Match #85

100% similar

if there are two competing companies in the market that supply the same product in the country and are in competition with each other

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...the country and as a result should not allow companies in the market to sign prohibited agreements or otherwise called unlawful agreements because if prohibited agreements are allowed, they put the competitor companies in an unequal and unfavourable position. Prohibited agreements that undermine competition in the country are e. g. **if there are two competing companies in the market that supply the same product in the country and are in competition with each other.** If these two companies create a merger agreement or the acquisition of one company by the other, this kind of agreement should not be allowed to be implemented because competition becomes a monopoly and the state should not allow it. This kind of agreement is allowed if there are...

Match #86

100% similar

If these two companies create a merger agreement or the acquisition of one company by the other, this kind of agreement should not be allowed to be implemented because competition becomes a monopoly and the state should not allow it

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...prohibited agreements are allowed, they put the competitor companies in an unequal and unfavourable position. Prohibited agreements that undermine competition in the country are e. g. if there are two competing companies in the market that supply the same product in the country and are in competition with each other. **If these two companies create a merger agreement or the acquisition of one company by the other, this kind of agreement should not be allowed to be implemented because competition becomes a monopoly and the state should not allow it.** This kind of agreement is allowed if there are ten competing companies in the market and one wanting to buy the other is allowed because there is no violation of genuine competition in the country. Kosovo Competition Authority based on the provisions of Law No. 03/L-229 on Protection of...

Match #87

82% similar

Article 103 (ex Article 83 TEC) Consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union: 1

<http://web.archive.org/web/20220408151117/https://www.refw...>

...Title Consolidated version of the Treaty on the Functioning of the European Union Publisher European Union Author Conference of the Representatives of the Governments of the Member States Publication Date 13 December 2007 Citation/ Document Symbol 2008/C 115/01 Reference 2008/C 115/01 Other Languages/ **of Contents of the Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union** as European Union, Consolidated version of the Treaty on the Functioning of the European Union, 13 December 2007, 2008/C 115/01, available at: <https://www.refworld.org/docid/4b17a07e2.html> [accessed 8 April 2022] Comments Published in the Official Journal of the European Union (OJ C 115/47) of 9 May 2008. This Consolidated version...

Match #88

64% similar

The appropriate regulations or directives to implement the principles set out in Articles 101 and 102 shall be adopted by the Council, on a proposal from the Commission and after consulting the European Parliament

<https://library.oapen.org/bitstream/id/2cf8ea42-17fc-45f3-80e3-...>
...whether the member states could muster the required unanimous support for such a move. Fifth, sport could be added to the list of EU activities outlined in Article 3 of the Treaty. Article 308 of the Treaty states that, 'if action by the Community should prove necessary to attain, **in the** course of **the** operation of **the** market, one of **the** objectives of **the** Community **and** this Treaty has not provided **the** necessary powers, **the Council shall**, acting unanimously **on a proposal from the Commission and after consulting the European Parliament**, take **the appropriate** measures'. Combining Article 3 with this 'catch-all' Article would permit action by the EU in sports matters if it was felt appropriate for the attainment of one of the objectives of the Treaty. The sixth option involves the member states placing limits on the freedom of movement for workers (sportsmen...

Match #89

87% similar

2. The regulations or directives referred to in paragraph 1 shall be drawn up, in particular: (a) to ensure compliance with the prohibitions provided for in Article 101 (1) and

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...with the subject of such contracts. Article 103 (ex Article 83 TEC) 1. The appropriate regulations or directives to give effect to the principles set out in Articles 101 and 102 shall be laid down by the Council, on a proposal from the Commission and after consulting the European Parliament. **2. The regulations or directives referred to in paragraph 1 shall be designed in particular: (a) to ensure compliance with the prohibitions** laid down **in Article 101(1) and in Article 102** by making provision for fines and periodic penalty payments; (b) to lay down detailed rules for the application of Article 101(3), taking into account the need to ensure effective supervision on the one hand, and to simplify administration to the greatest possible extent on the other; (c) to define,...

Match #90

76% similar

Article 102 through the imposition of periodic fines and sanctions; 89 (b) to lay down detailed rules for the application of Article 101 (3), taking into account the need to

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...102 shall be laid down by the Council, on a proposal from the Commission and after consulting the European Parliament. 2. The regulations or directives referred to in paragraph 1 shall be designed in particular: (a) to ensure compliance with the prohibitions laid down in Article 101(1) and in **Article 102** by making provision **for fines and periodic** penalty payments; **(b) to lay down detailed rules for the application of Article 101(3), taking into account the need to** supervision on the one hand, and to simplify administration to the greatest possible extent on the other; (c) to define, if need be, in the various branches of the economy, the scope of the provisions of Articles 101 and 102; (d) to define the respective functions of the Commission and...

Match #91

77% similar

ensure effective oversight, on the one hand, and to simplify administration as much as possible, on the other; (c) to determine, if necessary, in the various branches of the economy,

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>
...1 shall be designed in particular: (a) to ensure compliance with the prohibitions laid down in Article 101(1) and in Article 102 by making provision for fines and periodic penalty payments; (b) to lay down detailed rules for the application of Article 101(3), taking into account the need to **ensure effective** supervision **on the one hand, and to simplify administration to the greatest possible** extent **on the other; (c) to** define, **if** need be, **in the various branches of the economy, the** of the provisions of Articles 101 and 102; (d) to define the respective functions of the Commission and of the Court of Justice of the European Union in applying the provisions laid down in this paragraph; (e) to determine the relationship between national laws and the provisions contained in this...

Match #92

78% similar

relation to the implementation of the provisions set out in this paragraph; (e) to determine the relationship between national legislation and the provisions contained in this Section or the provisions adopted pursuant to this Article

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>

...and to simplify administration to the greatest possible extent o
n the other; (c) to define, if need be, in the various branches of t
he economy, the scope of the provisions of Articles 101 and 102;
(d) to define the respective functions of the Commission and of t
he Court of **of the** European Union **in** applying **the provisions** l
aid down **in this paragraph; (e) to determine the relationsh
ip between national** laws **and the provisions contained in t
his Section or adopted pursuant to this Article. Article** 104
(ex **Article** 84 TEC) Until the entry into force of the provisions ad
opted in pursuance of Article 103, the authorities in Member Stat
es shall rule on the admissibility of agreements, decisions and co
ncerted practices and on abuse of a dominant position in the inte
rnal market in accordance with the law of their...

Match #93

90% similar

Article 104 (ex Article 84 TEC) until the entry into force of the provisions adopted pursuant to Article 103, the authorities in the Member States shall decide on the admissibility of concerted agreements, decisions and practices and on the abuse of a dominant position in the internal market

<http://web.archive.org/web/20220414174226/https://eur-lex.eu...>

...(d) to define the respective functions of the Commission and of
the Court of Justice of the European Union in applying the provisi
ons laid down in this paragraph; (e) to determine the relationship
between national laws and the provisions contained in this Sectio
n or adopted pursuant to this Article. **Article 104 (ex Article 84
TEC) Until the entry into force of the provisions adopted i
n** pursuance **of Article 103, the authorities in Member State
s shall** rule **on the admissibility of agreements, decisions a
nd concerted practices and on abuse of a dominant positi
on in the internal market in** accordance with **the** law of their
country and with the provisions of Article 101, in particular parag
raph 3, and of Article 102. Article 105 (ex Article 85 TEC) 1. With
out...

Match #94

63% similar

Furthermore, the Treaty on Functioning of the European Union and international practices have been taken into account

<https://mobt3ath.net/uplude/books/book-49845.pdf>

...Euratom) No 741/2012 of the European Parliament and of the C
ouncil of 11 August, 2012 (OJ L 228, 23. 8. 2012, p 1), by Article
9 of the act concerning the conditions of accession to the Europe
an Union of the Republic of Croatia and the adjustments to the Tr
eaty **on European Union, the Treaty on the Functioning of t
he European Union and the Treaty** ...

Match #95

60% similar

It is vital that every owner of all types of companies in the country, is provided with sufficient information about the Law on Protection of Competition, about the role and importance of competition in the market, in order to understand whether any of their actions constitute a violation

<http://www.kzk.gov.rs/kzk/wp-content/uploads/2013/11/ANNUA...>

...stated case, business activity of monitoring/ call center of an e
ntity is taken, by acquiring the Lease Contract, employees who a
re trained for this type of business activity and three service cont
racts from a business activity of monitoring/ call center. In this w
ay, the acquirer of monitoring/call operations **of** monitoring/ call
center which **is in** competence **of** its current **owner,** resulting **in
a** concentration from Article 17 **of the Law on Protection of C
ompetition. The** fact **that the** transaction **is** not related **to** acq
uiring **of** fixed assets or **the** shares **in the** company **that** provid
es monitoring/call center, does not affect **the** formation **of** conce
ntration, since **the** acquiring **of** to perform specific activities (ov
er the lease), creates a control over the same in the sense of Arti
cle 17 of the Law on Protection of Competition. If the conditions o
f Article 61 of the Law on Protection of Competition are complete
d, acquirer of control is required to submit an application...

Match #96

78% similar

, EU Competition Law and the Financial Services Sector, First published 2013, Enver H

<https://mobt3ath.net/uplude/books/book-49845.pdf>

...(_Felsenfeld'), p 508; see, also, E Ellinger et al, Ellinger's Moder
n Banking Law (5th edn, Oxford: Oxford University Press 2011), p
p 3-29. 20 Felsenfeld (n19), pp 5-24. 21 L Sullivan, The Law of An
titrust: An Integrated Handbook (3rd edn., St Paul: West Academi
c 2015), ch 1; see, also, A **EU Competition Law and the Finan
cial Services Sector** sees the process continuing. Massive multi
-national banks like HSBC, Barclays, Royal Bank of Scotland, Lloy
ds Banking Group, JPMorgan Chase, Bank of America, Citigroup, a
nd Wells Fargo are gradually becoming the norm. There seems n
o practical limit, except for proposals to break banks up; 22 to ho
w far the market and...

Match #97

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& Ivan, Č., Commentary, The Constitution of the Republic of Kosovo, Issue (I)

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...Enterprises under Competition Law: Theoretical and Practical Issues. In: Universiteti Europian i Tiranës [online]. 2017 [2020-07-17]. Available at: http://uet.edu.al/images/doktoratura/Ardvin_Kraja.pdf. p. 11. 4 National Competition Policy. In: Competition Authority of Albania [online]. 28. 12. 2006 [2020-07-10] Available at: http://caa.gov.al/uploads/publications/POLITIKA_aca.pdf>. p. 7. 5 HASANI, E., **I. Commentary, The Constitution of the Republic of Kosovo. Issue** 2013, p. 51. IMPROVEMENT OF THE KOSOVO MARKET THROUGH IMPLEMENTATION... 346-356 347TLQ 3/2020 www.ilaw.cas.cz/tlq ing or penalizing some enterprises to the detriment of others. 6 The state should treat public and private enterprises equally and do their checking in the market in terms of competition...

Match #98

86% similar

, Managing Cartels: how Cartel Participants Create Stability in the Absence of law, Journal: “Eur J Crim Policy Res” (2017)

<https://repub.eur.nl/pub/124774/dissertation-jaspers.pdf>

...shows the importance of informal social mechanisms to coordinate, monitor, enforce, and compensate for the longevity of business cartels. Furthermore, the results emphasise that in order to explain cartel stability, social mechanisms that induce trust need to be considered.* This chapter has been published as: Jaspers, J. D. (2017). **Managing Cartels: how Cartel Participants Create Stability in the Absence of law.** European **Journal** on Criminal **Policy** 19-335. 50 Chapter 2 Managing cartels 1. Introduction Business cartels are an example of corporate and economic crime that entail collusion between competitors to fix prices, divide markets, or rig tendering procedures (Friedrichs 2010; Stewart 2007; Geis 1987). Cartels initially enable firms6 to minimise uncertainties and the risks of a...

Match #99

69% similar

, Aspekte ligjore të së drejtës së konkurrencës dhe konkurrenca në sistemin elektroenergjetik Shqiptar, (Legal aspects of competition law and competition in the Albanian power system), Tirana 2015

<https://notimi.uni-pr.edu/DokumentetProfesori/fbf0cf92-b513-4...>

...politikës së konkurrencës në Bashkimin Europian. Tiranë, Tetor 2016. Punim doktrate. Shih në web faqen zyrtare: http://www.doktoratura.unitir.edu.al/wp-content/uploads/2016/10/Vaeld-Zheza_tesi.pdf; Përqëndrimet e ndërmarrjeve në të drejtën e konkurrencës: Çështje teorike dhe praktike. Punim doktrate. Tiranë, 2017,. Shih në web faqen zyrtare: http://uet.edu.al/images/doktoratura/Ardvin_Kraja.pdf; [bookmark: _Hlk60134162] **Aspekte ligjore të së drejtës së konkurrencës dhe konkurrenca në sistemin elektroenergjetik** Shqipetar. Tiranë, **2015**. Punim doktrate. Shih **në** Doktoratura-Jonid-Kazani-Instituti-Studimeve-Europiane. pdf; Raport Politikash 04/2018. Të (pa) barabartë: Një tregim mbi Konkurrencën në Kosovë". Shtator 2018; Shih në web faqen zyrtare: <http://www.legalpoliticalstudies.org/wp-content/uploads/2018/09/GLPS-Policy-Report-04-2018.pdf>; Politika Kombëtare e Konkurrencës e botuar nga Autoriteti i Konkurrencës në Republikën e Shqipërisë. 2006. Miratuar nga Komisioni i Konkurrencës, m e vendim nr. 43, datë...

Match #100

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, The abuse of the dominant position within the internal market of the European Community: From theoretical assumptions to practice, January 2007

<http://web.archive.org/web/20130515210823/http://ideas.repe...>

...Biblio NEW EconAcademics blog aggregator Plagiarism Services from the StL Fed About RePEc RePEc home FAQ Blog Help! RePEc team Participating archives Help RePEc and get material listed Volunteers Get papers listed Open a RePEc archive Advanced Search Papers Articles Authors Institutions Data (FRED®) Top of page Share: MyIDEAS: **The Abuse of the Dominant Position Within the Internal Market of the European Community: from Theoretical Assumptions to Practice** Abstract Bibliographic info Download info Related research References Citations Lists Statistics Corrections Author Info Justyna Maliszewska-Nienartowicz () (Jean Monnet Centre for European Studies Nicolaus Copernicus University in Toruń, Poland) Registered author(s): AbstractThe competition policy of the European Community does not concentrate on the "market power" of enterprises. Instead of that...

Match #101

78% similar

03/L-229 on Protection of Competition in Kosovo:Article 10 of the Constitution of the Republic of Kosovo of 2008

<https://ak.rks-gov.net/assets/cms/uploads/files/Law%20No.%20...>

...1 Republika e Kosovës Republika Kosovo- Republic of Kosovo Kuvendi- Skupština- Assembly

Law No. 04/L-226 ON AMENDING AND SUPPLEMENTING THE LAW No. **03/L-229 ON PROTECTION OF COMPETITION** Assembly of Republic of Kosovo, Based on Article 65 (1) **of the Constitution of the Republic of Kosovo**, LAW ON AMENDING AND SUPPLEMENTING THE LAW No. 03/L- 229 ON PROTECTION OF COMPETITION Article 1 Article 2 of the basic Law, after paragraph 1. is added paragraph 2. with the following text: 2. This Law does not apply to the relationship between employers and employees and to the relationships...

Match #102

85% similar

Article 103 (ex Article 83 TEC) Consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union

<https://revistaselectronicas.ujaen.es/index.php/rej/article/download...>

...competition and consumer protection (Polish Journal of Laws of 2007, No. 50, item 331) and The Act of 23 August 2007 on combating unfair commercial practices (Journal of Laws No. 171 of 2007, item 1206). 9 D. MIAŚIK, Międzynarodowe i europejskie prawo konkurencji; Publication: CH Beck, 2013, Journal: Studia 27-28. 10 **Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union**- Consolidated version of the Treaty on the Functioning of the European Union- Protocols- Annexes- Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007- Tables of equivalences, Official Journal C 326, 26/10/2012 P...

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Article 104 (ex Article 84 TEC) Consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union

<https://revistaselectronicas.ujaen.es/index.php/rej/article/download...>

...competition and consumer protection (Polish Journal of Laws of 2007, No. 50, item 331) and The Act of 23 August 2007 on combating unfair commercial practices (Journal of Laws No. 171 of 2007, item 1206). 9 D. MIAŚIK, Międzynarodowe i europejskie prawo konkurencji; Publication: CH Beck, 2013, Journal: Studia 27-28. 10 **Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union**- Consolidated version of the Treaty on the Functioning of the European Union- Protocols- Annexes- Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007- Tables of equivalences, Official Journal C 326, 26/10/2012 P...

Match #104

84% similar

Article 3 of Law no. 04/L-226 on Amending and Supplementing Law no

<https://ak.rks-gov.net/assets/cms/uploads/files/Law%20No.%20...>

...1 Republika e Kosovës Republika Kosovo- Republic of Kosovo Kuvendi- Skupština- Assembly

Law No. **04/L-226 ON AMENDING AND SUPPLEMENTING THE LAW No. 03/L-229 ON PROTECTION OF COMPETITION** Assembly of Republic of Kosovo, Based on Article 65 (1) of the Constitution of the Republic of Kosovo, Approves LAW ON AMENDING AND SUPPLEMENTING THE LAW No . 03/L- 229 ON PROTECTION OF COMPETITION Article 1 Article 2 of the basic Law, after paragraph 1....

Match #105

61% similar

03/L-229 on Protection of Competition in Kosovo. Article 4 paragraph 1 to paragraph 1

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...18See Law No. 03/L-199 on Courts, Official Gazette: 79/2010. Amended by: Law No. 04/L-171 amending and supplementing the Law No. 03/L-199 on Courts, Official Gazette: 37/2012. Law No. 04/L-115 amending and supplementing the Laws related to the Ending of International Supervision of Independence of Kosovo, Official Gazette: 25/2012. 19 **03/L-229 on Protection of Competition**, the Law No. 04/L-226 amending and supplementing Law No. 03/L-229 on Protection of Competition, Official Gazette: 17/2014, 10. 03. 2014. http://www. kryeministri-ks. net/repository/docs/Rregullorja_02-2011-e_miratuar_nga_Qeveria-finale. pdf http://www. kryeministri-ks. net/repository/docs/Rregullorja_02-2011-e_miratuar_nga_Qeveria-finale. pdf 10 Overall, the Constitution stipulates appropriate mechanisms for ensuring that the competition rules are applied in practice. From the contextual interpretation in...

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5 and paragraph 2 of Law no. 03/L-229 on Protection of Competition in Kosovo

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702>>. 14 Law on Protection of Competition in Kosovo. In: Official Gazette of the Republic of Kosovo [online]. 2010 [2020-07-10]. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727>>. 15 Law No. 04/L-226 on Supplementing the **Law No. 03/L-229 on Protection of Competition. In:** Official Gazette of the Republic of Kosovo [online]. [2020-07-10]. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2727>>. VALBON MULAJ 346-356 348 www.ilaw.cas.cz/tlq TLQ 3/2020 Republic of Kosovo, Competition is regulated by Article 119, paragraph 3 of the 2008 Constitution of the Republic of Kosovo, which states: "Actions limiting...

Match #107

92% similar

Article 54 Consolidated version of the Treaty on European Union and the Treaty on the Functioning of the European Union

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...Cases, and Materials. 5th ed. Oxford University Press. p. 3. 69 Jones, A. and Sufrin, B. 2014. EU Competition Law: Text, Cases, and Materials. 5th ed. Oxford University Press. p. 2. 70 Chalmers, D., Davies, G. and Monti, G. 2014. European Union Law Text and Materials. 3rd ed. Cambridge 71 **Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union** Consolidated version of the Treaty on European Union Consolidated version of the Treaty on the Functioning of the European Union Protocols, Annexes, Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007, Tables of equivalences. Available at: OJ C...

Match #108

73% similar

Constitution of the Republic of Kosovo, 2008.Consolidated version of the Treaty on the Functioning of the European Union

<https://www.bfg.pl/wp-content/uploads/bb-477-2019.pdf>

...ic. Belgium: Financial Sector Assessment Program. Technical Note- Banking, Insurance, and Financial Conglomerates supervision, IMF Country Report No. 18/70, March 2019, <https://www.imf.org/~media/Files/Publications/CR/2018/cr1870.ashx> Considerations of the further strengthening of the Banking Union, including a common deposit insurance scheme, June 2019, Report of the HLWG Chair, <https://www.chairreport.pdf> Consolidated **version of the Treaty on the Functioning of the European Union** 2012), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN> Core Principles Methodology, Basel Committee on Banking Supervision, 2006. Deslandes J., Dias C., Magnus M. (2019), Banking Union: What next?, European Parliament, ECONOMIC GOVERNANCE SUPPORT UNIT (EGOV), Directorate-General for Internal Policies PE 634. 374 [http://www.europarl.europa.eu/RegData/etudes/IDAN/2019/634374/IPOL_IDA\(2019\)634374_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2019/634374/IPOL_IDA(2019)634374_EN.pdf) Domanski D., Three priorities...

Match #109

100% similar

EU Competition Law Rules Applicable to Antitrust Enforcement

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...the market, and the services are very efficient, because as a result of competition, companies try to provide those services that meet consumer demands. 7. PROHIBITED AGREEMENTS Prohibited are all agreements between two or more independent enterprises, decisions made by business associations and coordinated practices that aim or may 30 **EU Competition Law Rules Applicable to Antitrust Enforcement.** Volume I: General Rules. Situation as at 1st of July 2013, p. 11. 31 Ibid., p. 11. 32 KAZANI, J. Legal aspects of competition law and competition in the Albanian electric power system. Tirana, 2015, Doctoral dissertation. In: University of Tirana [online]. 2015 [2020-07-17]. Available at: <http://www.doktoratura.unitir...>

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Volume I: General Rules. Situation as at 1st of July 2013

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...because as a result of competition, companies try to provide those services that meet consumer demands. 7. PROHIBITED AGREEMENTS Prohibited are all agreements between two or more independent enterprises, decisions made by business associations and coordinated practices that aim or may 30 EU Competition Law Rules Applicable to Antitrust Enforcement. **Volume I: General Rules. Situation as at 1st of July 2013**, p. 11. 31 Ibid., p. 11. 32 KAZANI, J. Legal aspects of competition law and competition in the Albanian electric power system. Tirana, 2015, Doctoral dissertation. In: University of Tirana [online]. 2015 [2020-07-17]. Available at: <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2016/01/Doktoratura-Jonid-Kazani-Instituti-Studimeve-Europiane.pdf>. pp. 71-72. 33 Ibid., p. 72. VALBON MULAJ...

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89% similar

Law no. 03/L-229 on Protection of Competition in Kosovo

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...Official Gazette: 32/2014. Law No. 03/L-199 on Courts, Official Gazette: 79/2010. Law No. 04/L-171 amending and supplementing Law No. 03/L-199 on Courts, Official Gazette: 37/2012. Law No. 04/L-115 amending and supplementing the Laws related to the Ending of International Supervision of Independence of Kosovo, Official Gazette: 25/2012. **Law No. 03/L-229 on Protection of Competition**, Gazette: 88/2010. Law No. 04/L-226 amending and supplementing the Law No. 03/L-229 on Protection of Competition, Official Gazette: 17/2014. Law No. 04/L-024 on State Aid, Official Gazette: 13/2011. National Programme for the Adoption of the Acquis- forthcoming. Regulation MoF- No. 1/2013 on Organization and Functioning of the State...

Match #112

95% similar

Law No. 04/L-226 on Amending and Supplementing Law NO

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...supplementing the Law No. 03/L-199 on Courts, Official Gazette : 37/2012. Law No. 04/L-115 amending and supplementing the Laws related to the Ending of International Supervision of Independence of Kosovo, Official Gazette: 25/2012. 19 Law 03/L-229 on Protection of Competition, Official Gazette: 88/2010, 25 November 2010 as amended by the **Law No. 04/L-226 amending and supplementing Law No. 03/L-229 on Protection of Competition**, Official Gazette: 17/2014, 10. 03. 2014. http://www.kryeministri-ks.net/repository/docs/Rregullorja_02-2011-e_miratuar nga_Qeveria-finale.pdf http://www.kryeministri-ks.net/repository/docs/Rregullorja_02-2011-e_miratuar nga_Qeveria-finale.pdf 10 Overall, the Constitution stipulates appropriate mechanisms for ensuring that the competition...

Match #113

64% similar

03/L-229 on Protection of Competition. Law on Protection of Competition in Kosovo, 2010

<https://tlq.ilaw.cas.cz/index.php/tlq/article/viewFile/420/424>

...is regulated by Article 119, paragraph 3 of the 2008 Constitution of the Republic of Kosovo, which states: "Actions limiting free competition through the establishment or abuse of a dominant position or practices restricting competition are prohibited, unless explicitly allowed by law". Then, in accordance with the constitution, Law No. **03/L-229 on Protection of Competition** and **Law No. 04/L-226 on amending and supplementing Law No. 03/L-229 on Protection of Competition**, the member states of the European Union. And then, based on the law in question, a competent institution for the protection of competition was established under the name of the Kosovo Competition Authority,¹⁶ where the Commission for the Protection of Competition...

Match #114

65% similar

02.2022). Work Report 2020, of the Kosovo Competition Authority

<https://www.econstor.eu/bitstream/10419/110957/1/82702071...>

...the figure below, this set of institutions is empowered to promote and protect the competition rules in accordance with the Constitution and the law. Figure 1. Location of public policy and enforcement institutions in relation to competition in Kosovo. Competition law within the constitutional context involves the practice of this purpose, **the Kosovo Competition Authority** is the main independent body and has the responsibility and authority for law enforcement and promoting competition, through underpinning the provisions of the competition rules in Kosovo. When it perceives that there may be a breach of the competition rules or principles, the KCA takes proper steps to investigate....

