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**MEMORANDUM
OF UNDERSTANDING IN THE FIELD OF COMPETITION LAW
ENFORCEMENT AND POLICY
BETWEEN THE ALBANIAN COMPETITION AUTHORITY AND THE
AGENCY FOR PROTECTION OF COMPETITION OF MONTENEGRO**

The Albanian Competition Authority and the Agency for Protection of Competition of Montenegro (hereinafter referred to as the "Parties"),

Expressing the wish to develop closer cooperation in the field of competition policy and enforcement of competition law of the Parties,

Recognizing the need for wider engagement among competition authorities at international level due to the nature of the challenges they face,

Aiming to create favorable conditions for the development of international relations,

Based on the principles of equality and mutual benefit,

Underlining the role of free and effective competition in the market,

HAVE AGREED as follows:

Article I.

PURPOSE AND DEFINITIONS

1. The purpose of this Memorandum of Partnership ("Memorandum") is to facilitate and strengthen cooperation between the Parties in the field of competition law enforcement and competition policy.

Article II.

FIELDS OF COOPERATION

In the common interest of the Parties, cooperation will materialize in the following areas, in accordance with the reasonably available resources:

- a) exchange of information on legal developments and policies of the Parties in the field of competition law enforcement;
- b) exchange of views on policy developments with international organizations in the field of competition law enforcement, including the International Competition Network ("ICN"), the Organization for Economic Co-operation and Development

- (“OECD”) and the Conference of the Nations United Nations for Trade and Development (“UNCTAD”);
- c) sharing of technical expertise in the field of investigations related to the violation of competition rules of the Parties, if this does not affect any investigation or current procedure being developed by one Party;
 - d) exchange of experience in the field of competition promotion, including the promotion of a culture of competition through increasing the awareness of agencies and the wider public about competition legislation and enforcement;
 - e) provision of information and methodological assistance in the preparation of proposals and the drafting of legal acts in the field of competition;
 - f) organizing study visits and expert trainings;
 - g) participation in conferences, seminars and other events organized by the Parties.

Article III.

FORMS OF COOPERATION

1. The Parties shall hold, periodically and at the request of one Party, meetings or consultations between designated officials of the Parties to facilitate cooperation in the areas defined in Article II.
2. Cooperation between the Parties can be realized through the following forms:
 - a) exchange of non-confidential information on policy developments and competition implementation;
 - b) expert meetings or consultations, including via e-mail, telephone or internet communication platforms, between experts of the Parties about the exchange of non-confidential information on matters of common interest;
 - c) organization of study visits and training programs for experts, including experts who prepare implementation developments;
 - d) high-level meetings and/or visits for the purpose of discussing the cooperation and joint activities of the Parties, as well as reviewing the perspectives of the general partnership;
 - e) joint organization and/or participation in international conferences, seminars, workshops, symposiums or other events;
 - f) joint participation in research projects, including cooperation with academic institutions, policy institutes or other organizations;
 - g) joint production or commissioning of non-confidential documents in the field of competition law and policy;

- h) exchange of non-confidential documents in the field of competition law and policy, such as regular publications by the Parties, including annual reports, studies, books, magazines and information bulletins.

Article IV.

EXCHANGE OF INFORMATION

The transmission of information shall be in English by mail, email, telephone or online communication platforms, through designated contact points, or in the case of meetings of representatives of the Parties.

Article V.

CONFIDENTIAL INFORMATION

1. Neither Party shall be obliged to provide or communicate information to the other Party if the provision/communication of this information is prohibited by the law of the State of the Party possessing this information, or if it is not in the interest of the Party applying the law of competition.
2. The Parties shall not publish, transmit or disclose information used through joint activities for the implementation of this Memorandum, unless otherwise stated in the agreements reached by each Party.

Article VI.

ORGANIZATION OF ACTIONS

The agenda, place and other elements of the actions, including financial aspects, will be determined individually by the Parties through mutual agreement.

Article VII.

DISPUTE RESOLUTION

Any disputes concerning the limitations, interpretation and application of this Memorandum, if any, shall be resolved through consultation and negotiation.

Article VIII.

REVISION AND CHANGES

Any revision or amendment to the Memorandum shall be made through a mutual written agreement between the Parties, shall be implemented as a protocol and shall be an integral part of the current Memorandum.

The Protocol enters into force on the date of signature by both Parties.

Article IX.
FINAL PROVISIONS

1. The Memorandum aims to improve and develop cooperation between the Parties and does not represent an agreement which binds the States Parties under international agreements or domestic law. No provision of this Memorandum shall be construed as creating legal rights or obligations for the States Parties.
2. This Memorandum is a joint declaration of cooperation between the Parties and does not oblige the Parties, in particular, to commit resources in terms of funds, time, personnel or other administrative resources.
3. This Memorandum shall enter into force on the date of signing and shall continue to be valid until either Party notifies the other Party in writing of its intention to terminate it at least three (3) months before the intended date for its conclusion.

Signed on Tirana, on 07.10.2024, in two copies, each in the Albanian, Montenegrin and English languages, each text being valid. In case of changes in interpretations, the English text will prevail.

FOR
THE AGENCY FOR PROTECTION OF
COMPETITION OF MONTENEGRO



Dragan DAMJANOVIĆ
PRESIDENT

FOR
THE COMPETITION AUTHORITY OF



Denar BABA
CHAIRMAN