



REPUBLIC OF SERBIA
COMMISSION FOR PROTECTION OF COMPETITION

DIRECTORY OF OPERATIONS
OF THE COMMISSION FOR PROTECTION OF COMPETITION

Belgrade, May 2018

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1. ABOUT THE DIRECTORY

The Directory of Operations of the Commission for Protection of Competition (hereinafter referred to as the Directory) is prepared in accordance with Article 39 of the Law on Free Access to Information of Public Importance (Official Gazette of the RS, 120/2004, 54/2007, 104/2009 and 36/2010) and the Guidebook for Publishing the Directory of Operations of State Bodies (Official Gazette of the RS, 68/2010).

The purpose of publishing the Directory is to inform the public on documents and information in the possession or at the disposal of the Commission for Protection of Competition (hereinafter referred to as the Commission) within the framework of its operations.

The Directory contains data of importance for the content, scope and manner of exercising the rights of interested parties relating to the access to information of public importance.

The Directory is published on July 9, 2010, on the official website of the Commission, at the address www.kzk.gov.rs.

The Directory is updated as at May 9, 2018.

The person in charge of integrity and accuracy of data in the Directory is Ms. Milica Stanković, Head of the Division for Normative, Legal, HR and General Administrative Affairs (contact phone number: 011 3811 902, e-mail: milica.stankovic@kzk.gov.rs).

Interested parties may review the Directory and receive a copy of the Directory at the Commission's offices in Belgrade, 25 Savska St., fourth floor.

The Directory is published on the official website of the Commission, at the address www.kzk.gov.rs.

2. FREQUENTLY REQUESTED INFORMATION FROM THE COMMISSION

The most frequently requested information from the Commission are the following:

- opinions on the implementation of the Law on Protection of Competition;
- status information on notifications for approval of concentrations, requests for individual exemption of restrictive agreements from prohibition, abuses of dominance and existence of prohibited agreements, and other information in accordance with the Law;
- copies of conclusions and decisions containing positions adopted by the Commission President pursuant to his/her competences and the Commission Council during its sessions, information containing data on open cases, closed cases and course of proceedings, measures undertaken in respect of accountability for law violations, etc.
- information on other activities and operations, administrative capacities, etc.

3. COMPETENCE, COMMITMENTS AND CONDUCT OF THE COMMISSION

3.1. Competence of the Commission

The Commission is founded in accordance with the Law on Protection of Competition (Official Gazette of the Republic of Serbia, 71/2005) and continued working pursuant to the Law on Protection of Competition (Official Gazette of the Republic of Serbia, 51/2009 and 95/2013,

hereinafter referred to as the Law), as an independent and autonomous organization that performs public competencies.

The Commission is authorized to:

- 1) decide on the rights and obligations of undertakings in accordance with the Law;
- 2) impose administrative measures in accordance with the Law;
- 3) participate in preparation of regulations enacted in the field of protection of competition;
- 4) propose to the Government passing of regulations for implementation of the Law;
- 5) issue instructions and guidelines for implementation of the Law;
- 6) monitor and analyze conditions of competition in individual markets and in individual sectors;
- 7) give opinions to competent authorities on draft regulations, as well as on current regulations that have an impact on market competition;
- 8) give opinions regarding implementation of regulations in the field of protection of competition;
- 9) establish international cooperation in the field of protection of competition in order to fulfill international obligations in this area and collect information on the protection of competition in other countries;
- 10) cooperate with state authorities, territorial autonomy and local self-government bodies in order to ensure conditions for implementation of the Law and other regulations that regulate the issues of important matter for protection of competition;
- 11) undertake activities to raise awareness of the necessity of protection of competition;
- 12) keep records on notified agreements, undertakings that have a dominant position on the market, as well as on concentrations, in accordance with the Law;
- 13) organize, undertake and supervise implementation of measures that secure protection of competition;
- 14) perform other duties in accordance with the Law.

The activities referred to in Items 1), 2), 3), 4), 5), 6), 7), 8), 9), 10) and 13), the Commission performs as entrusted activities.

3.2. Regulations implemented by the Commission

No.	Ordinance	Official Gazette
1.	Constitution of the Republic of Serbia	98-2006
2.	Law on Protection of Competition	51-2009 and 95-2013
3.	Law on General Administrative Procedure	33-1997, 31-2001 and 30-2010
4.	Regulation on the content and manner of submitting notification of concentration	5-2016

5. Regulation on criteria for setting the amount payable on the basis of measure for protection of competition and sanctions for procedural breaches, manner and terms for payment thereof and conditions for determination of respective measures 50-2010
6. Regulation on the conditions for relief from commitment payment from measure for protection of competition 50-2010
7. Regulation on agreements on specialization between undertakings operating at the same level of production or distribution chain exempted from prohibition 11-2010
8. Regulation on agreements between undertakings operating at the different level of production or distribution chain exempted from prohibition 11-2010
9. Regulation on research and development agreements between undertakings operating on the same level of production or distribution chain exempted from prohibition 11-2010
10. Regulation on the content of request for individual exemption of restrictive agreements from prohibition 107-2009
11. Regulation on the criteria for the definition of relevant market 89-2009
12. Regulation on the form and content of official ID cards issued to officials of the Commission for Protection of Competition 89-2009
13. Tariff on the level of compensation for activities within the competence of the Commission for Protection of Competition 49-2011
14. Decision on the manner of publication of acts of the Commission or omitting (anonymization) data in the acts of the Commission for Protection of Competition internal

3.3. Conduct of the Commission

Rules governing general administrative procedure are implemented during the proceedings conducted before the Commission, unless otherwise provided by the Law. The proceedings conducted before the Commission are instituted *ex officio* or per request, that is, upon the notification of a party.

Party to the proceedings conducted before the Commission is an undertaking who has submitted a notification of concentration or request for individual exemption, that is, an undertaking against whom the investigation procedure is instituted.

Parties that submit an initiative for investigation of competition infringement, providers of information and data, experts and organizations whose analysis are used in the proceedings, as well as other state bodies and organizations that cooperate with the Commission during the

proceedings, are not to be the parties to the proceedings.

3.3.1. Examination of notifications and requests

The proceedings on receipt of a notification of concentration, as well as proceedings on receipt of a request for individual exemption are instituted and conducted in accordance with said notification or request of the party, unless otherwise provided by the Law.

The Commission may enact a decision directly, without conducting an investigation procedure, if during the proceedings instituted upon a notification of concentration and based on evidence submitted and other facts known to the Commission, can reasonably assume that respective concentration fulfills the conditions of permissibility in accordance with Article 19 of the Law, unless conditions for the conduct of *ex officio* proceedings for investigation of concentration are determined or obtained. The decision in summary procedure is enacted by the Commission President.

During the procedure of investigation of infringement of competition, a rapporteur among the members of the Council is determined, who in cooperation with an official appointed as case handler, prepares a draft decision and reports to the Council on the reasons and all relevant facts and circumstances of the case.

3.3.2. Competences during the conduct of proceedings

The Commission enacts decisions on competition infringement, individual exemption and permissibility or prohibition of concentration.

Prior to the enactment of a decision in competition infringement proceedings, the Commission will inform the party about relevant facts, evidence and other elements on which the decision will be based, and call the party to make a statement within the given time frame.

An integral part of the decision establishing the infringement of competition is the ruling on the measure for protection of competition, that is, other administrative measure determined by the Commission in accordance with the Law.

The decision of the Commission is final, while an administrative dispute against said decision may be instituted before the competent court.

The Commission enacts a conclusion on procedural issues, interim measures and presentation of evidence.

The conclusion on the implementation of inspections and expert witnessing is enacted by the Commission President.

Officials of the Commission who conduct actions in investigation procedures have official identity cards.

Official identity card is issued by the President of the Commission.

Parties who receive a request for provision of information are obligated to submit or make requested information, documents or belongings that are the subject of the request concerned available for review, except in cases prescribed by the Law.

At the request of a person who is obligated to provide or make information available for review, the Commission may inspect and collect information in the premises of that person.

Upon the request of the Commission, the police will provide assistance in performing certain actions in the proceedings, especially with the inspections and temporary seizure of belongings in accordance with the law governing the police.

The official conducting an inspection may:

- 1) enter and inspect business premises, vehicles, land and other facilities at the seat of the party and other locations where the party or a third person conduct business and other activities;
- 2) inspect business and other documents, regardless of the manner in which these documents are kept;
- 3) confiscate, copy or scan business documents, and if this is not possible due to technical reasons, the authorized person may confiscate business documentation and keep it as long as it is necessary to make copies of these documents;
- 4) seal all business premises and business documents during the inspection;
- 5) take oral and written statements from the representative of a party or its employees, as well as documents detailing facts that are the subject of inspection, and if a written statement is necessary, the authorized person must determine the date by which such statement must be submitted;
- 6) perform other duties in accordance with the objectives of the proceedings.

The party must be provided with the possibility to be present at the scene of inspection, if demanded by the party, unless the request is aimed at prolonging or impeding the procedure.

If there is a reasonable doubt on the existence of a risk of removing or altering evidence in possession of a party or a third person, a dawn raid may be ordered.

Dawn raid is performed by a sudden control of premises, that is, documentation, information and belongings that are on the site, on which the party or the holder of the premises is notified at the moment of inspection and on the site.

If it is necessary for the inspection to be conducted at the premises of the party or a third person, an official of the Commission who is conducting the inspection is obligated to present to the owner or holder of the premises its official identity card and submit the conclusion on conducting inspection at the premises, that is, demand to be enabled to enter into the premises.

If the owner or the holder of the premises unreasonably opposes to the implementation of inspection, a forced entry with the police assistance may be conducted.

If it is necessary to conduct an inspection in an apartment or other premises which have the same, similar or related purpose, and the owner or the holder of those premises opposes to it, the President of the Commission can immediately ask for issuance of an appropriate court order.

The court order is issued by a court competent to decide on the complaint against a decision of the Commission, under the rules of civil procedure for the preservation of evidence.

Holder of the apartment and other premises reserves the right to be present during the inspection in person or by representation, along with two adult witnesses.

If the holder of the apartment or its representative are not present, the inspection is admissible in the presence of two adult witnesses.

3.3.3. Imposing measures

If the Commission determines the infringement of competition or other violation of the Law, it will impose a measure for the protection of competition, measure to eliminate the infringement of competition, that is, other administrative measure prescribed by the Law.

President of the Commission determines a rapporteur in parallel to instituting a proceedings. The Council elects from among its members a person who will exercise the authorities in the event of incapacity or exemption of the Commission President, in a manner

prescribed by the Statute of the Commission.

Prior to enacting a decision in competition infringement proceedings, the Commission will inform the party about the relevant facts, evidence and other elements on which the decision will be based, and call the party to make a statement within the given time frame.

An integral part of the decision establishing the infringement of competition is the ruling on the measure for protection of competition, that is, other administrative measure determined by the Commission in accordance with the Law.

The Commission enacts a conclusion on procedural issues, interim measures and presentation of evidence.

The conclusion on the implementation of inspections and expert witnessing is enacted by the Commission President.

In the event of the party's failure to deliver or place for inspection requested documents, data or belongings until the conclusion of related proceedings, the Commission will enact a decision based on the state of available evidence in the case concerned, that is, suspicions resulting from the lack of related evidence, and the position taken will be detrimental to the party that failed to act upon the order.

In the submitted request, the party is obligated to present a possibility of substantial damage plausible due to the disclosure of the source of information, that is, information specified in the request.

When determining the amount payable based on the measure for protection of competition, that is, a procedural penalty, the intention, gravity, consequences and duration of the competition infringement are taken into account.

If the party fails to execute payment of related measure within the given deadline from the decision, enforced collection of claims will be conducted by the Tax Administration in accordance with regulations governing enforced collection of tax duties.

By way of a decision determining the infringement of competition, the Commission may set out the measures aimed at removing related infringement of competition, i.e., preventing the probable occurrence of the same or similar infringement, by giving orders to related parties to undertake certain behavior or prohibit certain behavior (behavioral measures).

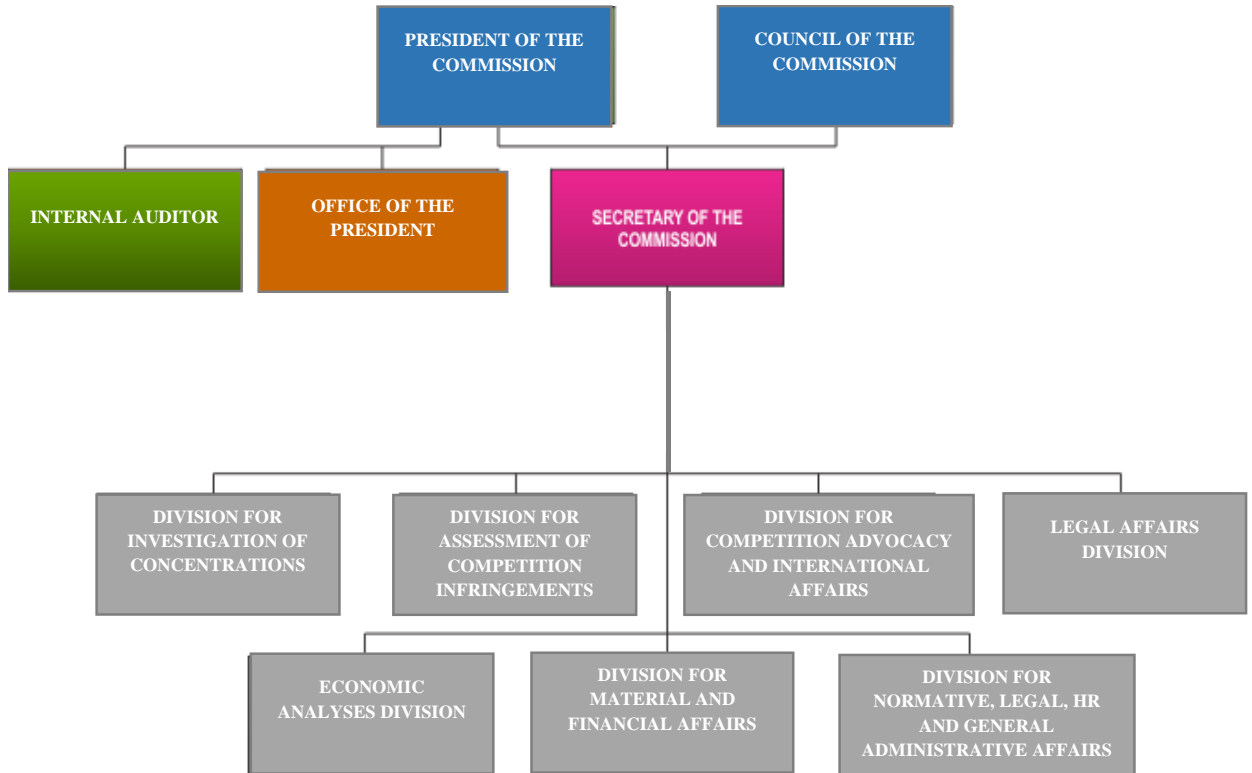
The measures must be proportionate to the gravity of determined infringement of competition and in direct relation to acts or actions that caused such infringement.

If it is determined that there is a significant risk of recurrence of the same or similar infringement as a direct consequence of the structure of undertakings, the Commission may determine a measure with the objective to change related structure in order to eliminate such risk, that is, to establish a structure that existed prior to the occurrence of the established infringement (structural measures).

The structural measure is only set out if there is no possibility to set out an equal or similarly effective behavioral measure, or if such behavioral measure would constitute a greater burden for the undertaking than the concrete structural measure, that is, if the earlier imposed behavioral measure for the same infringement of competition is not carried out in full.

The structural measure may require decomposition of the created structure of respective undertaking, particularly through the sale of some parts or assets in full to other parties who are not affiliated to the undertaking concerned.

4. ORGANIZATIONAL STRUCTURE OF THE COMMISSION



4.1. Bodies of the Commission

The bodies of the Commission are: Council of the Commission (hereinafter referred to as the Council) and the President of the Commission.

The President of the Commission and members of the Council are elected among distinguished experts in the field of law and economics with at least ten years of relevant professional experience, who have achieved significant and recognized work or practice in the relevant field, particularly in the areas of protection of competition and the European Law, and who enjoy a reputation of being objective and impartial persons.

The President of the Commission and members of the Council are elected and dismissed by the National Assembly at the proposal of a competent committee in charge of trade.

The election of the President of the Commission, that is, members of the Council is conducted on two separate lists of candidates containing at least the same, and no more than the double number of candidates against the number to be elected.

The President of the Commission, that is, members of the Council are elected among candidates who receive the most votes against the total number of votes of the Assembly members in each list.

The same person may be a candidate on both lists, and if elected from the list for the President of the Commission, the outcome of voting for said person on other list will not be taken into account.

The election of the bodies of the Commission is conducted in a public contest, invited by the National Assembly Speaker, no later than three months before the expiry of mandate of the President of the Commission and members of the Council, or immediately upon the termination or dismissal within the meaning of Article 24 of the Law.

4.1.1. President of the Commission

President of the Commission represents and acts on behalf of the Commission, enacts decisions and carries out other operations in accordance with the Law and Statute, and in particular:

- 1) organizes and runs the operational activities of the Commission;
- 2) decides on issues from Article 14, Items 8), 11) and 14) of the Statute;
- 3) organizes record-keeping on notified agreements, on undertakings holding dominant position on the market, as well as on concentrations, according to the Law;
- 4) proposes acts enacted by the Council, apart from acts proposed to the Council by Council members pursuant to Article 20(2) of the Statute;
- 5) executes Council's decisions and perform measures for their implementation;
- 6) ensures and assumes the responsibility for operational legality, use and disposal of assets of the Commission, implements the rights of an authorizing officer for the use of Commission's assets pursuant to the Law;
- 7) convenes and presides over the Council's sessions;
- 8) enacts the act on the internal organization and systematization of work positions in the Commission, and other general and individual acts pursuant to the Law and Statute;
- 9) submits the Commission's activity report and annual financial statement;
- 10) decides on the establishment and termination of employment and staff organization within the Commission, salaries and fees of employees, appointed officials and hired persons;
- 11) performs other activities in accordance with the Law, Statute and other general acts of the Commission.

4.1.2. Council of the Commission

The Council consists of the President of the Commission and four members.

The Council enacts all decisions and acts concerning the matters within the competence of the Commission, unless it is stipulated otherwise by the Law and the Statute, and in particular:

- 1) enacts the Statute of the Commission;
- 2) adopts the annual financial plan of the Commission and submits it to the Government for approval;
- 3) adopts financial statements of the Commission;
- 4) adopts periodical and annual activity report on the Commission's activities;
- 5) enacts rules of procedure governing its operations;
- 6) appoints and releases the Secretary from the duty;
- 7) performs other activities in accordance with the Law, Statute and general acts.

4.1.3. Administrative measures imposed by the Commission

If the Commission determines the infringement of competition or other violation of the Law, it will impose a measure for protection of competition, measure to eliminate the infringement of competition or other administrative measure prescribed by the Law.

When determining the amount payable based on the measure for protection of competition or procedural penalty, the intention, gravity, consequences and duration of the competition infringement are taken into account.

The collection of amount payable set out by an administrative measure is levied to the benefit of the budget account of the Republic of Serbia.

Enforced execution of the measure for protection of competition or procedural penalty, as well as the reimbursement in case of related reduction or annulment by a judicial decision is conducted by the Tax Administration pursuant to regulations governing the collection of tax duties.

For measures determined against certain forms of associations of undertakings, all associated parties have joint and several liability, who may jointly or individually pay the commitment if the association is unable to make the payment or does not have its own funds.

The Government more closely prescribes the criteria for setting the amount payable on the basis of a measure for protection of competition and sanctions for procedural breaches, manner and terms for payment, and more closely prescribes conditions determining the measures referred to in Paragraph 1 of related instructions.

4.1.4. Suspension of proceedings

The Commission may enact a conclusion on the suspension of investigation procedure pertaining to the infringement of competition that sets the measure for protection of competition, if the party, based on the content of a conclusion on instituting proceedings, that is, facts established in the proceedings, submits a proposal of obligations that is voluntarily willing to undertake in order to eliminate possible infringements of competition, containing terms and conditions for taking the measure.

The notice on submission of proposal by the party which contains a brief description of the proposal and essential elements of the case, the Commission publishes on its webpage, inviting all interested parties to submit written remarks, positions and opinions within 20 days from the date of publication of related notice.

If the Commission, on the basis of an analysis of market conditions, determines that it is likely that proposed commitments will ensure the fulfillment of objectives of a measure, it will pass a conclusion determining the measure on the basis of a given proposal.

The Commission is not obligated to accept the proposal on suspension of investigation procedure pertaining to the infringement of competition.

The conclusion on suspension of proceedings sets out the deadline for execution of commitments of the party and submission of evidence on fulfilling the requirements set out by related measure.

The proceedings will be continued within a period not exceeding three year period from the date of issue of conclusion, if: a substantial change of circumstances occur on which the conclusion on suspension of proceedings is based; a party fails to fulfill obligations from the measure within specified timeframe, that is, fails to provide adequate evidence on the matter; the Commission finds that the conclusion on suspension of proceedings is enacted based on

inaccurate, false, incomplete or misleading information provided by the party.

The treatment of the party upon the issue of a conclusion on suspension of proceedings is *ex officio* supervised by the Commission.

The conclusion on suspension of proceedings, that is, continuance of proceedings is enacted by the Council.

4.1.5. Measures for removal of competition infringements

By way of a decision determining the infringement of competition, the Commission may set out the measures aimed at removing determined infringements of competition, i.e. preventing probable occurrence of the same or similar infringement, by giving orders to related undertakings to undertake certain behaviors or prohibit certain behaviors (behavioral measures).

The measures referred to in Paragraph 1 hereof must be proportionate to the gravity of determined infringement of competition and in direct relation to acts or actions that caused such infringement.

If it is determined that there is a significant risk of recurrence of the same or similar infringement as a result of the structure of undertakings, the Commission may set out a measure with the objective of changing the structure in order to eliminate such risk, that is, establishing the structure that existed prior to the occurrence of determined infringement (structural measures).

The structural measure is set out if there is no possibility to set an equal or similarly effective behavioral measure or if the behavioral measure constitutes a greater burden for the undertaking than the structural measure, or if the earlier imposed behavioral measure for the same infringement is not carried out in full.

The structural measure may require decomposition of created structure of an undertaking, particularly through the sale of some parts or assets in full to other parties who are not affiliated to the undertaking concerned.

The Government closely prescribes conditions for setting the protective measures.

4.1.6. Deciding on requests for individual exemption

A decision on the request for individual exemption of restrictive agreement is enacted within 60 days from the date of submission of related request.

A decision on individual exemption specifically includes the duration period of individual exemption, in addition to the exemption conditions.

The party may request an extension of the duration period of individual exemption by filing a special request, submitted no later than two months prior to the expiry of said period.

At the request referred to in Paragraph 3 hereof, the same or different conditions and duration period of individual exemption may be determined.

In the repeated *ex officio* proceedings instituted within one year period following its enactment, the Commission may revoke the decision based on the request for individual exemption of restrictive agreement if the conditions under which the exemption is granted are substantially altered, that is, to annul the decision if the exemption decision is based on incorrect or false information or if the exemption is misused.

4.1.7. Information on the President of the Commission and members of the Council

Prof. Dr. Miloje Obradović (President of the Commission)	Telephone number: 011/3811911 Facsimile number: 011/3811999	miloje.obradovic@kzk.gov.rs
Dr. Veljko Milutinović (Member of the Council)	Telephone number: 011/3811919 Facsimile number: 011/3811939	veljko.milutinovic@kzk.gov.rs
Mirjana Mišković Vukašinović (Member of the Council)	Telephone number: 011//3811927 Facsimile number: 011/3811939	mirjana.m.v@kzk.gov.rs
Marko Obradović (Member of the Council)	Telephone number: 011//3811938 Facsimile number: 011/3811939	marko.obradovic@kzk.gov.rs
Čedomir Radojčić (Member of the Council)	Telephone number: 011//3811916 Facsimile number: 011/3811939	cedomir.radojcic@kzk.gov.rs

4.2. Administrative and Professional Service of the Commission and information related to operations conducted outside the Administrative and Professional Service of the Commission

The Office of the President is established as a separate internal unit of the Commission.

Operations conducted outside the Administrative and Professional Service of the Commission relate to operations connected to the Council members, Secretary and internal audit operations.

The Administrative and Professional Service of the Commission (hereinafter referred to as the Administrative and Professional Service) performs administrative and professional operations from the competence of the Commission in accordance with the Law, Statute and other acts of the Commission.

General labor regulations are applied on the rights and obligations of the Administrative and Professional Service personnel.

The Secretary manages the Administrative and Professional Service where organizational, office and technical-operative work is preformed, whose operations secure the efficient and coordinated functioning of all internal organizational units of the Commission, in addition to administrative-technical and other operations of interest to the Commission as a whole.

The Secretary is appointed by the Council by a majority of votes.

A person with a university degree in economics or law, with at least 10 years of professional experience and knowledge in the field of competition policy may be appointed as a Secretary.

The Secretary is held accountable for its work to the Council.

4.2.1. Internal organizational units of the Commission

The following internal organizational units of the Administrative and Professional Service are established:

- 4.2.1.1. Division for Investigation of Concentrations;
- 4.2.1.2. Division for Assessment of Competition Infringements;
- 4.2.1.3. Division for Competition Advocacy and International Affairs;
- 4.2.1.4. Legal Affairs Division;
- 4.2.1.5. Economic Analyses Division;
- 4.2.1.6. Division for Material and Financial Affairs;
- 4.2.1.7. Division for Normative, Legal, HR and General Administrative Affairs.

The following administrative and professional operations are performed within the Divisions.

4.2.1.1. Division for Investigation of Concentrations

Performs operations relating to: control of concentrations between undertakings which fall under the commitment of submitting notifications, including prevention of the creation of such concentrations that would significantly restrict, distort or prevent competition on the market or its part, and in particular if such restriction, distortion or prevention would result in creating or strengthening a dominant position; conducting proceedings and proposing measures to eliminate infringements of competition, relating to the infringements of competition arising from the implementation of concentrations; monitoring the implementation of decisions ordering the fulfilment of conditions and commitments in case of conditional approval of concentrations, including the implementation of deconcentration measures; drafting proposals of expert opinions relating to the implementation of regulations governing competition policy; keeping records, i.e., registry on concentrations; and performing other operations from the Commission's competence relating to concentrations between undertakings.

4.2.1.2. Division for Assessment of Competition Infringements

Performs operations relating to: finding of infringements of competition effected by undertakings, that is, determining the existence of:

- a) restrictive agreements that as their purpose or effect have significant restriction, distortion, or prevention of competition on the market;
- b) abuse of dominance;

acting on requests for individual exemption of agreements from prohibition; drafting proposals of expert opinions relating to the implementation of regulations governing the infringement of competition; keeping records, i.e., registry on notified agreements and undertakings holding a dominant position on the market; and performing other operations from the Commission's competence relating to the infringement of competition.

4.2.1.3. Division for Competition Advocacy and International Affairs

Performs operations relating to: competition advocacy in public sphere; monitoring foreign experiences from the competition policy area; exchange of information and establishing cooperation with international organizations and foreign competition authorities; preparation and implementation of international projects and programs; planning, record-keeping and monitoring the implementation of agreements on cooperation of the Commission with domestic and foreign institutions; preparing draft agreements and memoranda on cooperation with domestic and foreign partners; drafting materials and proposals for the Commission's participation at international meetings, counseling sessions and seminars; organizing professional training of personnel in the area of competition policy; design and implementation of the Commission's communication strategy, as well as a visibility strategy of the Commission for Protection of Competition; performs advisory and activities of a ceremonial nature, media and public relations, organization and coordination of activities with a view to accomplishing cooperation of the Commission with state bodies, interested stakeholders and representatives of academia, associations, international organizations and institutions. The Division also performs activities in relation to organization of business travels and public appearances of the Commission's representatives, prepares memos and other materials for official talks of the Commission's representatives, designs and implements activities related to public advocacy of best practices and implementation of regulations from the competition policy area, and performs other operations aimed at advancing the competition policy.

4.2.1.4. Legal Affairs Division

Performs operations relating to: conducting controls of legal basis (implementation of procedural and material law) of draft decisions in competition cases; taking part in drafting legislative proposals relating to competition policy in cooperation with line ministry; drafting proposals of secondary regulations and other acts proposed or enacted by the Commission; conducting control reviews or independently preparing professional opinions relating to the implementation of competition law and regulations; representing the Commission before the courts in disputes that concern the protection of competition; implementation of proceedings that relate to enforced execution of the Commission's decisions in competition cases; benchmarking of legislation and practice of foreign countries in the competition policy area, and initiating the harmonization of domestic regulations against the EU *acquis*; coordination and cooperation with other divisions and preparation of draft annual activity report of the Commission.

4.2.1.5. Economic Analyses Division

Performs operations relating to: organization and preparation of economic analyses necessary to monitor and analyze market conditions with the objective of advancing the protection of competition, as well as provided for the needs of other divisions and concrete competition cases conducted before the Commission.

4.2.1.6. Division for Material and Financial Affairs

Performs operations relating to: drafting and preparation of annual financial plans of the Commission; preparing analyses and information required for the planning purposes and implementation of the Commission's financial policy; preparation of a plan of implementation–dynamics, monitoring and implementation of annual financial plans and related reporting to the Commission President, Council and Secretary; preparation of financial documentation in relation to all payments, wage bill calculation and other employee benefits and compensations;

preparation and production of semiannual and annual financial statements; keeping books, ledger, subsidiary ledgers and other records; insurance, consumption and write-off of equipment and materials; keeping an inventory of tangible assets; achieving cooperation with other divisions, state and other authorities and organizations; performing other operations from the financial and material management area.

4.2.1.7. Division for Normative, Legal, HR and General Administrative Affairs

Performs operations relating to: drafting, preparing and harmonizing general and individual legal acts of the Commission (Statute, rulebooks, decisions, conclusions, etc.), their monitoring, implementation and advancement; preparing draft opinions and rationales in reference to the implementation of general and individual legal acts; representing the Commission in disputes before the courts and other authorities in proceedings which are not in the competence of other divisions; preparing and convening the Council sessions, making minutes from the Council sessions; conducting employment procedures; preparing work contracts and other acts relating to obtaining employees' rights and benefits; keeping personal and other employment records, in addition to processing documentation for health, disability and pension insurance of employees; keeping general, office and archive records; preparing the Directory of Operations and processing requests related to the free access to information of public importance; conducting public procurements; running operations related to maintaining and servicing fixed assets, equipment and business premises; cooperation with other internal organizational units, state and other authorities and organizations; and performing other operations related to the area of normative affairs, human resources and general affairs.

Number of systemized job positions in accordance with the Rulebook on organization and systematization of job positions in the Commission	60
Number of employees in the Commission, as at May 9, 2018	48

5. ACTS REGULATING THE COMMISSION'S OPERATIONS

Pursuant to the Law on Protection of Competition, the Commission enacts general acts which include the following: the Statute, Rules of procedures of the Council, rulebooks and other general acts of the Commission enacted in accordance with legal regulations in force.

6. FINANCIAL OPERATIONS

6.1. Financing of the Commission

The financing of the Commission is an important segment of institutional capacity and one of the basic prerequisites for independence from the executive branch.

Pursuant to Article 31 of the Law, the Commission is financed from revenues generated from its activities, particularly from: 1) fees payable in accordance with the Law on Protection of Competition; 2) donations, except from donations made by undertakings to whom this Law applies; 3) revenues from the sale of publications issued by the Commission; 4) other sources in

accordance with the Law. The amount of fees charged by the Commission is determined by the Tariff, enacted by the Commission with the approval of the Government.

The financing of the Commission's operations is done in accordance with a financial plan enacted by the Commission for each year, and submitted to the Government for approval no later than November 1st of the current year for the subsequent year. If based on the annual revenues and expenditures statement is determined that the total generated revenues of the Commission are exceeding actual expenditures, and following the allocation of funds for a contingency fund, the difference is paid into the budget of the Republic of Serbia. Financial operations of the Commission are subjected to audit performed by the State Audit Institution. The Commission publishes its financial statement no later than three months following the financial year-end.

The financing of the Commission in 2017 was performed in accordance with the 2017 Financial Plan of the Commission for Protection of Competition, approved by the Government of the Republic of Serbia on December 23, 2016.

6.1.1. Financial result for 2017

During 2017, the Commission has achieved a positive financial result.

Revenues and expenditures are presented on the cash basis principle.

Pursuant to Article 32 of the Law, generated revenues exceeding expenditure will be paid into the budget account of the Republic of Serbia, following the allocation of funds for a contingency fund.

6.1.2. Revenues

COMPARATIVE OVERVIEW OF REVENUES

REVENUES	year			increase	
	2016	2017			
	Realized	Projected	Realized		in %
Own revenues	359,900,578	335,700,000	419,629,135	59,728,557	16.60
Total revenues	359,900,578	335,700,000	419,629,135	59,728,557	16.60

In accordance with Article 31 and Article 32 of the Law on Protection of Competition, the Commission's uncommitted revenue balance relates to revenues generated from issuing decisions and acts per requests of undertakings by the Commission in accordance with the Law. The Commission cannot significantly influence the amount of such funds and scope of operations covered by the Tariff of the Commission, and thus also on the financial effects deriving from operations in this part of its competences.

Revenues from issuing acts from the Commission's competence

Revenues of the Commission in the amount of 419.63 mln dinars are fully generated from revenues from issuing acts from the Commission's competence, and are realized by way of:

- *Revenues from issuing decisions on approval of concentrations* in summary or investigation procedure, which represent the most significant revenues of the Commission and their share in the total revenues of the Commission is 98.27 percent;

- *Revenues from issuing decisions based on requests for individual exemption of restrictive agreements from the prohibition*, approving or not approving the exemption, and which have a minimum share in the total revenues of about 0.93 percent in the total revenues;

- *Revenues from issuing acts in relation to Article 132(10) of the Law on Bankruptcy* prescribing the sale of all assets of the bankruptcy debtor or of its discrete units, and issuing acts in reference to Article 157(3) of the Law on Bankruptcy prescribing the measures provided in the reorganization plan, from the implementation perspective of said law. The share of these revenues in the total revenues is 0.80 percent.

The share of dinar and foreign currency denominated revenues in the total revenues are 52.52 and 48.48 percent, respectively.

OVERVIEW OF OPERATIONAL REVENUES IN 2017

	IN RSD CURRENCY	IN FOREIGN CURRENCY	TOTAL
REVENUES	216,209,516	203,419,619	419,629,135

Revenues generated in 2017, as in previous years, proved sufficient for the financing of operating activities of the Commission and generating certain surplus revenues to transfer to the Budget of the Republic of Serbia.

6.1.3. Expenditures

Expenditures of the Commission in 2017 amounted to 195.84 mln dinars.

COMPARATIVE OVERVIEW OF THE EXPENDITURE STRUCTURE 2016-2017

	EXPENDITURES	2016	2017		Increase against 2016, in %	Share in the total expenditures, in %
		Realized	Projected	Realized		
411	TOTAL WAGES AND ALLOWANCES	98,539,103	122,835,987	112,678,795	14.35	57.54
412	SOCIAL CONTRIBUTIONS PAID BY THE EMPLOYER	18,540,965	24,575,928	20,492,846	10.53	10.46
413	COMPENSATIONS ENVISAGED BY THE RULEBOOK	192,486	480,000	260,764	35.47	0.13
414	SOCIAL GRANTS TO THE EMPLOYEES	3,233,262	3,500,000	1,361,036	-57.91	0.69
415	COMPENSATIONS FOR EMPLOYEES	1,500,579	2,270,970	1,557,926	3.82	0.80
416	REMUNERATIONS, BONUSES AND OTHER SPECIAL EXPENSES	8,225,562	9,420,000	8,588,726	4.42	4.39

421	STANDING EXPENSES	18,494,285	21,680,000	18,997,799	2.72	9.70
422	TRAVEL COSTS	1,734,990	5,000,000	2,354,201	35.69	1.20
423	CONTRACT SERVICES	9,976,689	23,334,878	10,546,298	5.71	5.39
424	SPECIALIZED SERVICES	358,800	600,000	391,010	8.98	0.20
425	CURRENT OVERHAULING AND MAINTENANCE	256,025	3,840,000	169,280	-33.88	0.09
426	MATERIAL	2,588,955	6,240,000	3,411,948	31.79	1.74
462	INTERNATIONAL MEMBERSHIP DONATIONS	0	1,000,000	0	0.00	0.00
465	BUDGET TRANSFERS	11,465,410	16,890,945	12,845,601	12.04	6.56
482	TAXES, COMPULSORY TAXES AND FINES	128,342	1,000,000	23,783	-81.47	0.01
512	MACHINES AND EQUIPMENT	6,478,518	6,720,000	1,556,137	-75.98	0.79
515	INTANGIBLE ASSETS – SOFTWARE PURCHASE	600,880	600,000	600,000	-0.15	0.31
	EXPENDITURES	182.314.851	251.688.708	195.836.153	7.42	100.00
	TOTAL REVENUES	359,900,578	335,700,000	419,629,135	16.60	
	NEGATIVE FX TRANSLATION EXPOSURE	16,487	1,700,000	26,415,412	160,119.64	
	EXCESS OF REVENUE	177,569,240	82,311,292	197,377,570	11.16	

In addition to revenues set by the CPC Tariff for acts issued on the basis of requests of undertakings, the Commission uses no other sources of financing, that is, does not use the Budget funds to finance its operating expenditures.

The Commission's expenditures are mostly denominated in dinar currency and their share in the total expenditures is 99.28 percent. The share of expenditures denominated in foreign currency is minimum and amounts to only 0.72 percent of the total expenditures, and relates to costs of official travels effected abroad.

The Commission's expenditures in 2017 are established at the level of 107.42 percent of expenditures realized in the previous year. The nominal increase in expenditures amounts to 13,521,302 dinars.

The biggest share in the total expenditures of 57.54 percent relates to *wages* and social contributions paid by employees. The share of Gross II wages that also include the social contributions paid by the employer is 68.00 percent of the Commission's total expenditures. Relative to the previous year, wage costs are increased by 14.35 percent.

During 2017, the Commission hired seven new staff members. In the same year, four employees of the Commission terminated their employment, out of which two staff members terminated respective employment contracts due to qualifying against the age pension eligibility requirements (one of them has terminated employment at the end of 2017), one staff member terminated its employment contract by mutual consent caused by new employment in the private sector, while one staff member has deceased.

The dynamics of employee turnover in the Commission is aligned to the needs to accomplish undisturbed functioning of the Commission.

The increase in wage costs against 2016 is conditioned by both the dynamics of employee turnover in the Administrative and Professional Service of the Commission in 2017, and by the fact that the number of employees in the previous year only increased in the second half of the year, contributing to the lower total amount of salaries paid in 2016.

Such expenditures were proportionally followed by the increase in salary taxes and contributions and other labor related costs.

At the same time, wages of employees remained unchanged due to the implementation of the provisions of Law on Temporary Regulation of Salary i.e. Wages and other Steady Income Calculation and Payment Bases of Public Fund Users (Official Gazette of the RS 116/14), and amendments to the Labor Law (Official Gazette of the RS 24/2005, 61/2005, 54/2009, 32/2013 and 75/2014).

During 2017, by implementing the Law on Temporary Regulation of Salary i.e. Wages and other Steady Income Calculation and Payment Bases of Public Fund Users, the Commission paid to the Budget of the Republic of Serbia a total of 12.86 mln dinars, which represents 6.56 percent of the total Commission's expenditures.

6.1.4. Excess of revenue over expenditure

	REALIZED		INCREASE	
	2016	2017		%
I REVENUES	359,900,578	419,629,135	59,728,557	16.60
II EXPENDITURES	182,314,851	195,836,153	13,521,302	7.42
III NEGATIVE FX TRANSLATION EXPOSURE	16,487	26,415,412	26,398,925	160,119.64
IV EXCESS OF REVENUE	177,569,240	197,377,570	19,808,330	11.16

Revenues in 2017 are increased by 16.60 percent relative to the last year's revenues.

The Commission's expenditures showed a lower real increase of 7.42 percent during the

observed period.

The excess of revenues over expenditures is increased for 19,808,330 dinars relative to the previous year, and is established at the level of 111.16 percent of excess of revenues in 2016.

Since the Commission generates half of the total revenues in foreign currency by receiving payments to the sub-account maintained with the Treasury Administration, and being that FX fluctuations caused the depreciation of the Euro currency at the end of the observed period against its value during the year, negative FX translation exposure in the amount of 26.40 mln dinars reduced the financial result of the Commission by 11.80 percent.

6.1.5. Income statement account

As on December 31, 2017

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
CLASS 7- REVENUES	419,629,135	EXPENDITURES	195,836,153
742- REVENUES GENERATED FROM TAXES (1+2+3)	419,629,135	CLASS 4 (1+2+3+4+5+6+7+8+9+10+11)	193,680,015
1. for decisions on approval of concentrations	412,369,551	1. total labor costs	144,940,094
2. for opinions in regard of the Law on Bankruptcy	3,902,551	2. standing expenses	18,997,799
3. for decisions on individual exemptions	3,357,033	3. travel costs	2,354,201
		4. contract services	10,546,298
		5. specialized services	391,010
		6. current overhauling and maintenance	169,281
		7. material	3,411,948
744- POSITIVE FX TRANSLATION EXPOSURE	0	8. donations and budget transfers	12,845,601
		9. taxes, fines and fees	23,783
771- VARIOUS AND EXTRA REVENUES	0		
		CLASS 5 (11+12)	2,156,138
		10. purchase of capital assets	1,556,138

		11. software purchase	600,000
TOTAL, CLASS 7	419,629,135	TOTAL, CLASS 4+5	195,836,153
		NEGATIVE FX TRANSLATION EXPOSURE	26,415,412
EXCESS OF REVENUES OVER EXPENDITURES			197,377,570

6.1.6. Information on the wage bill and other payroll payments

Overview of basic salaries, free from increases on the basis of the length of service, as at February 28, 2018:

President of the Commission	234,003.00
Member of the Council of the Commission	205,131.00
Technical Service employees	from 48,557.00 to 134,827.00

Overview of projected and realized funds for 2018

Closed at March 31, 2018

I	EXPENDITURES	BASED ON THE 2018 FINANCIAL PLAN	REALIZED, AS AT MARCH 31, 2018	REALIZED, IN %
411	TOTAL WAGES AND ALLOWANCES OF THE EMPLOYEES	141,099,310	22,469,101.38	15.92
412	SOCIAL CONTRIBUTIONS PAID BY THE EMPLOYER	27,300,956	4,007,908.76	14.68
413	COMPENSATIONS ENVISAGED BY THE RULEBOOK	497,000	0.00	0.00
414	SOCIAL GRANTS TO THE EMPLOYEES	3,650,000	1,133,590.79	31.06
415	COMPENSATIONS FOR EMPLOYEES	2,419,000	442,671.66	18.30
416	REMUNERATIONS, BONUSES AND OTHER SPECIAL EXPENSES	11,420,000	0.00	00.00

421	STANDING EXPENSES	21,392,500	4,296,634.41	20.08
422	TRAVEL COSTS	5,645,500	553,665.24	9.81
423	CONTRACT SERVICES	32,520,942	1,655,026.63	5.09
424	SPECIALIZED SERVICES	500,000	0.00	0.00
425	CURRENT OVERHAULING AND MAINTENANCE	1,260,000	0.00	0.00
426	MATERIAL	5,835,000	52,299.64	0.90
444	INCIDENTAL BORROWING EXPENSES (negative FX translation exposure)	1,800,000	120,023.73	6.67
462	GRANTS AND INTERNATIONAL MEMBERSHIP DONATIONS	1,000,000	0.00	0.00
465	OTHER GRANTS AND TRANSFERS	19,201,141	2,055,557.20	10.71
482	TAXES, COMPULSORY TAXES AND FINES	1,000,000	0.00	0.00
512	MACHINES AND EQUIPMENT	14,812,500	187,860.00	1.27
515	INTANGIBLE ASSETS – SOFTWARE PURCHASE	2,900,000	0.00	0.00
	TOTAL EXPENDITURES	294,253,849.00	36,974,339.44	12.57

7. INFORMATION ON PUBLIC PROCUREMENTS

7.1. Public procurement plan for 2017

PUBLIC PROCUREMENT PLAN FOR 2017

No.	Subject matter of the procurement	Estimated value of the procurement, VAT free (total, per lots and years)	Type of procedure	Indicative date		Indicative timeframe of the contract duration	Information on the centralized procurement	Remark
				Initiation of procedure	Contract conclusions			
1	2	3	4	5	6	7	8	9
I	GOODS							
1	Work stations CPV (*Common Procurement Vocabulary): <u>30200000 – Computer equipment and supplies</u>	2,000,000.00	PP OP	February	April	May	Administration for joint services of the Republic bodies	-
2	Printing device CPV: <u>30232100 - Printers and plotters</u>	600,000.00	PP OP	February	April	May	Administration for joint services of the Republic bodies	-
3	Server CPV: <u>48820000 - Servers</u>	600,000.00	PP OP	February	April	May	Administration for joint services of the Republic bodies	-
4	Tablet computers CPV: <u>30213200 – Tablet computers</u>	400,000.00	PP OP	February	April	May	-	The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public

								procurements by the Administration for joint services of the Republic bodies in 2017, the procurement of these goods in 2017 is not conducted by the Administration for joint services of the Republic bodies
5	Fuel for passenger cars Petrol and diesel CPV: <u>09132100 – Unleaded petrol</u>	2,000,000.00 per years: 2017 - 1,000,000.00 2018 - 1,000,000.00	PP OP	January	February	December 2018	Administration for joint services of the Republic bodies	-
	TOTAL, GOODS: (1-2)	5,600,000.00						
II	SERVICES							
1	Physical and technical security services CPV: <u>79710000 – Security services</u>	4,500,000.00 per years: 2017 - 100,000.00 2018 - 2,250,000.00 2019 - 2,150,000.00	PP OP	November	December	January 2018- December 2019	Administration for joint services of the Republic bodies	-
2	Translation services CPV: <u>79530000 - Translation services</u> <u>79540000 - Interpretation services</u>	3,000,000.00	PP OP	January	February	February 2018	-	The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration

								for joint services of the Republic bodies in 2017, the procurement of these goods in 2017 is not conducted by the Administration for joint services of the Republic bodies	
3	<p>Current overhaul and maintenance services in the office building. Replacement of the current damaged lights by new energy efficient lighting fixtures</p> <p><u>CPV: 50710000 - Repair and maintenance services of electrical and mechanical building installations</u></p>	3,000.000.00	PP OP	March	April	May	-	The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2017, the procurement of these goods in 2017 is not conducted by the Administration for joint services of the Republic bodies	
4	<p>Economic analyses services for the CPC needs</p> <p><u>CPV: 79310000 - Market research services</u></p>	3,000,000.00	PP OP	January	December	December 2016	-	The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2017, the procurement of these goods in 2017 is not conducted by the Administration for joint services of the Republic bodies	
	TOTAL, SERVICES (1-5)	13,500,000.00							
	TOTAL: (I+II)	19,100,000.00							

7.2. Public procurement plan for 2018

PUBLIC PROCUREMENT PLAN FOR 2018

No.	Subject matter of the procurement	Estimated value of the procurement, VAT free (total, per lots and years)	Type of procedure	Indicative date		Indicative timeframe of the contract duration	Information on the centralized procurement	Remark and account number in the Chart of accounts
				Initiation of procedure	Contract conclusions			
1	2	3	4	5	6	7	8	9
I	GOODS							
1	Work stations CPV: <u>30213100 – Portable computers</u>	2,400,000.00	PP OP	August	October	May	Administration for joint services of the Republic bodies	512221
2	Printing devices CPV: <u>30232100 - Printers and plotters</u>	1,250,000.00	PP OP	August	October	May	Administration for joint services of the Republic bodies	512222
3	Laptop computers CPV: <u>30213100- Portable computers</u>	900,000.00	PP OP	February	April	May	Administration for joint services of the Republic bodies	512221
4	Passenger vehicle with cylinder capacity of 1601-1800 cm3 CPV: <u>34110000 – Passenger vehicle</u>	2,500,000.00	SV	March	May	May	Administration for joint services of the Republic bodies	512111
5	Forensic equipment, necessary software licenses and training services in the							512221

	<p>use</p> <p>CPV: 48900000 – <u>Miscellaneous software package and computer systems</u></p> <p><u>30230000 - Computer related equipment</u></p> <p><u>80500000 – Training services</u></p>	6,775,167.00	OP	February	April	May	-	<p>515192 423599</p> <p>Implementation of the Agreement concluded with the Kingdom of Norway</p> <p>The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint services of the Republic bodies</p>
	TOTAL, GOODS: (1-5)	13,852,167.00						
II	SERVICES							
1	<p>Mobile telephony services</p> <p>CPV: 64212000 – Mobile-telephone services</p>	<p>2.500.000,00</p> <p>per years:</p> <p>2018 - 625,000.00</p> <p>2019 - 1,250,000.00</p> <p>2020 - 625,000.00</p>	<p>PP</p> <p>OP</p>	May	June	June 2020	Administration for joint services of the Republic bodies	421414
2	<p>Translation services</p> <p>CPV: 79530000 - Translation services</p> <p><u>79540000 - Interpretation</u></p>	<p>5,000,000.00</p> <p>per years:</p>	<p>PP</p> <p>SV</p>	February	March	February 2020	-	<p>423111</p> <p>The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the</p>

	<u>services</u>	2018 - 2,083,333.00 2019 - 2,500,000.00 2020 - 416,667.00						RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint services of the Republic bodies
3	Provision, reservation and purchase of airline tickets for official travels CPV: 63510000 - <u>Travel agency and similar services</u> 60100000 - <u>Road transport services</u> 60100000 - <u>Air transport services</u> <u>Repair and maintenance services of electrical and mechanical building installations</u>	3,225,000.00 per years: 2018 – 1,343,750.00 2019 – 1,612,500.00 2020 – 268,750.00	PP OP	February	March	March 2020	-	422221 The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint services of the Republic bodies
4	Economic analyses services for the CPC needs (two analyses) CPV: 79310000 - <u>Market research services</u>	2,700,000.00	SV PP	January	December	December	-	423599 The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint

								services of the Republic bodies
5	Software maintenance services CPV: 72267000 - Software maintenance and repair services	3,000,000.00 per years: 2018 – 1,500,000.00 2019 - 1,500,000.00	SV PP	February	December	February 2020	-	423212 The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint services of the Republic bodies
6	Catering services CPV: 55310000 - Restaurant waiter services 55320000 - Meal-serving services	1,900.000.00 per years: 2018 – 1,100,000.00 2019 -800,000.00	SV PP	January	December	January 2020		423621 The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint services of the Republic bodies
7	Hiring legal experts and facilitators for expert meetings and trainers for the competition policy advocacy CPV: 79410000 - Business and management consultancy	1,376,666.00 per years: 2018 - 1,081,666.00 2019 –	SV PP	February	March	November 2019	-	423955 The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to

	<u>services</u>	295,000.00						be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint services of the Republic bodies
8	Marketing services relating to the design and production of media digital content <u>CPV: 79340000 - Advertising and marketing services</u>	5,575,500.00 per years: 2018 – 3,009,000.00 2019 – 2,566,500.00	SM PP	February	March	November 2019	-	423212 423449 423599 515195 Implementation of the Agreement concluded with the Kingdom of Norway The procedure is conducted by respective contracting authority, since pursuant to the Government Regulation (Official Gazette of the RS, 93/15) and the Decision on determining the goods and services to be implemented in unified public procurements by the Administration for joint services of the Republic bodies in 2018, the procurement of these goods in 2018 is not conducted by the Administration for joint services of the Republic bodies
	TOTAL, SERVICES (1-8)	25,227,166.00						
	TOTAL: (I+II)	39,129,333.00						

7.3. Implementation of public procurements and reports

Implementation of public procurements in 2017 and the report on public procurements of the Commission are available on the Portal of the Public Procurement Administration.

Procurement plan for 2018 and quarterly reports are submitted to the Public Procurement Administration within prescribed deadlines.

8. FACTS ON THE STATE AID

The Commission has not allocated nor currently allocates state aid funds to third parties (for example, certain categories of enterprises or general population) based on a ground which does not entail a commitment of equal and reciprocal benefits to a state authority (for example: transfers, subsidies, grants, donations, share in project financing, credits under favorable terms, waiver of fees, cession of land, favorable lease prices, etc.).

9. FACTS ON OPERATIONAL RESOURCES

Pursuant to a contract concluded on the lease of business premises, the Commission utilizes 1,100m² of business premises in the office building located at 25 Savska St., fourth floor. By concluding this Contract, the Commission resolved the issue of business premises until 2018. The square footage and number of offices currently correspond to the needs of the Commission.

The business premises are equipped with office furniture, in addition to telecommunication and computer equipment adequate for the current number of staff.

The Commission is in possession of two passenger vehicles: 1. Škoda 2.0, registration identification plates BG 1049 EE, year of production 2016, and 2. Mazda 21.3l plus C, registration identification plates BG 512 BO, year of production 2007.

10. INFORMATION ON LOCATION AND MANNER OF STORAGE OF DATA CARRIERS

Data carries created in connection with the operational activities of the Commission are:

1. The Registry office and Archives containing case files and a registry book are located in the Division for Normative, Legal, HR and General Administrative Affairs in the business premises of the Commission, Belgrade, 25 Savska St., fourth floor;
2. Financial and book-keeping documents and data are located in the Division for Material and Financial Affairs in the business premises of the Commission, Belgrade, 25 Savska St. fourth floor;
3. Employees records are located in the Division for Normative, Legal, HR and General Administrative Affairs, in a steel safe, in the Archives premises in the business premises of the Commission, Belgrade, 25 Savska St., fourth floor;
4. E-database (e-Registry office) is located on the server of the Commission for Protection of Competition, located in the joint server-room, 25 Savska St.
5. E-financial databases are located in the Division for Material and Financial Affairs in the business premises of the Commission, Belgrade, 25 Savska St., fourth floor.

11. TYPE OF INFORMATION IN THE POSSESSION

In the possession of the Commission are documentation created during or in relation to the operational activities of the Commission.

12. FACTS ON TYPES OF INFORMATION IN THE POSSESSION AND SUBMITTED FOR REVIEW BY THE COMMISSION

All information in the possession of the Commission, created during or in relation to its operational activities, will be communicated to a claimant requesting access to relevant information, that is, he/she will be provided with a document for review containing requested information or a copy of requested document will be issued, pursuant to the provisions of the Law on Free Access to Information of Public Importance, except in cases restricted by law, that is, if such information:

1. expose a risk to the life, health, safety or another vital interest of a person;
2. jeopardize, obstruct or impede prevention or detection of a criminal offence, indictment of a criminal offence, pretrial proceedings, trial, execution of a sentence or enforcement of punishment, any other legal proceedings or unbiased treatment and a fair trial;
3. seriously threaten national defense, national and public safety or international relations;
4. substantially undermine the government's ability to manage the national economic processes or significantly impede the achievement of justified economic interests;
5. make available information or document that is qualified by regulations or official legal act as the state, official, commercial or other secret, i.e. if such document is accessible only to a specific group of persons where its disclosure could seriously legally or otherwise prejudice the interests that are protected by the law that override the access to public information interest.

The Commission does not have to allow a claimant to exercise his/her right on access to information of public importance if such information have already been published and made accessible in the country or on the Internet.

If requested information of public importance can be extracted from other information contained in a document for which the Commission holds no duty to disclose to an interested party, the Commission will allow the claimant to access only to a part of the document which contains the extracted information.

The Commission will not allow the interested party to exercise the right on access to information of public importance if the party is abusing the rights on access to information of public importance, in particular where request is unreasonable, frequent, where the claimant repeatedly requires the same information or information already obtained, or when too much information is requested.

The Commission will not grant the interested party to exercise his/her right to access information of public importance if it would thereby violate the right to privacy, the right to protection of reputation or any other right of a person who is the subject of information, except where:

- 1) the person concerned has given his/her consent;
- 2) such information relate to a person, event or occurrence of public interest, especially in the case of a holder of public office or political figures, insofar as the information bears relevance on the duties performed by that person;
- 3) person's behavior, in particular concerning his/her private life, has provided sufficient justification for requesting such information.

The request for access to information of public importance may be submitted in writing (addressed the Commission for Protection of Competition, 25 Savska St., 11000 Belgrade), or electronically (to email address: office.kzk@kzk.gov.rs).

12.1. Arrangements for submitting requests

The request must contain the name of the Commission, first and last name and address of the claimant, and as precise a description of the information requested as possible, and may also contain other information which could facilitate the search of information requested.

The claimant is addressing the Commission, that is, the authorized persons for acting on requests for free access to information of public importance in the Commission.

The request for access to information of public importance may be submitted to the Commission in one of the following manners:

- in writing, sent to the postal address: Commission for Protection of Competition, Belgrade, 25 Savska St., or by submitting the request to the Registry office of the Commission at the same address, during working days between 08:30 and 15:00 hours;
- in verbal form by making the minutes at the Registry office of the Commission, Belgrade, 25 Savska St., during working days between 08:30 and 15:00 hours;
- by sending a facsimile to the following number: 011 3811939;
- by sending an e-mail to the following address: office.kzk@kzk.gov.rs.

The request for access to information is submitted on a blank form provided at the end of this Directory, but is not considered mandatory, thus all requests submitted using alternative blank forms will be taken into consideration.

Person authorized for acting on requests for free access to information of public importance is Dr. Miloje Obradović, President of the Commission.

The request of interested parties for exercising the rights of access to information of public importance may also contain other information which could facilitate the search of information requested.

If an interested party submits an irregular or incomplete request, not providing basic data stipulated by the Law on Free Access to Information of Public Importance, the Commission will instruct the party concerned to resolve the deficiencies found or will provide instructions on the modification or completion the request.

If an interested party fails to resolve the deficiencies found within 15 days from the date of receipt of the instructions on the modification or completion of the request concerned, and the deficiencies are such that they prevent any further processing of the request, the Commission will pass a decision on the dismissal of the request concerned as irregular or incomplete.

The Commission also grants the access to information of public importance to claimants where information requests are made verbally and entered in the minutes, while such requests are kept as a part of special records and deadlines as in the case of submitted written requests are applied.

12.2. Deciding on requests

The Commission will within a period not exceeding 15 days from the date of receipt of the request concerned inform the interested party on the possession of requested information, grant him/her access to the document containing the information requested or provide a copy of the document.

If the Commission is justifiably prevented from informing the applicant on the possession of the

information requested within a period of 15 days from the date of receipt of request, the Commission will inform the claimant and thereafter set a later date, not exceeding a period of 40 days from the receipt of request, in which will inform the claimant on the possession of information, grant him/her access to the document containing requested information or provide a copy of the document.

Access to documents containing the information requested is granted in the business premises of the Commission, while persons unable to access documents containing requested information without an escort will be allowed to access such documents with the assistance of an aide.

Interested parties may lodge a complaint with the Commissioner for Information of Public Importance if the Commission fails to respond within the provided deadline, in accordance with the Law on Free Access to Information of Public Importance.

Access to documents containing the information requested is free of charge. The copy is issued against reimbursement by the claimant for the necessary printing costs, and in the case of copies being sent to the claimant via post, he/she will also be required to reimburse any costs associated with such sending. Journalists who request copies of documents for professional reasons, human rights associations when requesting copies of documents for the purpose of carrying out their registered activities, as well as all persons who request information regarding a threat to, or protection of public health and the environment, are exempted from the duty of reimbursing printing costs.

The Commission issues copies of documents containing the information requested in the form in which such information is stored.

13. TYPE OF INFORMATION GRANTED FOR ACCESS BY THE COMMISSION

Access to documents upon requests is enabled in full and complete accordance with the Law on Free Access to Information of Public Importance, in addition to achieving the protection of personal data.

14. OTHER INFORMATION OF IMPORTANCE FOR OPERATIONAL TRANSPARENCY OF THE COMMISSION

Business premises of the Commission for Protection of Competition are located at 25 Savska St., Belgrade.

Working hours of the Commission are from 07:30-15:30 hours during workweek days. Saturdays and Sundays are non-working days.

Postal address is the following: Commission for Protection of Competition, 25 Savska St., Belgrade.

Registration number: 17655515, Tax identification number: 104383538.

Person in charge for acting on requests for access to information of public importance is Ms. Gordana Bulatović (tel: 011/3811-954, email address: gordana.bulatovic@kzk.gov.rs).

COMMISSION FOR PROTECTION OF COMPETITION
(name and registered seat of the addressed authority)

REQUEST
for access to information of public importance

11000 BELGRADE
25 Savska St.

Pursuant to Article 15(1) of the Law on Free Access to Information of Public Importance (Official Gazette of the RS 120/2004, 54/2007, 104/2009 and 36/2010), I hereby request from the Commission for Protection of Competition to provide the following:*

- information on the possession of the information requested;
- access to documents containing the information requested;
- copies of documents containing the information requested;
- provision of copies of documents containing the information requested:**
 - by post
 - by email
 - by facsimile
 - in other manner:*** _____

This request refers to the following information:

(list as many specifics of the information requested as possible, as well as other information which could facilitate the search of the information requested)

Claimant of the information/First name, last name

In _____

Home address /Registered office

On _____, 201____

other contact information

Signature

* select legal rights relating to the access to information of public importance which you wish to exercise.

** select a manner for the provision of copies of documents requested.

*** when other manner is requested, it is necessary to indicate a specific manner of provision that you require.