



Republic of Serbia
COMMISSION FOR
PROTECTION OF
COMPETITION

25/IV Savska Street, Belgrade

Number: 4/0-01-30/2022-06

Reference: 4/0-01-104/2021

4/0-01-274/2020;

Date: July 13, 2022

Council of the Commission for Protection of Competition, pursuant to Article 22 paragraph 2, Article 57 paragraph 1 and Article 68 paragraph 1 item 2) of the Law on Protection of Competition (“Official Gazette of the Republic of Serbia”, number 51/09 and 95/2013), and Articles 3 and 4 of the Decision on Criteria for Determination of Tariff for Competition Protection Measures and Process Penalty, Payment Manner and Deadline and Conditions for Determination of Such Measures (“Official Gazette of the Republic of Serbia” no. 50/2010), in deciding in investigation procedure relating to the violation of competition referred to in Article 10 of the Law on Protection of Competition, initiated ex officio against the following companies: MITECO-Kneževac doo Beograd, with headquarters at Oslobođenja 39, Belgrade-Rakovica, ID number 07056877, whose legal representative is director Ivana Mirković; DOO YUNIRISK BEOGRAD (BARAJEVO), with headquarters at Bogoljuba Petkovića 2 II, Barajevo, ID number 08627240, whose legal representative is director Vladimir Matović, and whose attorney is Vesna Lončar, lawyer from Belgrade, ul. Višegradska, no. 1A/5.3, according to the power of attorney in the case files; MODEKOLO DOO BEOGRAD (SAVSKI VENAC), with headquarters at Hercegovačka 13A, registration number 20197919, whose legal representative is director Milorad Pejić, and whose attorney is Dušan Košutić, lawyer from Belgrade, Studentski trg 10, according to the power of attorney in the case file; BREM GROUP doo Beograd, with headquarters at Oslobođenja 39 B, Belgrade-Rakovica, ID number 20188090, whose legal representative is director Mladen Lalić, and whose attorney is Milomir Šalić, lawyer from Belgrade, ul. Miloš Pocer no. 15, according to the power of attorney in the case files; KEMEKO doo Valjevo, with headquarters at Bulevar palih boraca 91/92 5, Valjevo, ID number 20086904, whose legal representative is director Zoran Milovanović, at the 90th session held on July 13, 2022, brings the following

DECISION

ESTABLISHING that **MITEKO-Kneževac doo Beograd**, seated at 39 Oslobođenja Street, Belgrade - Rakovica, **D.O.O. YUNIRISK BELGRADE (BARAJEVO)**, with headquarters at Bogoljuba Petkovića 2 II, Barajevo, **MODEKOLO DOO BEOGRAD (SAVSKI VENAC)** with headquarters at Hercegovačka 13A, Belgrade, **BREM GROUP doo Beograd**, with headquarters at Oslobođenja 39 B, Belgrade-Rakovica and **KEMEKO doo Valjevo**, with headquarters at Bulevar palih boraca 91/92 5, Valjevo, agreed to participate in the public procurement procedure JN number 1.2.32/18 - Service of permanent disposal of hazardous waste in the company in bankruptcy Magnohrom d.o.o. Kraljevo, by submitting a joint bid as a group of bidders, even though they could have formed at least two separate bids from the existing group and submitted two competing bids,

thereby concluding a restrictive agreement in the sense of Article 10, paragraph. 1 and 2, item 1) of the Law on the Protection of Competition, thereby significantly limiting and distorting competition.

II IT HAS BEEN ESTABLISHED that the restrictive agreement referred to in paragraph I of the wording of this decision shall be null *ex lege*.

III COMPETITION PROTECTION MEASURE SHALL BE IMPOSED for each market participant from item I of the wording of this decision, individually in the form of payment obligation of the monetary amount, namely:

- MITECO-Kneževac doo Beograd, DOO in the amount of RSD 5,267,560.00 (in letters: five million two hundred and sixty-seven thousand five hundred and sixty dinars);
- YUNIRISK BEOGRAD (BARAJEVO), with headquarters at Bogoljuba Petkovića 2 II, Barajevo, in the amount of RSD 19,208,560.00 (in letters: nineteen million two hundred and eight thousand five hundred and sixty dinars);
- MODEKOLO DOO BEOGRAD (SAVSKI VENAC), with headquarters at Hercegovačka 13A, Belgrade in the amount of RSD 18,657,264.00 (in letters: eighteen million six hundred fifty-seven thousand two hundred and sixty-four dinars);
- BREM GROUP doo Beograd, with headquarters at Oslobođenja 39 B, Belgrade-Rakovica in the amount of RSD 3,339,300.00 (in letters: three million three hundred thirty nine thousand three hundred dinars);
- KEMEKO doo Valjevo, with headquarters at Bulevar palih boraca 91/92 5, Valjevo in the amount of RSD 7,824,120.00 (in letters: seven million eight hundred twenty-four thousand one hundred twenty dinars);

IV Market participants from paragraph I of the wording of this decision **HAVE BEEN ORDERED** to execute payment of the monetary amount for the purpose of competition protection measure from paragraph III of the wording of this decision to the account of the Budget of the Republic of Serbia number 840 743224 843 94, model 97 - with payment reference number: double digit control number per model 97 - three-digit code of the municipality, city or territory - number of this decision.

V DEADLINE SHALL BE SET of 12 (twelve) months from the date of receipt of this decision for the execution of order from paragraph IV of the wording of this decision under threat of enforcement implemented by Tax Administration in line with regulations prescribing tax collection.

VI Market participants from paragraph I of the wording of this Decision **HAVE BEEN ORDERED** to, immediately, and within 3 (five) days from the date of execution of order from paragraph IV of the wording of this decision at the latest, to provide evidence on payment executed to the Commission for Protection of Competition.

IX Market participants from paragraph I of the wording of this decision **HAVE BEEN PROHIBITED** to act, in the future, in any way that might, limit, distort or prevent competition in a manner described in paragraph I of the wording of this decision.

VIII This decision shall be published in the “Official Gazette of the Republic of Serbia” and webpage of the Commission for Protection of Competition.

PRESIDENT OF THE COMMISSION

Nebojša Perić

