

MEMORANDUM OF UNDERSTANDING
ON COOPERATION BETWEEN
THE COMPETITION COMMISSION OF THE REPUBLIC OF KOSOVO
AND THE BULGARIAN COMMISSION ON PROTECTION OF COMPETITION

The Kosovo Competition Commission and the Bulgarian Commission on Protection of Competition, hereinafter referred to as "The Parties",

Expressing their wish to further promote cooperation in the field of competition law and policy,

Aiming at the creation of favorable conditions for the development of bilateral relations,

Based on the principles of equality and mutual benefit,

Having due regard to the established framework for cooperation within the European Competition Network,

Recognizing the benefits of exchange of experience in the field of the application of EC competition law,

Have agreed as follows:

Article 1. Objective

The Parties herein shall use their best efforts to promote and strengthen cooperation in the field of competition law and policy beyond the framework of the European Competition Network.

Article 2. Areas of cooperation

1. In order to ensure a legal and organizational mechanism for interaction focused on the prevention and termination of actions that may negatively affect competition in the Republic of Kosovo and the Republic of Bulgaria, the parties agree to:

- a) exchange information on legislative norms and other legal sources on the basis of which the activities in the field of competition are performed;
- b) exchange experience in conducting investigations of activities infringing the relevant national or EC competition legislation;

- c) provide opportunity to receive specialists of the other Party with the aim to exchange experience;
- d) provide assistance in the determination of strategic and tactical aspects of the enforcement activities, if requested;
- e) provide cooperation in convening international events, depending on the Parties' availability.

2. The Bulgarian Commission on Protection of Competition shall share its experience with the Kosovo Competition Commission concerning the application of EC law.

Article 3. Notification

1. If one of the Parties establishes that actions of undertakings on the territory of its state affect or may adversely affect competition on the territory of the other Party's state, the former shall notify the other Party thereof.
2. If one of the Parties establishes that competition in its state is or may be adversely affected by the actions of undertakings carried out on the territory of the other Party's state, the former shall notify the other Party thereof.
3. Notifications shall be submitted in written form and shall contain a summary of the case, references to national legal norms and other information, which the sending Party considers relevant.
4. The Party which has received the information shall consider the possibility of taking appropriate measures pursuant to the requirements of national law and shall inform the other Party about the results.
5. Each Party shall have the right to submit to the other Party a request for information necessary to conduct its investigation of anticompetitive activities, which affect or may adversely affect competition on the territory of its state. The Party being requested shall render the information within the capacity provided by its national legislation.

6. Either Party may seek consultations with respect to potential anticompetitive practices which come to its attention other than by notification.

Article 4. Confidentiality

1. It is understood that the Parties do not intend to communicate information to the other Party if such communication is prohibited by the laws governing the Party possessing the information or would be incompatible with that Party's interests.

2. Unless otherwise agreed upon through consultation between the Parties, each Party intends, to the fullest extent possible consistent with its laws, to maintain the confidentiality of any information communicated to it in confidence by the other Party under this Memorandum.

Article 5. Final Provisions

1. Unless otherwise agreed by the Parties, cooperation under this Memorandum shall be financed on a reciprocal basis.

2. This Memorandum is without prejudice to the rights and obligations of the Parties, which ensue from international agreements they are signatories to.

3. This Memorandum enters into effect on the date of signature. Either Party may discontinue cooperation under this Memorandum at any time. If a Party intends to discontinue cooperation, it should endeavor to notify the other Party in written form in advance.



Osman Ejupi

**Chairman
Kosovo Competition Commission**



Petko Nikolov

**Chairman
Bulgarian Commission
on Protection of
Competition**