

PERSONAL INFORMATION

Mirta Kapural



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Sex Female | Date of birth 07/03/1972 | Nationality Croatian

WORK EXPERIENCE

From January 2019 onwards

Member of the Competition Council, Croatian Competition Agency, Savska cesta 41, 10 000 Zagreb

Responsible for: decision-making and adopting final decisions of the Croatian Competition Agency establishing infringements of national competition law and Articles 101 and 102 TFEU, adopting decisions to start ex officio proceedings, to dismiss the initiatives etc.

January 2019-April 2021

- Chair of the working group for the preparation of Draft Law on Amendments to the Competition Act (2020) for transposition of EU Directive 2019/1 (ECN+Directive)

November 2007-January 2019

Deputy Head of International and European Cooperation Department
Croatian Competition Agency, Savska cesta 41, 10 000 Zagreb

Responsible for: International competition enforcement, cooperation with European Commission (DG Competition),

- Active participation in the work of the European Competition Network (ECN);
- Medium-term expert for competition policy in Taiex project-Assistance to Turkish Cypriot Community in the field of EU Competition Policy (2017-2020)
- Short-term expert in Twinning project in Kosovo for chapter 8 Competition (2018-2019)
- Chair of Croatian delegation in the negotiations of ECN+Directive of the European parliament and the Council to empower the competition authorities of the Member States to be more effective enforcers and to ensure proper functioning of the Internal Market (2017-2018)
- Chair of the working group for the preparation of Draft Law on Damages claims for the breach of national and EU competition law-transposition of EU Directive 2014/104 (2016-2017);
- Participation in the EU accession negotiations as a member of working groups on competition, energy and free movement of workers and preparation of position papers (2006-2013);
- Bilateral cooperation with competition authorities from other countries-preparation of draft agreements on bilateral cooperation with countries from the region and other countries;
- Preparing summaries of relevant EU competition law cases, preparing replies to requests for information from other countries and replies to questionnaires from international organizations;
- Work on the harmonization of Croatian competition rules with relevant EU acquis-drafting the amendments to the Competition law in line with EU competition rules;
- Exploring comparative practice of other competition authorities and active involvement in the work of the International Competition Network (ICN);
- Following work of the OECD in competition and preparing documents for participants status of Croatian Competition Agency in the OECD Competition Committee;
- Providing assistance to other divisions of the Competition Agency in analysing and preparing summaries of relevant EU decisions and judgments, searching for similar cases

in EU countries;

- Coordination of project activities in projects funded from the EU funds as the PIU member (project management),
- Organization of several conferences, seminars and workshops in EU and national competition law topics;
- Speaker at many national and international conferences and workshops;
- Membership in international working groups dealing with competition law (ICN, ICC Commission on Competition);
- Trainer in training activities giving lectures about Croatian Competition Agency, Croatian and EU Competition law and EU negotiations to the civil servants, students and representatives from business and local community in Croatia and other countries (Austria, Northern Ireland, northern Cyprus, Hungary, Kosovo, Portugal, Serbia, Slovenia etc.)
- Lecturer in Croatian and EU Competition law to judges from commercial courts, High Commercial court and High Administrative court (Judicial Academy-December 2013; Commercial court in Zagreb and Judicial Academy, 2008-2012 EU twinning projects).
- Chairperson of the Competition Network for European Energy Community (2013)

March 2007 - June 2007

Stagier selected by DG Competition of the European Commission and proposed by the Croatian Competition Agency

DG Competition, European Commission, Brussels

- Research of the barriers to entry to the market for health services and medical professions in the EU Member States;
- Drafting of the initial case report on the possible breach of Article 101 and 102 of the TFEU;
- Research of relevant ECJ and CFI judgments and written comments on submitted evidence;
- Participation at the oral hearing from one EU competition case.

September 2004 - November 2007

Legal adviser and Head of Section-Market in Services, Anti-trust Division

Croatian Competition Agency, Savska cesta 41, 10 000 Zagreb

- Case Handler of competition cases-legal assessment of agreements, giving proposals to the Council on the conditions and time frame for the individual and block exemption of the agreements and determining the prohibited agreements,
- Legal assessment of the existence of the abuse of dominant position on the relevant market for services (energy, press distribution, insurance, motor vehicles),
- Writing expert legal opinions on the compliance of draft laws and other legislation with the provisions of the Competition Act,
- Conducting administrative proceedings and oral hearings,
- Organization of work within the Section and supervision of work of junior advisers and trainees.

September 2001-September 2004

Legal adviser

Human Rights Office of the Government, Trg Maršala Tita 8, 10 000 Zagreb, Croatia

- Responsible for the cooperation with the EU and the UN;
- Working with the delegation of the European Commission on realization of projects within EIDHR and CARDS programs,
- Coordinator of the Office for the implementation of the SAA;
- Work on the National Plan for the Accession to the EU;
- Participation at the UN Commission on Human Rights as a member of the Croatian delegation;
- Writing legal opinions on the conformity of Croatian legislation with international documents in the field of human rights;

- Secretary of the Working Group to combat all forms of discrimination of the Commission on Human Rights of the Government.

September 2000-March 2001

Stagier in the European Commission, DG Environment

European Commission, Environment DG, B - 1049 Brussels, Belgium

- Responsible for following the enlargement process with the candidate countries,
- Legal analysis of the state of the transposition and implementation of the EU environmental Directives
- Preparation of joint meetings with DG Regional Policy of the European Commission.

September 1999-September 2001

Expert Associate and Legal Adviser

Ministry of Foreign Affairs and European Integration, Trg Nikole Subica Zrinskog, 10 000 Zagreb, Croatia (at that time only Ministry of European Integration)

- Work on the EU integration, accession of Croatia to the EU, Harmonization of Croatian legislation with EU *acquis*.
- Working on the legal analysis of the Stabilization and Association Agreement of Croatia and the EU;
- Writing legal opinions on the level of harmonization of Croatian laws with EU Directives and Regulations in different chapters of the EU law (environment, free movement of workers, competition, justice and home affairs, regional co-operation, company law).

EDUCATION AND TRAINING

From May 2011 to July 2012
PhD in Competition Law and Company Law

(PhD Thesis: "Application of leniency institute for immunity of fines or reduction of fines in competition law")

University of Zagreb, Faculty of Law, Trg Republike Hrvatske 14

From 29 to 31 March 2004
Certified lawyer with passed bar exam

Ministry of Justice, Dežmanova 6, 10 000 Zagreb, Croatia.

From September 1998 to September 1999
Master of Arts in Contemporary European Studies

Sussex European Institute, University of Sussex, Falmer, Brighton BN1 9RG, United Kingdom

From September 1991 to April 1998
LLB, Bachelor of Law-Undergraduate studies-law

Law Faculty, University of Zagreb, Trg Maršala Tita 14, 10 000 Zagreb, Croatia

From 2 to 10 June 2014

"Training on Decision-making process in the EU, national EU coordination system, negotiating skills"

Certificate on completed training awarded

Croatian Ministry of Foreign and European Affairs and experts from Lithuania.

From 29 to 30 November 2012

"Training for public administration about EU negotiations"

Communication in the multicultural environment.

Certificate on completed training awarded

French Embassy in Croatia, ENA School for National Administration and

Croatian Ministry of Foreign and European Affairs

From 22 to 23 November 2012 “The Infringement Procedure under Articles 258&260 TFEU-A practical overview”
 Certificate on completed training awarded
 Luxembourg Ministry of Foreign Affairs and Croatian Ministry of Foreign and European Affairs

From 14 to 25 September 2009 “How to operate in Brussels”, EU integration, cooperation with EU institutions in Brussels, accession to the EU; preparation of position papers and presentation of Croatian system of accession negotiations with the EU and relations with Brussels.
 Certificate on completed training awarded
 Clingendael Institute for International relations, the Hague, Netherlands.

From 14 to 25 April 2008 “Topics in competition policy- Mergers, prohibited agreements, abuse of a dominant position”
 Certificate on completed training awarded
 OECD-Hungary Regional Center for Competition, Gazdasági Versenyhivatal(GVH), Hungarian Competition Authority, Alkotmány u. 5, H-1054 Budapest, Hungary

PERSONAL SKILLS

Mother tongue(s) **Croatian**

Other language(s)

	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken interaction	Spoken production	
English	C2	C2	C2	C2	C2
German	B2	B2	B2	B2	B2
Spanish	C1	C1	C1	C1	C1
French	B1	B1	B1	B1	B1
Portuguese	A2	A2	A2	A2	A2

Related skills

- Communication skills – several trainings on communication skills completed and numerous trainings in competition law topics held, presentations given in national and international conferences;
- Legal drafting and preparation of national documents aligned with EU acquis in the process of accession of Croatia to the EU;
- Drafting of bilateral agreements on co-operation;
- Organisational / managerial skills-organization of conferences and seminars;
- Training skills-trainings on competition law and policy held within Twinning and Taiex projects in Kosovo and in Turkish Cypriot Community;

- From 2016 title of lecturer awarded, guest lecturer at Effectus- University for law and finance;
- From 2013 onwards the author of the training program and lecturer of Competition Law at School for Public Administration
- From 2010-2011 Guest lecturer conducting seminars in Company Law and Civil Law at the Faculty of Economy, University of Zagreb for first year's students.
- From 2009 lecturer in Ministry of Foreign and European Affairs holding seminars in EU law and EU Competition law for civil servants
- Member of the Editorial Board of Oeconomicus, scientific journal-economics and other social sciences
- Technical skills- Microsoft Windows, Excel, Power Point.

ADDITIONAL INFORMATION

Publications:

- "Amendments of the Croatian Competition Act-what is new?", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No.5, May 2021, pages 77-82.
- "Minority shares in the assessment of concentrations"; Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No.1, January 2018, pages 100-105.
- "Access to files and protection of confidential information in the competition law proceedings"; part II, Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 1, January 2017, pages 70-77.
- "Access to files and protection of confidential information in the competition law proceedings"; part I, Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 12, December 2016, pages 73-82.
- "Vertical agreements and vertical restraints in on-line sales", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No.6, June 2016, pages 63-70
- "Individual liability for cartels in competition law", journal Oeconomicus, www.znanstvena riječ.hr; number 1/2016, pages 61-78.
- "Parental liability for the infringements of EU competition law", part II, Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No.1, January 2016., pages 49-58.
- "Parental liability for the infringements of EU competition law", part I; Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 12, pages 43-52.
- "Multilateral Interchange fees for payment transactions by cards and new EU regulation"; Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 7-8, 2015, pages 58-68.
- "New EU Directive on damages on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union", Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No, 5, 2015., pages 72-81.
- "Settlements in cartel cases", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 11, November 2014, pages 40-48.
- "Croatian Competition Agency: newcomer in the EU", Revue Lamy de la Concurrence, Wolters Kluwer France, July-September 2014, pages 139-140.
- "Protection of confidentiality of Leniency Applications before Judiciary", Chapter 13, International Cooperation and Competition Enforcement-Brazilian and European Experiences from the Enforcers' Perspective, edited by Vincius Marques de Carvalho, Carlos Emmanuel Joppert Ragazzo, Paulo Bumier da Silveira, Wolters Kluwer, Law and Business, 2014, pages 145-167.
- "New kid on the block – Croatia's path to convergence with EU competition rules", Journal of European Competition Law & Practice, Oxford University Press, 2014, 25 February 2014; doi: 10.1093/jeclap/lpu008; Volume 5/4.
- "Cooperation of the EU Member States and European Commission in the European Competition Network", Novelities in Competition Law after the Accession of the Republic of Croatia to the European Union, Collected Papers, edited by doc.dr.sc. Jasminka Pecotić Kaufman, Faculty of Economics, Zagreb, 2014, pages 158-171.
- "Commitments instrument in the competition law", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 12, December 2013, pages 73-85.

- "Croatian competition enforcement challenges after 1 July 2013", OECD Regional Centre for Competition Newsletter, Number 1, September 2013, pages 16-18.
- "Croatia becomes 28th EU Member State and Croatian Competition Authority joins ECN", European Competition Network (ECN) Brief, No. 3/2013, July 2013, pages 36-37.
- "Interim measures in competition law", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 6 Zagreb, June 2013, 65-74.
- "Practice of the Croatian Competition Agency in cartel cases", Paper for 13th Mediterranean Research Meeting, European University Institute, Montecatini Terme, 21-24 March 2012.
- "Private claims for damages for the breach of competition law", Lider, business magazine, No. 290, 22 April 2011, pages 52-53.
- "Abuse of dominant position in the competition law", 2010, Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 11 Zagreb, November 2010, pages 64-72.
- "Private Enforcement in the EU Competition Law", 2010, Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 1 Zagreb, January 2010, pages 70-79.
- "Competition Policy in Croatia", Mediterranean Competition Bulletin, 2009, Volume I, pages 63-69.
- "Leniency program on immunity from fines or reduction of fines for cartel participants in EU and Croatian Competition Law", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 3 Zagreb, March 2009, pages 58-64.
- "Cartels-prohibited agreements between competitors in the EU competition law", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 12, Zagreb, December 2008, pages 83-92.
- "Joint ventures-differentiation between joint venture as a concentration of undertakings and joint venture as an agreement in the EU competition law", Law and Taxes, Journal of Legal and Economic Theory and Practice, RRIF, Zagreb, Issue No. 7, Zagreb, July, 2008, pages 64-75.
- "Free movement of workers in the extended European Union and its influence on Croatia", book, Croatian Accession to the European Union, Facing the Challenges of Negotiations, Third Volume, Friedrich Ebert Stiftung and Public Finance Institute, Zagreb, April 2005, pages 83-105.

Presentations:

- "Croatian Competition Agency: Old enforcers with new challenges", 10 March 2020, presentation for students, guest lecturer at Queens' University, Belfast, School of Law, Belfast, Northern Ireland
- "Competition policy enforcement in the digital economy: Recent developments", 13 December 2019, key note presentation at international conference "6th Competition law and Policy conference", University of Zagreb, law Faculty, Zagreb, Croatia
- "Commitments in anti-trust and merger cases", 17-18 June 2019, Taiex project, presentation for "Competition Board" in Turkish Cypriot Community, Nicosia, Cyprus
- "Procedure in competition law proceedings", 10 April 2019, Twinning project, Pristina, Kosovo
- "Abuse of a dominant position-price and non-price abuses", Taiex project, 4-6 April 2018, presentation for "Competition Board" in Turkish Cypriot Community, Nicosia, Cyprus
- "Challenges of Damages Directive transposition- Croatian experience", presentation at Slovenian Competition day, 22 September 2016, Ljubljana, Slovenia
- "Leniency applications in the EC-procedure, criteria and practice", ICC seminar "Cartels and leniency", 16 October 2018, Chamber of Commerce, Zagreb, Croatia
- "Why competition rules matter?", 28 May 2014, presentation in the Ministry of Foreign and European affairs-program EU training for junior diplomats from Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia
- "Implementation of stabilisation and association agreement", 13 July 2012, presentation held for delegation from Kosovo as a part of visit to Croatian institutions involved in the EU negotiations
- "Overview of Competition Act and the practice of Croatian Competition Agency in anti-trust", 25 May 2009, presentation for representatives from Kosovo Competition Commission during bilateral visit to Croatian Competition Agency, Zagreb, Croatia.

Projects:

- Experience in EU funded projects;
- Participation and work in the implementation of two twinning projects with Germany 2008-2009 ("Strengthening of Capacity to Manage and Enforce the EU Competition & State Aid Policies"-Phare 2005 and with Italy and United

Kingdom 2010-2012 “Implementing Croatian Competition and State Aid Policies”-IPA 2007) and one services project 2009-2011 (CRO COMPETE Implementing Croatian Competition and State Aid Policies-IPA 2007)

- Member of the PIU of the beneficiary (Croatian Competition Agency) and as a national expert giving trainings in competition law to different stake holders (judges, students, business and local community)-one of the project activities.

Honours and awards:

1998 Recipient of the Croatian Government Scholarship for Postgraduate European Studies;

1997 Rector’s Award at the Faculty of Law Zagreb for the best student paper “Breach of the contract and its avoidance under the 1980 Vienna Sales Convention (Case Study)”;

1997 “Peter Sanders” Award for the memorandum supporting the position of the respondent as a member of the Croatian team at the Fourth Annual Willem C. Vis International Commercial Arbitration Moot.

Memberships:

From 2018 member of Croatian Competition Law and Policy Association

From 2015 member of Croatian Association of women in legal profession

From 2009 member of the Managing Board of the Chevening Alumni Croatia Association

From 2004 to 2006 Member of the European Education Forum (NGO dealing with the education in European integration)

From 2003 Member of the Croatian European Communities Studies Association

From 1998 Member of Moot Alumni Association (Association of Lawyers who participated in the World International Commercial Arbitration competition/ Willem C. Vis International Commercial Arbitration Moot)

1993-1994- Active member of ELSA (European Law Students Association);

References

Dr.sc. Sinisa Petrovic, Law Faculty, University of Zagreb, Professor of Company Law;

Dr.sc. Jasminka Pecotić Kaufman, Faculty of Economy, University of Zagreb, Professor of Company Law and Competition Law;

Ms Anna Vernet, Head of Unit, European Competition Network and Private Enforcement, DG Competition European Commission;

Ms Szuszana Jambor, Head of Unit, DG Trade, European Commission.

Ms Branimira Kovačević, Head of International and European Cooperation Department, Croatian Competition Agency

Mr Jahn Mülle, Bundeskartellamt, Germany.