

## Summary Annual Report of the Croatian Competition Agency for 2024

In compliance with its legal obligation under the Competition Act OG 79/09, 80/13, 41/21, and 155/23<sup>1</sup>, and the Act on the prohibition of unfair trading practices in the business-to-business food supply chain OG 117/17, 52/21 and 27/24<sup>2</sup>, the Croatian Competition Agency (CCA) submits its **Annual Report for 2024** to the Croatian Parliament. The Annual Report for 2024 outlines the CCA activities in the previous year and informs the political scene, the economic operators, professional stakeholders, and the general public about the operation of the CCA, ensuring the transparency and raising awareness about the importance of fostering effective competition and the prohibition of unfair trading practices in the business-to-business food supply chain in the Republic of Croatia.

As one of the milestones of the market economy the purpose of competition law is to ensure a level playing field for all market operators regardless of their size, market power or nature of the business. Therefore, the main task of the CCA is to ensure the maximum benefit for the consumers in the form of a wider choice, lower prices and better quality of products and services, and to facilitate improvements in productivity and innovation of the actors in the market. Effective competition boosts economic development based on competitive markets, effective allocation and use of limited resources and investment for innovation. Besides the proactive action of the CCA, the achievement of these objectives depends on the activities of other government authorities in the creation of clear and enforceable rules regulating the behaviour in the market and their capacity to apply these rules in practice.

In accordance with the **Competition Act** in effect the CCA is a stand-alone and independent legal person with public authority which, as a general, national regulatory authority in charge of competition in all markets, performs the activities within its scope and powers regulated by the Competition Act and Articles 101 and 102 of the Treaty on the functioning of the European Union, OJ C 202, 7.6.2016 (TFEU) and:

- the Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, OJ L 1, 4.1.2003, and
- the Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation), OJ L 24, 29.1.2004.

In other words, the CCA applies national competition law in parallel to Articles 101 and 102 TFEU.

The competition rules (antitrust rules) implemented by the CCA include any prevention, restriction or distortion of competition by any undertaking in the market in the form of a

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<sup>1</sup> Article 26 paragraphs 6 and 7 of the Competition Act.

<sup>2</sup> Article 16 of the Act on the prohibition of unfair trading practices in the business-to-business food supply chain.

prohibited agreement between undertakings and abuse of a dominant position in the market. The CCA is also responsible for ex-ante merger control.

Since 7 December 2017 the CCA has been also in charge of the implementation of the **Act on the prohibition of unfair trading practices in the business-to-business food supply chain** (UTPs Act). For the first time this piece of legislation has regulated the area of unfair trading practices in the food supply chain in Croatia. The full application of the UTPs Act started on 1 April 2018. The Revised UTPs Act 2021 transposed the Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain, OJ L 111, 25.4.2019 (Directive (EU) 2019/633) and entered into force on 1 September 2022. The second revision of the UTPs Act entered into force on 14 March 2024.<sup>3</sup>

The UTPs Act defines the rules and measures for the prevention of imposition of unfair trading practices, it provides a list of the unfair trading practices in the food supply chain, the imposition of which enables the use of the strong bargaining power of the buyer with respect to their suppliers. The UTPs Act seeks to establish, ensure and promote the fair-trading practices that would protect the participants in the food supply chain.

**The internal structure and operation** of the CCA, its internal acts and other matters relating to the operation of the CCA are regulated by the CCA Statute that is adopted by the Croatian Parliament<sup>4</sup>.

The CCA is run and managed by the **Competition Council** consisting of 5 members<sup>5</sup>. The president and the members of the Council are all employed in the CCA. The president and the members of the Council are appointed and relieved from duty by the Croatian Parliament, upon the proposal of the Government of the Republic of Croatia. The president and the members of the Council are appointed for a five-year term of office<sup>6</sup>. The conditions for the appointment, the term of office and the scope of competence of the members of the Competition Council are regulated by the Competition Act<sup>7</sup>. The members of the Council cannot be state officials, persons who perform duty in any administrative body of a political party, members of supervisory boards and executive bodies of undertakings, or members in any kind of interest associations, which could lead to conflict of interest. The president and any member of the Council cannot be relieved from office due to the reasons linked with the

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<sup>3</sup> Act on the Amendments to the Act on the prohibition of unfair trading practices in the business-to-business food supply chain, OG 52/21, and Act on the Amendments to the Act on the prohibition of unfair trading practices in the business-to-business food supply chain, OG 27/24).

<sup>4</sup> The decisions on the ratification of the Statute and the Amendments to the Statute of the Croatian Competition Agency by the Croatian Parliament are published in Official Gazette 22/11, 74/14, 60/18 and 63/22.

<sup>5</sup> The terms used in this text, which have a gender meaning, refer equally to the male and female gender.

<sup>6</sup> Article 27 of the Competition Act.

<sup>7</sup> Article 28 of the Competition Act.

orderly performance of their duties and orderly exercise of their powers in the application of the Competition Act and Articles 101 and 102 TFEU<sup>8</sup>.

As the managing body of the CCA, the Competition Council adopts its decisions in its sessions, with the majority of at least three votes, where no member of the Council can abstain from voting<sup>9</sup>. The president or the vice-president of the Council must be present at the session. In the report year there had been **51 sessions of the Council** in which 160 items of the agenda had been discussed.

The president of the Competition Council represents and speaks for the CCA and manages its activities. In managing the CCA, the president of the Council organizes and runs the operational activities of the CCA, supervises and is responsible for its expert performance. The vice-president of the Council is elected on the proposal of the president of the Council by a majority vote of the members of the Council.

On 28 February 2024 the Croatian Parliament confirmed the appointment of new members of the Council for a five-year term. All members of the Council had been previously employed at the CCA as long-standing experts in the area of competition law and unfair trading practices. Hence, during the report year the Council members were: Mirta Kapural, PhD, LL.M., president of the Council (serving her first term since 1 October 2021), the vice-president Branimira Kovačević, MA, economist (serving her first term since 28 February 2024), and the Council members - Denis Matić, LL.M., (serving his third term since 28 February 2024), Hrvoje Šeremet, LL.M. (serving his first term since 28 February 2024), and Sandra Mikinac, LL.M., (serving her first term since 2 March 2024).

The everyday administrative tasks are carried out by the expert team of the CCA, that comprises of masters of law with a passed Bar Exam, masters of economics specialized in competition law and policy, unfair trading practices experts and IT experts specialised in digital forensics. There is a team of at least one lawyer and one economist handling a case, accompanied, when necessary and depending on the complexity of the case, by an IT expert. The expert team of the CCA performs administrative activities and investigations, whereas based on so established facts, the Competition Council decides on the basis of which the CCA resolves a case.

The CCA exercises its powers independently and impartially in the common interest of the effective enforcement of the provisions falling under its jurisdiction. This means that the Council and the expert team of the CCA exercise their powers independently of any political or other influence and receiving no instructions from the Government of the Republic of Croatia or any public or private authority in carrying out of its tasks and powers, and reports

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<sup>8</sup> Article 29 paragraph 4 of the Competition Act.

<sup>9</sup> Article 31 of the Competition Act.

about its work to the Croatian Parliament.

The CCA has no operational or financial revenue of its own. The CCA is financed exclusively from the State budget of the Republic of Croatia. In compliance with the financial capacity of the State Budget of the Republic of Croatia the effective performance of the CCA is ensured through sufficient resources in terms of qualified staff, financial means, technical and technological expertise and equipment. The CCA is independent regarding the purposeful spending of the financial means allocated to it for the enforcement of its powers, without prejudice to and in full compliance with the provisions of the Act on the Execution of the State Budget.

The CCA obliges itself to effectively perform its obligations and responsibly distribute the allocated financial resources from the State Budget.

**The planned funds for the regular operational activities falling under the scope of the CCA in the State budget for 2024 amounted to EUR 2.907,720. The total executed budget in 2024 amounted to EUR 2.807,052 which was 96.54 % of the current plan for 2024.**

**The fines set and imposed by the CCA for the infringements of the Competition Act and the UTPs Act are contributed to the State budget of the Republic of Croatia.**

**The fines imposed for the infringements of the Competition Act and the UTPs Act in 2024 amounted to a total of EUR 1.487,903.**

All activities of the CCA in the area of competition and unfair trading practices in the food supply chain in 2024 were carried out with a slightly higher number of professional staff compared to the previous year. Specifically, as of 31 December 2024, the CCA had 56 employees, whereas in 2023, there were 56.

The main objective of the CCA as an expert authority and competition regulator in all markets is to create and ensure effective competition through enforcement and advocacy activities, that would facilitate long term growth, benefit the economy of Croatia, ensure maximum benefit for consumers and procompetitive effects enhancing their choice of innovative goods and services of high quality and lower prices at the same time encouraging undertakings to improve efficiency and innovation in the market. At the same time, within its powers, it is responsible for the implementation of the rules in the area of unfair trading practices that should ensure fair treatment of all the participants in business-to-business food supply chain.

One of CCA's priorities is the monitoring of digital markets. In line with the adopted national legislative framework, the CCA continues to participate in the implementation of the Regulation (EU) 2022/1925 on contestable and fair markets in the digital sector (Digital Markets Act, DMA), which entered into force on 1 November 2022 and became fully applicable on 2 May 2023. This Regulation was transposed into the Croatian legislation by the Regulation on the Implementation of Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector

and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), OG 131/23 that entered into force on 11 November 2023. Pursuant to Article 3 of that Regulation, the CCA was designated as the competent authority for its implementation.

In 2024, the CCA established a Digital Affairs Department with the aim of strengthening its powers in digital markets that are increasingly shaping the economic environment. This department employs data analysis experts, enhancing the CCA capacity to monitor market behaviour and structures in the digital environment. The Digital Department enables more effective monitoring and understanding of the business models of large digital platforms and contributes to better enforcement of competition rules and consumer protection in the digital age.

In 2024 the CCA has for the first time publicly defined its enforcement priorities with the aim of ensuring a more effective, targeted and strategic approach to law enforcement. This practice represents a step forward towards greater transparency and a more rational use of its limited resources. The priorities are focused on actions with the greatest impact on competition, innovation, productivity and market resilience, as well as those with the strongest impact on end consumers. The focus remains on detecting and sanctioning the most serious infringements of competition rules, in particular prohibited horizontal agreements (cartels), as well as unfair trading practices, abuses of dominant position and unallowed concentrations of undertakings. In addition, the CCA identified the grocery trade, energy and electronic communications sectors as priority markets. By defining priorities, the CCA seeks to improve the predictability of its actions and the legal certainty of market participants. When assessing initiatives for opening proceedings, the CCA considers the effects on the market, the availability of resources and the existence of alternative instruments for addressing the issue. This allows the CCA to focus on cases likely to generate the most significant positive effects for the market and society as a whole, as well as for individual business relations and practices in the agricultural and food supply chain. This approach ensures greater effectiveness and relevance of CCA's enforcement in changing market conditions.

To enhance the detection and sanctioning of the infringements, in 2024 the CCA introduced on its website a digital system for completely anonymous reporting of cartels and other prohibited agreements. Since such anti-competitive conduct is usually covert and documentation is scarce, this mechanism provides a valuable source of information for initiating proceedings. The system is intended for anyone with knowledge of potential infringements, including company employees, business partners or third parties. Reports may concern various forms of prohibited agreements and abuses, such as price fixing, market or customer allocation, production or innovation restrictions, bid rigging in public procurement, and restrictions on buyers' rights and supply chains. Reports are submitted via a specialised tool that ensures full anonymity and confidentiality, while at the same time allowing two-way communication with the reporter to supplement information or provide documentation if necessary. This reporting model is based on the best practices of the European Commission

(EC) and other EU competition authorities and represents an important instrument for detecting the most serious infringements of competition law.

In cooperation with the Agency for Electronic Media (AEM) and the Croatian Regulatory Authority for Network Industries (HAKOM), the CCA published the Guide for media and telecom industries on the assessment of concentrations under specific rules. The Guide provides a detailed description of the notification procedures required with specific regulators.

**In 2024, the Croatian Competition Agency (CCA) imposed fines totalling EUR 1.49 million for infringements under its jurisdiction — EUR 1.26 million in the area of competition and EUR 227,000 for unfair trading practices.**

**Since gaining fining powers in both areas (competition law in 2012 and unfair trading practices in 2017), the CCA has imposed fines amounting to more than EUR 6.82 million in total, of which EUR 5.52 million relates to competition law and EUR 1.31 million to unfair trading practices.**

**In 2024 the CCA resolved 761 cases in the areas of competition and unfair trading practices in the business-to-business food supply chain.**

The following table indicates the resolved cases in 2024:

	Number of resolved cases in 2024		
	Competition	Unfair trading practices	Total
Administrative cases	61	3	64
Non-administrative cases	641	56	697
<b>Total:</b>	<b>702</b>	<b>59</b>	<b>761</b>

Source: CCA

**In 2024, there was a significant increase in the total number of resolved cases compared to the previous year, marking a positive development in the work of the CCA. A total of 761 cases were resolved in 2024, compared to 661 cases in 2023 — that is, a 100 more cases resolved year-on-year. In percentage terms, this represents an increase of 15.1%, thereby reversing the previous trend of slight decline and achieving stable growth in the number of resolved cases.**

In 2024, the CCA resolved **64 administrative cases** (61 in the Competition Division and 3 in the Unfair Trading Practices Division). By comparison, in 2023, 53 administrative cases were resolved (46 in the Competition Division and 7 in the Unfair Trading Practices Division), representing 11 more administrative cases resolved in 2024.

Growth was observed in both divisions, in administrative as well as non-administrative cases, particularly in terms of opinions issued and advocacy activities. In 2024, 697 non-administrative cases were resolved (641 in the Competition Division and 56 in the Unfair Trading Practices Division). By comparison, in 2023, 608 non-administrative cases were resolved (566 in the Competition Division and 42 in the Unfair Trading Practices Division), or 89 more non-administrative cases in 2024.

In addition, there was a marked increase in the number of merger notifications received under Council Regulation (EC) No 139/2004. In 2024, a total of **405 notifications** were received and resolved, compared to **360** in 2023 — an increase of 45 notifications. The number of resolved notifications is included in the total of resolved non-administrative cases.

As of 31 December 2024, the CCA had a total of 33 unresolved administrative cases still pending. By comparison, on 31 December 2023 there were 37 unresolved administrative cases, i.e. four pending cases less. Of the 33 pending cases in 2024, 21 related to competition and 12 to unfair trading practices. Of the 21 unresolved competition cases, 12 were initiated in 2024 and 9 in previous years. Of the 12 unresolved unfair trading practices cases, 8 were initiated in 2024 and 4 in previous years.

The results achieved in 2024 reflect more effective case management and improved efficiency in case resolution, confirming the continuous strengthening of the CCA's work, institutional capacities, and focus on the effective exercise of its statutory powers. These improvements are evident in greater transparency, enhanced legal certainty for market participants, and strengthened public confidence in the competition law framework.

By the time of drafting this Report, further 10 administrative cases from 2024 had been resolved — 9 in the area of competition and 1 in the area of unfair trading practices.

Besides the administrative cases that are handled by the CCA in the area of competition, a great part of the activities of the CCA involves so called non-administrative cases in the area of competition advocacy (opinions on draft laws and proposed regulations and opinions on the compliance of the laws and regulations in effect), market studies, responses to queries that cannot be classified as initiatives for the opening of an infringement proceeding in the sense of the Competition Act, preliminary market investigations carried out at the stage where the CCA has to decide whether there is enough circumstantial evidence to open an infringement case, data base cases, assessments of notifications of concentrations under the Council Regulation (EC) No 139/2004, assistance cases with other regulators and authorities, international co-operation cases, internal acts of the CCA, access to files responses and other replies to addressees of the Competition Act.

Similarly, in the area of unfair trading practices, the CCA has been receiving a large number of queries from natural and legal persons that have not been directly connected with the concrete administrative (investigation) cases but have been urgently responded to by the CCA in so called non-administrative cases. Within its powers, in these non-administrative cases the

CCA requires information, documentation and written explanations directly from the alleged infringers and investigates the received and analysed information for the existence of possible circumstantial evidence for the opening of an administrative proceeding.

The key and most important objective of the CCA in the past period has been related to the CCA's core activity, which is the enforcement of national and European competition law within its powers, with an emphasis on eliminating hard core restrictions of competition and active cooperation with the European Commission and the national competition authorities. Within this objective, the focus of CCA's work was on the activities of undertakings that directly distort competition and limit the national economic growth.

The proceedings identifying distortion of competition in the form of conclusion of a prohibited agreement between undertakings or abuse of a dominant position by an undertaking in the market are very complex due to the necessity of a detailed economic and legal analysis and the protection of the right of the parties to be heard in the proceedings, and they are therefore defined in detail under the Competition Act.

In 2023 the CCA resolved a total of **38 submitted initiatives and 13 complaints** within the meaning of the Competition Act and the General Administrative Procedure Act respectively (GAPA)<sup>10</sup> for the initiation of ex-officio administrative proceeding.

Within the concrete case proceedings that were closed in 2023 the CCA carried out the **investigations in 73 relevant markets**, 22 thereof were in the area of assessment of prohibited agreements between undertakings, 22 in the area of alleged abuse of a dominant position in the market and 29 in the area of assessment of compatibility of concentrations between undertakings.

One of the priorities of the CCA in 2024 was again the elimination of hardcore restrictions within the meaning of the Competition Act contained in prohibited agreements, particularly, horizontal agreements that are concluded between competitors (cartels) which have as their object or effect the distortion of competition in the relevant market, and in particular those which directly or indirectly fix purchase or selling prices, limit or control production, markets, technical development or investment, share markets or sources of supply, where the participants to the agreement are engaged in other prohibited behaviour that mostly harms the consumers and the economy as a whole and constitutes the most serious infringement of competition rules.

In the area of **prohibited agreements** in 2024 the CCA **resolved a total of 42 cases in this area**, **19** thereof were administrative and **23** non-administrative cases. In these cases, the CCA conducted preliminary market investigations in 22 relevant markets.

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<sup>10</sup> Article 37 of the Competition Act and Article 42 of the General Administrative Procedure Act, OG 47/09 and 110/21.

**Abuse of a dominant position by an undertaking** on the market where due to its market power, it can act in the relevant market to a considerable extent independently of its actual or potential competitors, consumers, buyers or suppliers also impedes the competitive market structure and prevents the competitors from market entry or growth. This is why the CCA continued to investigate in 2024 whether certain undertakings have been involved in such abusive practices.

In 2024 the CCA resolved 33 cases in this area, 29 thereof were administrative and 4 non-administrative cases. In these cases, the CCA conducted a preliminary market investigation in 22 relevant markets.

As a rule, **mergers (concentrations between undertakings)** are normal and common part of business and a justified form of consolidation or restructuring processes of companies or whole industries as a response to the challenges amid the changes in the relevant markets with a view to achieving the savings and synergies that will ensure the new economic entities increase in performance. Unlike the assessment of possibly prohibited agreements between undertakings or abuse of a dominant position by an undertaking in the market which is carried out *ex-post* on the CCA's own initiative, the assessment of compatibility of concentrations between undertakings is carried out *ex-ante*, based on the merger notification of the undertakings concerned in the sense of the criteria for obligatory notification under the Competition Act<sup>11</sup>. In other words, the participants to the concentration must notify the concentration prior to its implementation, where they cumulatively fulfil the criteria for notification in terms of turnover thresholds in the Croatian and global market, as stipulated in Article 17 paragraph 1 of the Competition Act. That is to say, no concentration exceeding the said thresholds can be implemented without the compatibility assessment and approval of the CCA.

In the area of assessment of compatibility of concentrations in 2024 the CCA **resolved a total of 30 cases** (13 administrative and 17 non-administrative cases). These cases involved the analysis of 29 relevant markets.

In 2024 no concentration was assessed as prohibited.

In addition, in 2024 there were **405 notifications of concentrations that were notified to the EC and then transmitted to the CCA**, where the effects of these concentrations on competition in the Croatian market had to be assessed. At the same time, within the European Competition Network (ECN) cooperation, a well-placed authority to deal with the compatibility assessment procedure is decided. In other words, it is the obligation of the EC to transmit the obligatory notification of a concentration to all national competition authorities in any case of concentrations with an EU dimension. As a rule, these are concentrations that produce effects in at least three Member States.

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<sup>11</sup> Article 19 and Article 38 paragraph 2 of the Competition Act.

**Market investigations** are also one important part of the CCA regular activities. These sector inquiries are research projects with the purpose of gaining in-depth understanding of how particular sectors or markets work. It is also the analysis of possible market barriers and the legal framework regulating the particular markets, which is the prerequisite for effective enforcement of the rules falling under the scope of the CCA. These legal and economic analyses very often enable the CCA to detect indications for infringement proceedings.

Besides the market investigations, as previously mentioned, in 73 relevant markets that were linked with concrete cases, in 2024 the CCA conducted **two sector inquiries** including the grocery retail (market research in food, beverages, toiletries and household supplies)<sup>12</sup>, and the press publishing market<sup>13</sup> in Croatia.

In 2024 the CCA also continued with its intense activities involving proactive competition advocacy and development of competition culture and raising awareness about the significance of competition for the economy and consumers, particularly in the sense of creation of the whole institutional and economic environment that would promote the entry of the undertakings to the market and the removal of actual and administrative barriers for the development of competition.

In other words, besides the enforcement of the rules under its scope involving the administrative proceedings and case handling, one of the important roles of the CCA is active **competition advocacy**. Concretely, the CCA is empowered to issue expert opinions regarding the compliance with competition rules of draft proposals for laws and other legislation, as well as the existing laws and other legal acts and other comments on related issues raising competition concerns. The primary enforcement activity of the CCA is thereby significantly enhanced by competition advocacy.

In 2024 there were **98 resolved advocacy cases**, thereof **6 expert opinions on laws, 91 answers to different queries about competition issues and one cooperation case**.

**For the infringements of the Competition Act in 2024 the CCA imposed the fines in the total amount of EUR 1.260,903 EUR.**

In the context of judicial review, against the decisions of the CCA no appeal is allowed but the injured party may file a claim and start an administrative dispute before the High Administrative Court of the Republic of Croatia (High Administrative Court). The council of three judges decides about the claim against the decisions of the CCA.

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<sup>12</sup> Available on the CCA website <https://www.aztn.hr/ea/wp-content/uploads//2024/09/Prikaz-stanja-na-trzistu-trgovine-na-malo-mjesovitom-robom-pretežno-hranom-picima-i-higijenskim-proizvodima-za-domacinstvo-u-Republici-Hrvatskoj-u-2023.-godini.pdf>

<sup>13</sup> Available on the CCA website <https://www.aztn.hr/ea/wp-content/uploads//2024/07/Tisak-2023-Prikaz-stanja-trzista.pdf>

Here, it must be noted that exclusively the CCA lawyers who passed the Bar Exam and have more than four years of experience thereafter represent the CCA in courts in the proceedings carried out against the decisions of the CCA in the area of competition and unfair trading practices. Thus, the CCA does not use any attorneys' services but relies on its own experts.

In the report year the **High Administrative Court took 19 decisions on the basis of which it dismissed the claims of the claimants and upheld the decisions of the CCA in their entirety<sup>14</sup>.**

With respect to the enforcement of the **rules in the area of unfair trading practices in the business-to-business food supply chain**, that is to say, the UTPs Act, in 2024 the CCA **resolved 59 cases, thereof 3 administrative cases and 56 non-administrative cases.**

In 2024, in three cases the CCA found that the party to the proceedings used its strong bargaining power and imposed on its suppliers unfair trading practices. For the infringements concerned the CCA imposed fines. All three completed administrative proceedings were initiated as a result of examining the compliance of contract content and business practices of buyers with suppliers with the provisions of the UTPs Act. In the course of these proceedings, based on the documentation and data collected and analysed, indications were established for initiating administrative proceedings ex officio.

Within the completed administrative proceedings, the CCA analysed a large number of contracts, appendices and annexes to contracts, as well as general terms of business, which buyers had concluded with suppliers of agricultural and food products or on the basis of which they conducted business with them. Furthermore, for each of the contracts analysed, including their appendices and annexes, as well as the general terms of business, extensive economic documentation was also examined, in the form of analytical ledgers, invoices, purchase slips, delivery notes, receipts, payment confirmations, price lists, commercial terms, and other documentation relating to the period under review in each of the completed administrative proceedings.

At the same time, in 2024, ten non-administrative cases were resolved. Of the ten resolved reasoned submissions, seven were received in 2024 (three anonymous and four non-anonymous), while three were received earlier (in 2023), of which one was anonymous and two non-anonymous. Of the resolved submissions, four were anonymous and six non-anonymous.

**From 1 January 2024 to 31 December 2024, the CCA imposed fines totalling EUR 227,000 on for the infringements of the UTPs Act.**

Fines are to be paid upon the enforceability of the CCA's decision if no lawsuit has been filed, or upon the finality of the court's decision, with statutory default interest included in the amount of the fine, calculated from the date the CCA's decision is delivered to the party until

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<sup>14</sup> <https://www.aztn.hr/odluke/odluke-sudova/>

the date of payment. The CCA may allow payment of the fine in instalments if the party provides a reasonable justification for its request and submits appropriate evidence.

Against the decision of the CCA in the area of unfair trading practices no appeal is allowed but the party may take action against the decision of the CCA by filing a complaint for an administrative dispute at a competent administrative court regarding: (i) the violations of material law in the area of unfair trade practices in the food supply chain, (ii) essential violation of procedural provisions, (iii) inaccurate or incomplete facts of the case, and (iv) incorrect decision on fine and other issues that are decided by the CCA . The High Administrative Court decides in the second instance.

With respect to lawsuits challenging the infringement decisions of the CCA identifying the unfair trade practices in terms of the UTPs Act, in 2024 the competent administrative court issued two judgements in which the claimant's claim for annulment of the decision of the CCA was rejected, together with the requests for compensation for the costs of the administrative dispute.

Another important segment of the operation of the CCA are its **international cooperation** activities. In 2024 international activities took place both through multilateral cooperation and through bilateral contacts with competent authorities in and outside the EU. Bilateral cooperation is increasingly taking place virtually – online.

At the beginning of 2024, the CCA, in cooperation with other public administration authorities, successfully addressed and implemented the OECD's priority recommendations, as well as several medium- and long-term recommendations. As a result, the negotiation process in the area of competition policy was successfully concluded by written procedure in September 2024. The CCA continues to work on the remaining recommendations and duly informs the OECD upon their completion.

Within the framework of the OECD-GVH Regional Centre for Competition in Budapest, a series of regular seminars were organised, attended by the representatives of the CCA. The seminar topics included: the relationship between regulation and competition, detection of bid rigging in public procurement, tools for strengthening the effectiveness of competition law and policy enforcement. In addition, a meeting of the heads of competition authorities was held, along with an introductory seminar on the fundamental principles of competition.

At the EU level, under the Working Party on Competition, a total of five meetings took place during the Belgian and Hungarian presidencies of the Council of the EU in 2024. The discussions focused on current issues such as: the evaluation of Regulation 1/2003, implementation of the Digital Markets Act (DMA), the Notice on the definition of the relevant market, the EU–UK Trade and Cooperation Agreement, the Guidelines on Article 102 TFEU, recommendations from the Letta and Draghi Reports on competition policy, and the state of play regarding the implementation of Directive (EU) 2019/1 of the European Parliament and of the Council (the ECN+ Directive) on empowering national competition authorities for more

effective enforcement of competition rules and ensuring the proper functioning of the internal market.

The trend of a high number of information exchanges among national competition authorities within the ECN2 network continued. The CCA received and responded to 68 requests for information (an average of 2.5 per Member State) and submitted two requests to other Member States. This once again highlights the CCA's role as a proactive promoter of cooperation among the Member States.

Two meetings of the heads of national competition authorities within the ECN were held in June and November 2024. The June meeting was hosted by the CCA in Split, with the participation of the entire Competition Council. The second meeting took place in Brussels, where the CCA was represented by the president of the Council, Mirta Kapural, PhD.

The CCA is also actively involved in a **Technical Support Instrument (TSI) project** on tackling bid rigging in public procurement procedures. Croatia is the lead Member State in this project that aims to raise awareness and provide training for all stakeholders in the public procurement system on the importance of respecting competition law. The project is being implemented jointly with the competition authorities of Austria, Bulgaria, Cyprus, Greece and Romania, with the support of OECD and EC experts.

Finally, bilateral and multilateral cooperation agreements serve to foster closer collaboration between competition authorities in the enforcement of competition law and policy, and to facilitate the exchange of expertise and practical experience. The CCA has signed such agreements with the competition authorities of Austria, Bosnia and Herzegovina, Bulgaria, Montenegro, Georgia, Kosovo, Hungary, North Macedonia, Romania, Albania, Serbia and Turkey. Bilateral cooperation with Montenegro is also continuing through the active participation of CCA staff in the area of merger control under the EU IPA project *“Strengthening institutional capacity in the harmonisation and implementation of the EU acquis in the field of competition and innovation.”*

Transparency of the CCA activities is achieved through different communication channels with the general public. **Active competition advocacy** activities have been carried out through trainings and workshops for undertakings and consumers and open communication with the public, both in the area of competition and the area of unfair trading practices in the business-to-business food supply chain.

During 2024, the CCA employees were active in competition advocacy and held some 20 expert papers, trainings and workshops and published a number of articles. The topics generally included concepts of competition, the work of the CCA and cooperation with the EC, prohibited agreements between undertakings, abuse of a dominant position, concentrations between undertakings and competition advocacy, along with practical examples, and the importance of fair-trading practices in the business-to-business food supply chain. At the same time, education has been focused on all current issues and news in the development of

competition law. In this way, the CCA communication with the general public is deepened and redirected to professional and qualified public, primarily undertakings, the judiciary, attorneys and academia.

In compliance with the principles of transparency, independence, neutrality and professionalism in the communication with the parties and the public, in line with its publicly available **Communication Strategy**<sup>15</sup>, the CCA continues to publish on its website its decisions, opinions and annual reports, the relevant articles written by its experts and press releases about the opened and closed cases. The representatives of the CCA are present in the media and maintain contact with the journalists. The CCA publishes different related content and guides, and its representatives participate in conferences, trainings and workshops as paper holders or participants covering the specific matters in the area of competition law and policy and unfair trading practices. All press releases, the legislative framework and summaries of the CCA decisions are translated into the English language and published on the CCA website. The CCA maintains active presence on the professional networking platform LinkedIn, where it regularly communicates key developments related to its activities. These include announcements of adopted decisions, information on conferences and events, the dissemination of educational materials, as well as other content of relevance to both the professional community and the wider public.

In the reporting year, the CCA also produced and published on its official website a series of educational videos addressing its core areas of competence, under the following titles: *Cartels; Abuse of a Dominant Position; Mergers; and Leniency Programmes*. The aim of these videos is to present, in a clear and accessible manner, the role and responsibilities of the CCA. By means of concrete examples, they demonstrate how the CCA safeguards markets from anti-competitive practices and promotes effective competition. These educational materials also serve to raise awareness of the importance of competition policy for consumers and for the economy.

**In 2023 the CCA published 57 decisions, replied to 34 queries of the journalists and 15 queries of the parties and published 88 press releases. The CCA published 11 issues of its monthly e-bulletin AZTNinfo**<sup>16</sup> containing the monthly updates of the CCA decisions and other activities and reports about the most recent decisions and developments in the comparative practice in the area of competition law and policy in the EU and globally.

In 2024 all the activities in the area of competition and unfair trading practices have been realized by 3 employees more than in the preceding year. Concretely, on 31 December 2024 the CCA had **56 employees**, while there had been 53 employees in 2023.

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<sup>15</sup> Available on the CCA website <https://www.aztn.hr/ea/wp-content/uploads//2023/02/AZTN-Komunikacijska-strategija.pdf>

<sup>16</sup> Available on the CCA website <http://www.aztn.hr/aztn-info/>

The high level of transparency in the work of the CCA is complemented by the fulfilment of its statutory obligations regarding the right of access to information, in accordance with the Act on the Right of Access to Information. The CCA ensures this right by regularly publishing on its website all decisions within its competence, as well as press releases, opinions, general and internal acts, and by providing information to applicants who submit requests. Pursuant to Article 13 par 1 of the Act on the Right of Access to Information, OG 25/13, 85/15, 69/22, the president of the Council appointed an information officer and a deputy information officer.

In early 2024, the CCA prepared its Annual Report on the Right of Access to Information, submitted it to the Information Commissioner, and published it on its website. In 2024, the CCA received three requests for access to information. All were processed within the statutory deadlines, and the decisions were delivered to the applicants.

In 2024, the CCA adopted several internal acts to ensure compliance with the applicable legal framework, both by introducing new acts and by amending the existing ones. The entry into force of the Act on Salaries in the Civil Service and Public Services, OG 155/23, on 1 January 2024 and of the Regulation on Job Titles, Conditions for Assignment, and Salary Coefficients in Public Services, OG 22/24 on 1 March 2024, required the alignment of the CCA's internal acts. Consequently, the following acts were amended or adopted in 2024:

- Rules of Procedure
- Rules on Internal Organisation
- Human Resources Plan 2024

Since its integration into the public service system, the CCA has been facing challenges in human resources management. In 2024 and 2025, two recruitment procedures were launched; however, the level of response was low, reflecting the limited attractiveness of the posts, primarily due to the salary levels which are not competitive and do not reflect the complexity and responsibility of the CCA's tasks.

In early 2024, the CCA adopted the Annual Training and Professional Development Plan for its staff, setting out the funds allocated for training and professional development. All the above-mentioned acts were published on the CCA's website and are available to the interested public.

\*\* The Annual Report of the Croatian Competition Agency for 2024 in the Croatian language is available on the web site of the CCA, including three attachments: the List of CCA decisions in 2024, the List of rulings of the courts in 2024, and the List of sanctions imposed by the CCA in 2024.

In Zagreb, 13 June 2025