

Summary Annual Report of the Croatian Competition Agency for 2017

In compliance with its legal obligation the Croatian Competition Agency (hereinafter referred to as: CCA) reports annually to the Croatian Parliament. The Annual report for 2017 outlines the CCA activities in the previous year and informs the political scene, the economic operators and all professional stakeholders about the operation of the CCA, ensuring the transparency and raising awareness about competition culture in the Republic of Croatia. Here are the highlights that marked the work of the CCA in 2017.

Pursuant to the **Competition Act** (OG 79/2009 and 80/2013) the CCA is a legal person with public authority whose founder is the Croatian Parliament.

In accordance with the decision of the Croatian Parliament and the above mentioned Competition Act it autonomously and independently performs the activities in the scope of its competence under the Competition Act, and ancillary provisions thereof, particularly with respect to direct application of Articles 101 and 102 of the Treaty on the functioning of the European Union: 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, 04.01.2003, relating to the implementation of Articles 101 and 102 of the Treaty on the Functioning of the European Union, OJ C 115, 09.05.2008, 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, 29.01.2004.

In late 2017 CCA was empowered for the implementation of the **Act on the prohibition of unfair trading practices in the business-to-business food supply chain**, Official Gazette 117/17 (hereinafter referred to as: UTPs Act). The UTPs Act entered into force on 7 December 2017 and this is the first time the CCA has reported about the area concerned.

Internal organization and operation of the CCA are set in the **CCA Statute** that was also approved by the Croatian Parliament.

The CCA is run and managed by the **Competition Council** consisting of 5 members. The president and the four members of the Competition Council are all **appointed for a five-year term of office and also relieved from duty by the Croatian Parliament upon the proposal of the Government of the Republic of Croatia**.

The conditions for the appointment, the term of office of the members of the Competition Council, for relieving of the president and the members of the Competition Council and the scope of competence of the Competition Council and the process of decision making are regulated by the Competition Act.

The president and the members of the Council may not 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 the members of the Council are appointed for a five-year-term of office and they are employed in the CCA.

The president of the Competition Council represents the CCA and is responsible for the legality of its decisions.

The Competition Council adopts its decisions at its sessions, with the majority of votes, where no member of the Council can abstain from voting.

The CCA was established pursuant to the decision of the Croatian Parliament on 20 September 1995 under the first 1995 Competition Act that for the first time introduced major competition rules applicable in the European Union and ensured the establishment of an independent national competition authority. The CCA became operational in 1997.

The task of the CCA is to prevent and sanction prevention, restriction and distortion of competition (hereinafter referred to as: distortion) and covers the **prohibited agreements between undertakings, abuse of a dominant position of undertakings and assessment of compatibility of concentrations between undertakings.**

The CCA uses the powers entrusted to it by the Competition Act in carrying out the procedures and market investigations. Besides the activities of the CCA relating to the enforcement of competition rules the CCA is also actively involved in competition advocacy. Most powerful tool in this area are expert opinions that the CCA issues regarding the compliance with competition rules of draft proposals for laws and other legislation, as well as the existing laws and other legal acts, it conducts regulatory impact assessment and gives other comments on related issues raising competition concerns. These opinions are given at the request of the Croatian Parliament, the Government of the Republic of Croatia (hereinafter: Government), central administration authorities, legal persons with public powers and local and regional self-government units.

In the assessment of restrictive agreements between undertakings and abuse of a dominant position by the undertakings in the market a parallel application of Articles 101 and 102 of the TFEU and the provisions of the national competition law is possible. Where the EU law applies the CCA closely cooperates with the European Commission and the national competition authorities within the European Competition Network (ECN). In general, these proceedings are rather complex and lengthy.

In the area of antitrust the CCA always opens *ex officio* proceedings. The initiative for the opening of the proceedings may be filed by any natural or legal person, professional association or an organization of some common economic interest, chamber, consumers' association, the Government or other central, regional or local administration authority on the basis of a written complaint, request or notice.

Where the CCA establishes an infringement of the Competition Act or Articles 101 or 102 of the TFEU it sets and imposes fines on undertakings that have committed the infringement up to 10 per cent of the turnover of the undertaking concerned. The exact level of the fine is decided on the basis of the criteria listed under the Competition Act and the separate Regulation on the method of setting fines. When setting the fine, the CCA particularly takes into consideration the gravity and duration of the infringement, aggravating and mitigating circumstances, recidivism and the cooperation with the CCA during the course of the proceeding.

Against the decisions of the CCA no appeal is allowed but the injured party may bring a **claim** before the High Administrative Court of the Republic of Croatia. However, in the case of a non-infringement decision or a decision on termination of the proceeding, the complainant or the person enjoying the same procedural rights as the complainant can also take action.

In 2017 the High Administrative Court of the Republic of Croatia ruled in **9 competition cases** against the decisions of the CCA. The relevant court dismissed all the cases or rejected the claims.

It is worth mentioning here that according to the figures published by the EU Justice Scoreboard the **duration of the court proceedings in competition matters of some 200 days** brings Croatia to the **second place of speed and efficiency**, immediately following the United Kingdom.

The CCA carries out **preliminary investigations in the relevant market** with the view to defining possible competition concerns on the basis of which it initiates the antitrust proceedings. In 2017 these preliminary investigations were carried out in **24 relevant markets**.

In a number of cases that involved shorter and minor infringements of competition rules the CCA continued to advocate **commitments as a settlement mechanism** wherever the proposed remedies were viable and proportionate to possible negative effects on competition. Competition was quickly restored, no fines were imposed and, most importantly, procedures were shorter and efficient.

In the area of **merger control** the report year was focused on telecommunications. The concentration between the undertakings **OT-Oprima Telekom d.d./H1 Telekom d.d.** was conditionally approved, whereas in the case **HT-Hrvatski Telekom d.d./OT-Optima Telekom d.d.** the duration of concentration was extended. The new decision defined new measures, conditions and deadlines that had to be met by the parties to the concentration in order to retain Optima's position in the relevant market as the third independent rival, or to sell Optima and thereby open the possibility of creating a new operator that would be the third operator in the Croatian telecom market.

In the above-mentioned cases the remedies were imposed to eliminate the negative effects on competition. It must be noted that in such complex cases the CCA has to take some 100 to

150 procedural steps and collect and analyse hundreds of pages of documentary evidence in order to make a decision.

Besides these two cases where the concentrations were assessed in Phase II, in 2017 the CCA also took some decisions involving the assessment in Phase I. These were the approved concentrations between Müller d.o.o./Kozmo (part of Konzum d.d.), SPAR AG Austria /BILLA d.o.o., BILLA Nekretnine d.o.o., Minaco d.o.o. and VIPnet d.o.o./Metronet Telekomunikacije d.d.

There were some more complex merger cases closed in the first phase, such as OTP banka d.d./Splitska banka d.d., RWE Hrvatska d.o.o./Gradsko komunalno poduzeće Komunalac (Koprivnica), ARRIVA Hrvatska d.o.o./Autotrans d.o.o. and Baunit GmbH/W&P Baustofe GmbH/Konoch/Kerma&Co. KG.

The CCA has been particularly concerned about the rise in unnotified concentrations in the electronic media sector in 2017. To be precise, the number of concentrations that have not been previously notified to the CCA has doubled since 2016, but what is more, recidivism - where parties in the media sector who have already been fined for the same infringement, choose not to make a voluntary merger notification is on the rise, too. This is a clear sign that the legislative framework regulating the media mergers should be revised (in particular the Media Act) or the CCA should be empowered to impose higher fines on the undertakings in the media sector.

In 2017 there were **390 notifications of concentrations** with an EU dimension that were notified to the European Commission and then, in line with the EC Merger Regulation, transmitted to all Member States on the account of the fact that any Member State referred to in the reasoned submission may express its agreement or disagreement as regards the request to refer the case. Namely, in line with the EC Merger Regulation and within the European Competition Network (ECN) cooperation, under the rules governing the referral of concentrations from the European Commission to the EU Member States and in line with the submission procedure, a well-placed authority to deal with the case is decided.

In the report year the **CCA was again acting proactive in competition advocacy**, it promoted competition law and policy, its benefits for the consumers and undertakings. Within its deterrence policy the CCA promotes competition through its opinions on laws and other activities preventing anticompetitive practices regarding the compliance of laws and other pieces of legislation in force in the Republic of Croatia with the mandatory rule of law in the area of competition.

Within its competition advocacy activities, the CCA conducts **market studies** as research projects with the purpose of gaining an in-depth understanding of how particularly sensitive sectors or markets work. These sectoral inquiries are carried out on the CCA's own initiative with the view to detecting and removing any market failures and anticompetitive practices of the undertakings. Some of these sector inquiries have been regularly conducted for 15 years,

such as the retail groceries' market study (market research in food, beverages, toiletries and household supplies) and the press publishing market study. In addition, in 2017 the CCA performed the insurance market study.

In accord with its **transparency policy** the CCA has continued to publish its decisions on its official website and provide replies to the inquiries of the press. In 2017 there have been 88 decisions and 11 press releases published and 40 replies to the journalists' questions.

The CCA communication activities also included the publication of 11 issues of **monthly e-bulletin AZTNinfo** in 2017.

The transparency of the work of the CCA has also been ensured by guaranteeing access to files within the meaning of the **Act on the Right of Access to Information**, guaranteeing the right of all individuals and legal entities to obtain information held by public authorities. In 2017 there were 9 requests for access to files – 7 thereof were cleared, 2 were denied. The information commissioner has been communicated the Report on the implementation of the Competition Act for 2017.

In 2017 the CCA resolved a total of 645 cases. This is a slight increase of 0.6 per cent in comparison with the previous report year.

On its 20th anniversary it is worth mentioning that the CCA resolved **more than 8,000 cases since its establishment in 1997.**

On 31st December 2017 there have been **18 pending (ongoing) cases.**

The above-mentioned figures have been achieved by **44 employed persons** – the number that has not changed since 2016.

The complexity of the work of the CCA asks for a **highly qualified staff** – 75 % of the staff holds a degree or similar whereas 23 % hold a postgraduate degree, masters, specialists or a professional doctorate degree. Only one employee has secondary education. 80 % of the staff are masters of law or masters of economy. All the employed lawyers (17) have passed a bar exam which is one of the mandatory qualifications for a case handler in the CCA.

However, the experts tend to leave the public sector – the problem the CCA is permanently facing like many other EU national competition authorities. These are high-profile experts with specific knowledge and work experience that is very much sought on the labour market. The CCA cannot deal with the problem alone particularly taking into account the so called "2 for 1" government clause that prohibits employment of one new expert unless two leave.

In the report year the CCA has also actively participated in some far-reaching **legislature activities** both at the national and global level.

First of all, the CCA organized and led the working group for the adoption of the **Act on actions for damages for infringements of competition law**, OG 69/17 that entered into force

in July 2017. The piece of legislation concerned transposes the EU Directive no. 2014/104 on actions for damages under national law for infringements of the competition law provisions and empowers the Croatian commercial courts for the direct application of Articles 101 and 102 of the TFEU in private litigation and claims for damages or the amount of damages to be awarded for the infringements of the Croatian Competition Act or Articles 101 or 102 of the TFEU.

Subsequently, the CCA drafted and proposed to the Government the adoption of the **Regulation on the amendments to the Regulation on immunity from fines and reduction of fines**, OG 96/17.

In addition, the CCA proposed to the Ministry of the Economy, Entrepreneurship and Crafts at the end of 2017 the adoption of the amendments to the **Competition Act and drafted the text of the proposed revisions** with the purpose of:

a) defining the status of the CCA as an autonomous and independent legal person performing the activities of a general national regulatory authority in the area of competition in charge of all markets within the scope and in line with the competences defined by the Competition Act. This is necessary on the account of the fact that even though the existing Competition Act implies that the CCA is a national regulatory authority in charge of competition in all markets, it fails to provide an explicit definition of the CCA as a national and general regulatory authority in charge of competition issues on all markets;

b) enabling the CCA to propose to the Government the adoption of provisions revoking the block exemption from the general ban of the agreements under Article 8 paragraph 1 of the Croatian Competition Act for certain categories of agreements, in case the market situation or market conditions change,

c) ensuring the termination of the Regulation on block exemption granted to insurance agreements,

d) corrigendum of three provisions of the existing Croatian Competition Act dealing with concentrations between undertakings (Article 17 paragraph 6, Article 19 paragraph 7 and Article 58 paragraph 1 item 13) with the view to ensuring proper application of the EU competition law where the European Commission decides to refer the assessment of a particular concentration between the undertakings producing effects on trade between the Member States to the CCA (regardless of the fact whether the turnover thresholds at the national level are fulfilled or not). Namely, the current Article 19 paragraph 7 of the Croatian Competition Act reads that “where the Commission decides within the meaning of the Council Regulation (EC) No. 139/2004 not to assess a concentration producing effect on trade between the EU Member States that at the same time meets the conditions under Article 17 of this Act and that the assessment of the concentration concerned should be assigned to the Agency, the parties to the concentration at issue shall notify the proposed concentration to the Agency within 30 days from the date of the receipt of the relevant decision of the

Commission." In other words, the current reading of this provision, despite the fact that the European Commission holds the CCA, a national competition authority, the best-placed authority to carry out the assessment of the concentration concerned, the CCA cannot assess the concentration producing effect on trade between the EU Member States that had been notified to the European Commission within the meaning of the Regulation (EC) No. 139/2004, if the turnover thresholds provided under Article 17 of the Croatian Competition Act are not met.

On the other hand, the revisions would enable the CCA to terminate the proceedings that it opened as a national competition authority pursuant to Article 101 or Article 102 of the TFEU. Namely, the existing provision under Article 58 paragraph 1 item 13 of the Croatian Competition Act stipulates, among other things, takes non-infringement decisions within the meaning of the provisions of the Croatian Competition Act or Article 101 or Article 102 of the TFEU. Such a provision contravenes with the EU competition law, concretely, Article 5 paragraphs 1 and 2 of the Council Regulation (EC) No 1/2003 in the part where it refers to Articles 101 and 102 of the TFEU.

The proposed revisions mentioned above have been submitted to the Ministry of the Economy, Entrepreneurship and Crafts whereas the adoption of the revised Croatian Competition Act is expected in 2018.

The legislative activities of the CCA in 2017 at the international level involved the work on drafting of the **Directive of the European Parliament and of the Council to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market**. The proposed text of the Directive was published by the European Commission in March 2017. The new rules are aimed at empowering the competition authorities to be more effective enforcers of the EU competition rules.

This Directive sets out certain rules to ensure that national competition authorities have the necessary guarantees of independence, resources, and enforcement and fining powers to be able to effectively apply Articles 101 and 102 TFEU so that competition in the internal market is not distorted and that consumers and undertakings are not put at a disadvantage by national laws and measures which prevent national competition authorities from being effective enforcers. It is necessary to ensure fairer and more open competitive markets in the EU, in which undertakings compete more on their merits and without company erected barriers to market entry, enabling them to generate wealth and create jobs.

The Position of the Republic of Croatia regarding the Proposal of the Directive concerned was adopted by the Croatian Parliament on 6 October 2017. In the period from June to October 2017 meetings in the EU Council were held where the delegations from the Member States provided the European Commission with their proposals and comments on the first draft of the Directive. Besides the meeting in the EU Council, the representatives of the national

competition authorities took part in the consultation with the European Economic and Social Committee that made its report and proposed revisions in the text of the Directive. In the first half of 2018 the text of the Directive was completed and agreed with the EU Parliament. The publication of the Directive is expected by the end of 2018 whereas the deadline for its transposition in the legislative frameworks of the Member States will be two years.

Within its international cooperation the representatives of the CCA continued with its activities in the OECD Competition Committee. Despite the fact that Croatia is not yet the OECD member the CCA has been actively participating in the work of the Competition Committee since 2016. The efforts made by the CCA within the OECD activities that are open to the non-member countries together with its energy that has been put into becoming the participant, in collaboration with the Ministry of Foreign and European Affairs, have been acknowledged.

For years now the representatives of the CCA have been participating in the seminars of the OECD (GVH) Regional Centre in Budapest that fully covers the costs. The experts of the CCA also participated in OECD Global Forum in Paris.

In 2017 the CCA marked its 20th anniversary – 20 years of operation, establishment and development of competition law and policy in Croatia.

This was the occasion to invite the representatives of the Committee for the Economy of the Croatian Parliament to the CCA – this was the first time the **representatives of the Croatian Parliament had visited the CCA** and got acquainted with its work on the premises of the CCA.

The 20th anniversary was marked with two international conferences about competition law and policy – **10th FTC Annual Seminar for SEE on Economic Issues in Competition Law and International Conference on Competition Law and Policy**. The latter was the opportunity to show the importance of the role of the CCA in the enforcement of competition rules and the creation of competition culture in the Croatian society.

In 2017 the CCA was empowered for enforcement of unfair trading practices provisions in food supply chain. The Act on the prohibition of unfair trading practices in the business-to-business food supply chain (UTPs Act) entered into force on 7 December 2017.

The UTPs Act establishes the rules and effective redress mechanisms to eliminate UTPs being imposed by a trading partner in the food supply chain where a superior bargaining position is abused by the buyer and/or the processor or the re-seller with respect to the supplier.

The UTPs Act wants to establish, ensure and promote the fair-trading practices that would protect the participants in the food supply chain.

The addressed actors of the UTPs Act are all the participants in the food supply chain – producers, buyers, processors, wholesalers and retailers.

Taking into account the 2013 EU stakeholders' self-regulatory framework (the Supply Chain Initiative) and the European Commission Communication tackling unfair trading practices in the business-to-business food supply chain in 2014, the Republic of Croatia decided to regulate the area concerned incorporating the best solutions from the previous documents into a legislative framework.

Namely, over the past few decades, developments such as the increased concentration and vertical integration of market participants across the EU have led to structural changes in the food supply chain. These developments have contributed to a situation of significantly different levels of bargaining power and economic imbalances in individual trade relations between the traders and small and medium-sized suppliers. An effective enforcement system, apart from the costly civil law court proceedings, needs to address the weaker party's fear of compromising its commercial relationship when complaining openly to authorities about UTPs.

Based on the 2016 Commission Report on unfair business-to-business trading practices in the food supply chain the Croatian UTPs Act defines four major forms of UTPs in the unfair use of superior bargaining power in the situations where one party unduly or unfairly shifts its own costs or entrepreneurial risks to the other party; where one party makes unilateral and/or retroactive changes to a contract; where a confidentiality clause is violated and where a contractual relationship has been unfairly terminated.

The UTPs Act provided for the transition period until 31 March 2018 for all the retailers, buyers and processors who had to adjust the provisions of the contracts entered into between the buyers and re-sellers and the re-sellers and/or processors and their suppliers that had been concluded before the UTPs Act entered into force, with the UTPs rules. Otherwise, these contracts became null and void on 1 April 2018.

With the view to conveying clear and comprehensible information about the new piece of legislation to the addressed actors in December 2017 the CCA in collaboration with the Croatian Chamber of the Economy (HGK), the Croatian Employers' Association (HUP), the Ministry of Agriculture, attorneys and addressed actors, drafted the first version of the Guidebook on unfair trading practices that brings together the Q&As in the area concerned. The document has been published on the web page of the CCA and the Ministry of Agriculture.

During February and March 2018, the representatives of the Ministry of Agriculture and the CCA in cooperation with the Croatian Chamber of the Economy held a number of interactive workshops about the application of the UTPs rules in Zagreb, Split, Osijek, Rijeka, Pula and Varaždin. The workshops attracted some 700 participants.

The full application of the UTPs Act started on 1 April 2018, in other words, after the report period of 2017. Nevertheless, it is worth mentioning that until the completion of this report using the sampling strategy the CCA has already requested ex officio and received some 150

contracts that had been concluded between the resellers and their suppliers, home and abroad, with the view to establishing whether the UTPs Act provisions have been respected.

The analysis of the contracts is a complex and time-consuming proceeding due to a large number of necessary steps that must be taken in order to established whether the unfair trading practices have been used and UTPs rules violated. Thus, the proceeding may last from six to nine months.

At the time this report is submitted to the Croatian Parliament and notwithstanding the fact that the cases referred to before are still pending, in some 30 received contracts the CCA spotted the existence of one or more unclear provisions that may raise concerns. The circumstances of these cases indicated that opening of a formal investigation was necessary. At this moment some 20 administrative proceedings have been initiated by the CCA against retailers, buyers or processors.

The CCA received also a number of anonymous complaints that served as a basis for the initiation of the proceedings against particular buyers of agricultural products.

In line with its confidentiality obligation, the CCA cannot give comments or provide any information about an ongoing case. It publishes the final decision in its entirety on its website.

The cases in this area of CCA competence will be discussed in more detail in its annual report for 2018.

The Croatian Parliament ratified the Revisions of the CCA Statue on 29 June 2018. The revisions incorporate the changes of the organisational structure, concretely, the establishment of the Unfair Trading Practices Division and the expansion of the jurisdiction concerning the Competition Council and the expert team. Financial resources from the State Budget were ensured for the salaries of six new employees (four lawyers and two economists), necessary equipment and the rise in overheads in the amount of HR Kuna 1.360,628.

As a legal person with public powers the CCA particularly pays attention to how it pursues its activities and carefully balances its budget.

The CCA is financed exclusively from the State budget and has no operational or financial revenue of its own. Administrative fees and fines set and imposed by the CCA are contributed to the State budget of the Republic of Croatia.

The planned funds for the regular operational activities falling under the scope of the CCA in the State budget for 2017 amounted to **HR KUNA 11,348.740**. The total executed budget in 2017 amounted to **HR KUNA 11,117,685**, which was 97.96 % of the planned funds.

In 2017 the expenditures for employees held the highest share of HR KUNA 7.527,225.28 or 67.7 % in the total expenditures. These expenditures rose by HR KUNA 37,154.44 or 0.5 % compared with 2016 due to the rise in basic salary and stored-up labour.

Material costs held a 29.72 % share in total expenditures. The highest share in material costs of 76.5 % was attributed to the expenditures for services. Within this category of costs, the significant part was contributed to the costs for the lease of business premises and equipment of HR KUNA 1.461,301.38 (57.82 % expenditures for services).

Compared with 2016 material costs rose by 27.73 % that were used for data management software upgrade and data migration.

The CCA has been endeavouring to use the resources with minimum spending. Optimal spending is also achieved by workshops and trainings held by the experts of the CCA for their colleagues and co-workers in the form of so-called *in-house workshops* where interesting cases from the CCA practice or EC practice are presented and discussed. The CCA scrutinizes all the costs relating to the everyday operation of the staff, and particularly the travel costs for the trips of the staff that are mandatory, such as the participation in the meetings of the ECN working groups. These travel costs are meticulously planned and evaluated given the fact that the part of these costs is remunerated by the European Commission.

The CCA financial year of 2017 was generally marked by plan reductions and savings for the State Budget. On one hand this was due to the reductions in staff, maternity leaves and sick leaves, on the other hand, the introduction of the central public procurement procedure resulted in lower costs and falling administrative fees.

In the forthcoming period the CCA will focus its activities on sanctioning of the most severe distortions of competition, such as abuse of a dominant position by undertakings in the market and restrictive agreements between undertakings. It is expected that the activities relating to merger control will be intensified due to the consolidation processes in the market and the still present consequences of the economic and financial crisis.

The CCA will continue to carry out the annual sector inquiries in the groceries sector and the press publishing industry. Other market studies in particular sectors will be planned by the CCA depending on the likeliness of infringements of competition rules in sensitive markets and potential harm for the consumers.

The CCA will keep competition advocacy, raising awareness about compliance with competition rules and creating of competition culture in the centre of its interest.

The enforcement of the recently adopted Act on the prohibition of unfair trading practices in the business-to-business food supply chain asks for a number of structural, organizational and manpower requirements. The CCA as the authority in charge of the enforcement of the UTPs Act at the national level will continue to actively cooperate with the Ministry of Agriculture and its experts will participate in the drafting of positions and comments regarding the Directive of the European Parliament and of the Council on unfair trading practices in business-to-business relationships in the food supply chain.

With the view to proper application of the EU rules the CCA will continue its cooperation with the European Commission and its participation in the drafting and adoption of the Directive to empower the competition authorities of the Member States to be more effective enforcers.

All the mentioned activities have been pursued by the CCA for 20 years – since its establishment in 1997. These are regulatory activities that cover all sectors of the economy – a detail that should be clearly defined in the revisions of the legal framework in force – and which makes the CCA the general regulator at the national level.

The CCA will continue to play its active role in the cooperation with the European Commission and the national competition authorities within the European Competition Network (ECN).

In the area of raising awareness about the importance about the compliance of businesses with competition rules the CCA's priority remains to advocate competition law regarding the undertakings, state bodies and the general public. Transparency of its activities, decisions, opinions and annual reports will continue to reflect through the available communication channels based on the CCA Communication Strategy. On its website the CCA will continue to publish the relevant articles written by its experts and press releases drafted by its communication officer. Its experts will answer the invitations of the media, journalists, broadcasters and continue to organise press conferences, publish its monthly e-bulletin and other guides and participate in conferences and workshops covering the specific matters in the area of competition law and policy.

Taking everything mentioned above into account the CCA assesses its work in 2017 as efficient and successful, particularly regarding the specific nature and challenges of the implementation of the Act on the prohibition of unfair trading practices in the business-to-business food supply chain.

For any further details of the 2017 Annual Report of the Croatian Competition Agency please refer to its full version in the Croatian language available at the web site of the CCA, also including the list of CCA decisions in 2017, the list of rulings of the High Administrative Court of the Republic of Croatia in 2017 and the list of sanctions imposed by the CCA on undertakings for infringements of competition rules in 2017.

<http://www.aztn.hr/godisnja-izvjesca/>

President of the Competition Council

Mladen Cerovac, LL.M.

Zagreb, 12 September 2018