



# ANNUAL REPORT



# 2024

CROATIAN COMPETITION AGENCY



# INTRO

## Mirta Kapural, PhD, LL.M

President of the Competition Council



Sandra Šimunović/PIXSELL

The year 2024 was marked by intensive work and tangible results for the Croatian Competition Agency (CCA). Our core mission remained unchanged: safeguarding competition, ensuring a level playing field for undertakings, and protecting consumers. Behind these objectives stand concrete decisions, procedures, and data that clearly demonstrate our contribution to the market and to society.

Over the past year, we resolved a total of 761 cases, an increase of 15% compared with 2023. This reflects steady progress in our work and a consistent rise in resolved cases, even with limited resources. Of these, 64 were administrative cases and 697 non-administrative cases, illustrating the breadth of our activities—from addressing the most serious infringements of competition rules to issuing opinions and guidance to legislators.

For infringements under both laws within our remit that were proven to harm the market, undertakings, and consumers, we imposed fines totalling EUR 1.49 million. This sends a clear message: serious infringements of competition law—whether cartels, abuse of a dominant position, or unfair trading practices in the food supply chain—require accountability and cannot go unsanctioned.

In the field of antitrust enforcement, we found one prohibited agreement between competitors (cartel) involving six undertakings, as well as one abuse of a dominant position through predatory pricing. Fines totalling EUR 1.17 million were imposed for these infringements.

I would particularly highlight our work in prohibiting unfair trading practices in the food supply chain. We concluded three administrative proceedings and adopted decisions protecting suppliers from the buyers' use of significant bargaining power. In total, we imposed EUR 227,000 in fines in this area, once again confirming the CCA's role as an institution that safeguards balance in buyer-supplier relations in one of the most sensitive sectors—the food supply chain.

The year 2024 also brought important institutional advances. We established a Digital Affairs Department, thereby strengthening our capacity to monitor digital markets, major platforms, and emerging business models. For the first time, we publicly defined our enforcement priorities with the aim of enhancing monitoring and the enforcement of competition rules across several key sectors. Particular focus was placed on electronic communications and on the hotel accommodation and hospitality sector, including the distribution of accommodation via digital platforms. In the electronic communications sector, we intensified our monitoring of market behaviour in a dynamic environment characterised by rapid development and repeated infringements in prior years. In the hotel accommodation sector, we carried out complex merger assessments, monitored market concentration levels across regions, and removed barriers to competition in different sales channels. In addition, the CCA

**“ In 2024 we resolved a total of 761 cases, an increase of 15% compared with 2023. ”**

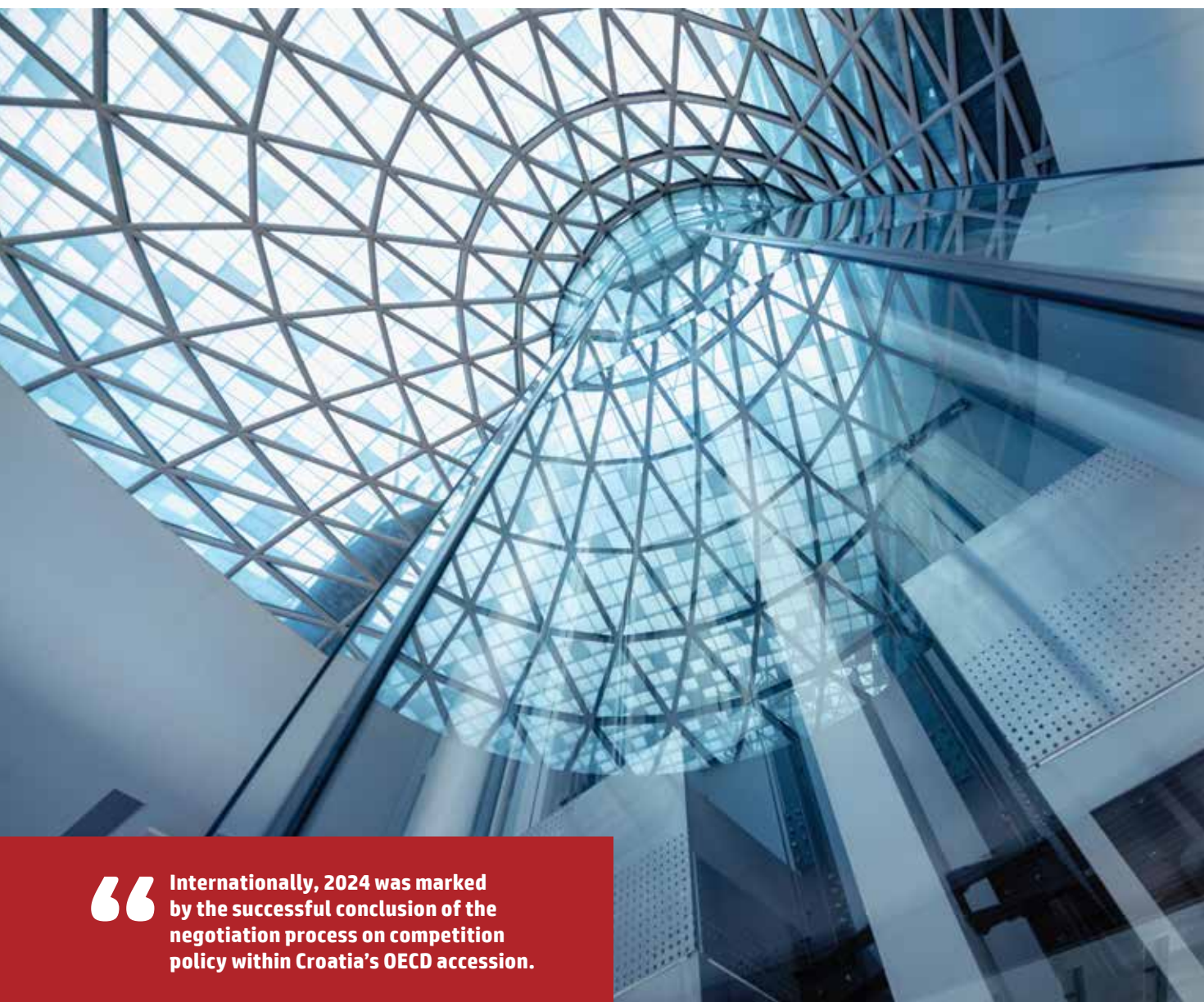
assumed a specific role in the implementation of the EU Digital Markets Act.

Internationally, 2024 was marked by the successful conclusion of the negotiation process on competition policy within Croatia's OECD accession. We actively cooperated within the European Competition Network (ECN), and we are particularly proud that the CCA hosted the June 2024 meeting of the heads of EU Member States' national competition authorities in Split.

Transparency and openness to the public remained central to our work. We published 57 decisions, responded to 34 media enquiries, issued 88 press releases, and disseminated 11 editions of the "AZTN Info" electronic bulletin. We also conducted two extensive sector inquiries—on the grocery retail market and the press publishing market—which pro-

vide valuable insights into the structure and dynamics of these sectors. The CCA plays an important role not only in ensuring compliance with competition rules but also in educating undertakings and the wider public. Throughout the year, we delivered more than 20 expert lectures and workshops and prepared educational materials and video content to help explain, in a clear and accessible way, the importance of competition rules and the prohibition of unfair trading practices.

The year 2024 once again demonstrated that the CCA has the expertise and capacity to decisively protect competition and fair-trading practices in the food supply chain. We will continue to work with the same responsibility and dedication, as effective competition is not merely a legal concept—it is the foundation of the economy and brings benefits to every consumer.



**“ Internationally, 2024 was marked by the successful conclusion of the negotiation process on competition policy within Croatia's OECD accession. ”**

# HIGHLIGHTS OF THE YEAR 2024

**23 January**

Working visit by the Chair of the Croatian Parliament's Committee on Agriculture

**28 February**

The Croatian Parliament confirmed the new composition of the Competition Council

**7 March**

The Act on Amendments to the Act on the Prohibition of Unfair Trading Practices in the Food Supply Chain was adopted

**13 March**

The Croatian Competition Agency and the Agency for Electronic Media signed a cooperation agreement

**10 June**

The Croatian Competition Agency and the State Attorney's Office of the Republic of Croatia signed a cooperation agreement

**12 September**

The CCA imposed a fine of EUR 132,000 on STUDENAC d.o.o., Omiš for a serious infringement of the UTPs Act

**September**

The negotiation process on competition policy within Croatia's OECD accession was concluded

**2 October**

Conference held in Osijek under the title "Current Issues in the Enforcement of the Act on the Prohibition of Unfair Trading Practices in the Food Supply Chain"

**15 November**

The Croatian Parliament adopted the CCA Annual Report for 2023

**28 November**

Working visit by the Chair of the Croatian Parliament's Committee on the Economy

**18 December**

The CCA found that Ericsson Nikola Tesla d.d., Retel d.o.o., Kodeks d.o.o., Vatel d.o.o., LUMISS d.o.o. and Mitel Austria GmbH participated in a prohibited agreement (cartel) in the sale and maintenance of PBX systems in the Republic of Croatia

**23 December**

The CCA found that the Croatian Hunting Association abused its dominant position and distorted competition in the provision of hunter-training services in Croatia

# OUR TASKS AND OBJECTIVES

The CCA is a stand-alone and independent legal person with public authority, a general, national regulator in charge of competition in all markets. It performs the activities within its scope and powers regulated by the Competition Act, OG 79/09, 80/13, 41/21 and 115/23) and Articles 101 and 102 of the Treaty on the functioning of the European Union, OJ C 115, 09.05.2008 (TFEU). In other words, the CCA applies the national competition law under the national Competition Act in parallel to European competition law contained in Articles 101 and 102 TFEU.



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

**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, OG 117/17, 52/21 and 27/24; (UTPs Act). The full application of the UTPs Act started on 1 April 2018 and the application of the Revised UTPs Act 2021 on 1 March 2022. For the first time this piece of legislation has regulated the area of unfair trading practices in the business-to-business food supply chain in Croatia. 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 buyers with respect to their suppliers. The UTPs Act seeks to establish, ensure and promote fair-trading practices that would protect the participants in the business-to-business food supply chain.**



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 enhancing their choice, creation of high-quality innovative goods and services at lower prices, that at the same time encourage undertakings to improve effectiveness and innovation in the market.



The task of the CCA is to ensure the proper functioning of the market that produces benefits for the consumers, undertakings and the economy as a whole, by removing the barriers and addressing the market failures through effective enforcement of competition rules and the rules on the prohibition of unfair trading practices.



**The CCA is the competent authority for the implementation of the Regulation on the implementation of the Digital Markets Act (DMA), which lays down rules to ensure contestability and fairness in digital sector markets in general, and in particular for business users and end users of core platform services provided by gatekeepers.**

# ABOUT CCA – ORGANIZATION AND FINANCING

## COMPETITION COUNCIL

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

The conditions for the appointment, the term of office and the scope of competence of the Council are regulated by the Competition Act. 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.

At the same time, the president and the members of the Council cannot be relieved from office due to the reasons linked with the orderly performance of their duties and orderly exercise of their powers in the application of the Competition Act and Articles 101 and 102 TFEU. As the managing body of the CCA the Council adopts its decisions in its sessions, with the majority of at least three votes. The president or the vice-president of the Council must be present at the session.

## CCA EXPERT TEAM

Everyday administrative tasks are carried out by the expert team of the CCA, that consists of masters of law with a passed Bar Exam, masters of economics specialized in competition law and policy 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 and investigation activities in establishing the facts of any case, whereas the Council adopts the decisions on the basis of which the case is resolved.

## CCA FINANCING

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 CCA is ensured resources in terms of sufficient qualified staff, financial means, technical and technological expertise, and equipment. On the other hand, 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.

## FINES

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. Since it acquired the power to impose fines under both laws (Competition Act since 2012 and the Act on Prohibition of Unfair Trading Practices in the Food Supply Chain since 2017) and up to the end of 2024, the CCA has imposed fines totalling EUR 6,829,686.14, of which EUR 5,520,522.52 relates to competition law infringements and EUR 1,309,163.61 to unfair trading practices.

### FINES IN 2024



**1,487,903.44**

EUR  
total fines imposed

**1,260,903.44**

EUR fines in the area of competition  
law

**227,000.00**

EUR fines in the area of unfair trading  
practices

# 2024 IN FIGURES

## CCA ENFORCEMENT PRIORITIES IN 2024

In 2024, the CCA has publicly defined its enforcement priorities for the first time, thereby laying the foundation for more effective and strategically focused action, more efficient use of limited resources, and greater transparency of its work. This practice enables better allocation of resources to interventions with the greatest impact on competition, innovation, and end consumers.

The CCA's priorities include:

- detecting and sanctioning prohibited horizontal agreements (cartels), particularly in public procurement procedures, as well as other prohibited agreements,
- detecting and sanctioning abuse of a dominant position,
- merger control, and
- combating unfair trading practices.

In 2024, the CCA identified the electronic communications market and the tourism accommodation market—particularly hotel accommodation and related hospitality services—as sectors of strategic importance. These markets were prioritised due to their dynamic development and the higher number of established competition infringements in previous years. By defining priorities, the CCA ensures greater legal certainty for market participants and a more effective assessment of complaints, focusing on cases with the most significant procompetitive effects.

## NEW TOOL FOR ANONYMOUS REPORTING OF CARTELS

To further improve the detection of the most serious competition infringements, in 2024 the CCA introduced an anonymous cartel reporting tool through a dedicated digital system available on its website.

The system is intended for anyone who possesses information on potential infringements—employees, business partners, or third parties—and enables complete anonymity and confidentiality, including two-way communication with the CCA.

The tool allows reporting of various forms of prohibited agreements, including:

- price-fixing,
- market or customer allocation,
- bid-rigging in public procurement, and
- limiting innovation or distribution rights.

The tool has been developed in line with best practices of the European Commission and EU Member State authorities and represents an important step forward in strengthening the competition regime in the Republic of Croatia.

## ROLE OF THE CCA IN MONITORING COMPETITION IN THE DIGITAL ENVIRONMENT

In 2024, the CCA established the Digital Affairs Department with the aim of strengthening its competence in the area of digital markets, which increasingly shape the economic environment. Within the new department, data analysis specialists have been employed, thereby enhancing the CCA's capacity to monitor market behaviour and market 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 improved enforcement of competition rules and consumer protection in the digital age.

The department has also taken a leading role in preparing the TSI technical assistance project entitled Supporting Digital Transformation in Competition Law Enforcement, which the European Commission officially approved by its decision of 31 March 2025.

## RESOLVED CASES IN 2024

**761**

cases in the area of competition and unfair trading practices in the food supply chain

**64**

administrative cases

**697**

non-administrative cases

**38**

complaints relating to competition issues

**13**

written submissions



## PROHIBITED AGREEMENTS

**42**  
cases

**19** administrative  
**23** non-administrative cases

**22**

resolved cases and preliminary  
market investigations



## ABUSE OF DOMINANCE

**33**  
cases

**29** administrative  
**4** non-administrative cases

**22**

resolved cases and preliminary  
market investigations



## ASSESSMENT OF CONCENTRATIONS



**30**  
cases

**13** administrative cases  
**17** non-administrative cases

**29** relevant market investigations  
**0** prohibited concentrations

## INVESTIGATIONS IN CONCRETE CASES

**73**

preliminary market investigations

**22**

cases in prohibited agreements

**22**

cases in abuse of dominance

**29**

cases regarding assessment of  
compatibility of a concentration



## TWO SECTOR INQUIRIES

grocery retail (market  
research in food, beverages,  
toiletries and household  
supplies)

press  
publishing

## ADVOCACY CASES

**98**

cases

**6** expert opinions on laws

**91** answers to different queries

**1** cooperation

## CCA IN 2024

**57** published decisions

**34** responses to journalists' questions

**15** parties' queries

**88** press releases published

**11** e-bulletins published

## UNFAIR TRADING PRACTICES

**3**

infringement cases  
under the UTPs Act  
with imposed fines



# Enforcement of competition rules

In 2024 the CCA continued with its core activity and that 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 (EC). Within this objective, the focus of CCA's work was on the activities of undertakings that directly distort competition and limit 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, and they are therefore defined in detail under the Competition Act.

The initiative for the initiation of the proceeding falling under the scope of the CCA, in other words, a request, a proposal, a notice or a complaint – may be submitted in writing by any legal or natural person, professional association or economic interest group or association of undertakings, consumers association, the Government of the Republic of Croatia, central administration authorities and local and regional self-government units.

**“ Within the concrete case proceedings that were closed in 2024 the CCA carried out 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.**

**“ For the infringements of the Competition Act in 2024 the CCA imposed the fines in the total amount of EUR 1,260,903.44.**

# Prohibited agreements

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. Naturally, these priorities included also prohibited vertical agreements.

In 42 resolved cases, the CCA conducted preliminary market investigations in the following 22 relevant markets:

- the public procurement market for cadastral surveying services and preparation of cadastral survey reports commissioned by the State Geodetic Administration,
- the public procurement market for cable and connection accessories, including connection and suspension accessories for low-voltage networks and for medium-voltage networks,
- the market for the sale of ice cream in hospitality establishments in the Town of Poreč,
- the market for the provision of legal services related to the application of the Public Procurement Act,
- the electronic communications services market,
- the public procurement market for equipment for a tailoring workshop of a school for fashion and design,
- the market for servicing karting vehicles,
- the market for the provision of wedding services,
- the market for occasional maritime passenger transport in the Korčula archipelago,
- the public procurement market for office supplies,
- the wheat purchase market,
- the market for the provision of food delivery services via digital platforms,
- the IT equipment distribution market,
- the market for the provision of deposit services by banks,
- the retail market in the Republic of Croatia,
- the insurance market,
- the telecommunications equipment market,
- the procurement market for laboratory equipment,
- the market for the acquisition of TV rights,
- the EU market relating to the exchange of information carried out within a network of bilateral contacts between representatives of various banks in connection with corporate bonds in Europe,
- the soft drinks distribution market, and
- the land surveying services market.



**42**  
resolved  
cases

**19**  
adminis-  
trative

**23**  
non-  
adminis-  
trative

**22**  
relevant  
markets

# Example of a prohibited vertical agreement

**CCA ERICSSON NIKOLA TESLA D.D. ZAGREB, RETEL D.O.O. ZAGREB, KODEKS D.O.O., ZAGREB, VATEL D.O.O., SPLIT, LUMISS D.O.O. DUBROVNIK AND MITEL AUSTRIA GMBH, AUSTRIA**

The Croatian Competition Agency issued a decision on 18 December 2024 confirming that within the meaning of Article 8 of the Competition Act the following six undertakings participated in a prohibited agreement in the sale and maintenance of private branch exchange (PBX) systems (telecommunications systems used to manage and route incoming and outgoing telephone calls within an organisation) in Croatia: Ericsson Nikola Tesla d.d. (ENT) – based in Zagreb, Retel d.o.o. – based in Zagreb, Kodeks d.o.o. – based in Zagreb, Vatel d.o.o. – based in Split, LUMISS d.o.o. – based in Dubrovnik, Mitel Austria GmbH – based in Austria.

The violation was confirmed to have taken place between 1 October 2010 and 14 July 2015.

The CCA imposed the fines totalling €1,170,968.24 on the involved undertakings, distributed as follows: Ericsson Nikola Tesla (ENT): €785,570.58, Kodeks: €113,405.66, Retel: €23,734.29, Vatel: €39,135.04, Lumiss: €29,834.54 and Mitel Austria: €179,288.13.

## BACKGROUND OF THE INVESTIGATION

The investigation was initiated based on Article 8 paragraph 1 items 1 and 3 of the Competition Act to examine a potential prohibited agreement in the PBX market, specifically within the Enterprise Program.

The Enterprise Program was originally a business telephone system of the Swedish company Telefonaktiebolaget LM Ericsson (and its connected undertakings) but was sold to Aastra Technologies Limited (Canada) in May 2008. In 2014, Aastra was taken over by Mitel Networks Corporation (Canada), the current manufacturer of the PBX equipment in question.

## NATURE OF THE PROHIBITED AGREEMENT

The CCA found that Ericsson NT, Kodeks, Retel, Vatel, and Lumiss engaged in a market-sharing agreement by allocating specific customers to each participant. The companies agreed not to compete with each other in sell-

## IMPOSED FINES in EUR

**785,570.58**

Ericsson Nikola Tesla

**113,405.66**

Kodeks

**23,734.29**

Retel

**39,135.04**

Vatel

**29,834.54**

Lumiss

**179,288.13**

Mitel Austrija

ing, installing, maintaining, and upgrading Ericsson/Aastra/Mitel PBX systems to avoid price competition.

### APPLICATIONS FOR LENIENCY

In line with Article 17 of the Regulation on immunity from fines and reduction of fines, during the proceedings, two undertakings applied for leniency measures:

- Steiner – applied for full immunity from fines, whereas
- Kodeks – applied for a reduction of fines.

Both undertakings admitted the existence of the cartel and their participation in the agreement, but Kodeks claimed that

Ericsson NT initiated and enforced the agreement, indirectly pressuring Kodeks, who was not either the initiator or the ringleader, into compliance to avoid exclusion from the market.

Additionally, Steiner and Kodeks revealed that the undertaking Aastra, who was taken over by the Canadian Mitel in 2014, played an active role in the prohibited agreement through its daughter company Mitel Austria.

### LEGAL BASIS AND VIOLATION CLASSIFICATION

According to Article 8 of the Competition Act all agreements between two or more independent undertakings, which have as their object or effect the distortion of competition in the relevant market are prohibited.

This case involved a specific type of cartel (intra-brand cartel), where competitors colluded on the distribution of a single brand's product – Ericsson/Aastra/Mitel PBX systems.

All participants in the prohibited agreement directly engaged in every relevant aspect of that agreement, or in anti-competitive behaviour constituting a unique and ongoing infringement and are therefore held fully responsible for the infringement.

Market-sharing agreements are considered severe infringements of competition law, as they by nature restrict competition by object and are strictly prohibited under Article 8 paragraph 1 of the Competition Act.

### EU COMPETITION LAW CONSIDERATIONS

The CCA also investigated whether the agreement violated Article 101 of the Treaty on the Functioning of the European Union (TFEU). There were no legal grounds to proceed under the EU law, leading to termination of that part of the case.



**“ Ericsson NT, Kodeks, Retel, Vatel, and Lumiss engaged in a market-sharing agreement by allocating specific customers to each participant. The companies agreed not to compete with each other in selling, installing, maintaining, and upgrading Ericsson/Aastra/Mitel PBX systems to avoid price competition.**

# Abuse of a dominant position

Dominance is not prohibited but abuse of dominance is, and it takes the most typical forms like:

- directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions;
- limiting production, markets or technical development to the prejudice of consumers;
- applying dissimilar conditions to equivalent transactions with other undertakings, thereby placing them at a competitive disadvantage;
- making the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts.

Abuse of a dominant position by an undertaking/s on the market is also a hard core restriction of competition that impedes the competitive market structure and prevents the competitors from market entry or growth. Within the meaning of the Competition Act the undertaking which holds more than a 40 per cent market share in the relevant market can be presumed to be dominant but this is a rebuttable legal presumption.

When identifying a dominant position on the market, a whole range of factors are taken into account, such as, for example, the time during which the undertaking holds a high market share and its market position, its economic power, advantageous access to sources of supply or the market, economic links with other undertakings, legal or factual barriers to entry, the ability to impose market conditions with regard to its supply or demand and the ability to exclude competitors from the market by targeting other undertakings.

Abusive exclusionary practices are particularly detrimental to competition. This is why in 2024 the CCA continued to investigate whether certain undertakings have been involved in such abusive practices.

In 2024 the CCA conducted a preliminary market investigation into the following 22 relevant markets:

- provision of disinfection, pest control and rodent control services,
- provision of postal services,
- distribution of sports channels,
- rental of premises,
- provision of seasonal maritime passenger transport services as an integral part of a tourist service, i.e., taxi boat services,
- fast-food preparation in the City of Zagreb,
- leasing of public and private areas (land) and real estate for the provision of outdoor advertising services, and the

- provision of outdoor advertising services,
- distribution of photocopying paper,
- provision of training and licensing services for hunters,
- provision of electricity distribution services,
- acquisition (takeover) of business shares,
- activities of the Croatian Veterinary Institute,
- compulsory and comprehensive motor vehicle liability insurance,
- advertising services,
- distribution of ceramic tiles,
- organisation of investment trading,
- truck freight transport,
- provision of bus station services for passenger bus transport in the Town of Varaždin,
- international bus passenger transport on the Osijek–Frankfurt and Vukovar–Dortmund routes,
- provision of supply services to shops and citizens in the historic centre of the Town of Dubrovnik,
- provision of municipal waste disposal services, and
- appointment of a compulsory building manager by local self-government units for properties in which co-owners have failed to ensure building management in accordance with the Ownership and Other Real Rights Act in the Republic of Croatia.



**33**

cases  
resolved

**29**

adminis-  
trative

**4**

non-  
adminis-  
trative

**22**

relevant  
markets

# Example of abuse of dominance

CCA V CROATIAN HUNTING ASSOCIATION



The CCA found that the Croatian Hunting Association (CHA) from Zagreb abused its dominant position in the hunter training market in the territory of Croatia in the period from 1 January 2022 to 31 March 2024 by directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions.

In its decision of 23 December 2024 the CCA established that in the period concerned the CHA committed an infringement in the form of abuse of a dominant position within the meaning of Article 13 item 1 of the Competition Act for being engaged in predatory conduct, concretely, by charging then HRK 400 (now EUR 53.09) excluding VAT or HRK 500

**“ For the infringement concerned the CCA fined the CHA 89,935.20 euro based on its turnover realized in the relevant market in 2023 and prohibited any further practices that raise competition concerns.**

(now EUR 66.36) including VAT, in other words, by lowering its price below the cost of the provision of hunter training services with the intention to eliminate or discipline rivals or prevent their entry and likely protect or strengthen its dominant position in the market concerned.

The CCA noted in its decision that a dominant position in the market is not in itself illegal. However, a dominant undertaking is under a special responsibility not to allow its conduct to impair undistorted competition, i.e., the position of economic strength enjoyed by the undertaking which enables it to prevent effective competition being maintained on the relevant market.

Predatory prices are the prices of a product or service that are set below the cost of its production or provision. They can be applied by the undertaking holding a dominant position that due to its significant financial resources or profits from another market where it operates, can sustain in the market while implementing such pricing.

In this context, if the undertaking that holds a dominant position in only one of several markets applies predatory pricing, predatory pricing can be at the same time applied in any of the relevant markets where the undertaking is active, including those where it does not hold a dominant position, provided that these are neighbouring markets that are economically linked in some way. The results of the conducted proceedings indicated that the CHA holds a dominant position in a group of connected neighbouring markets where,

## IMPOSED FINE

# 89,935.20 euro

based on specific rules, it is the sole provider of services in the market protected by legal monopoly. Furthermore, by using the profits gained in monopoly market, the CHA has cross-subsidized its activities in the relevant market for the provision of hunter training services in the territory of the Republic of Croatia, where it does not hold a dominant position, utilizing the funds or resources that do not align with standard competition rules and thereby threatening to eliminate effective competition in that other market.

Furthermore, since it was necessary to determine the price below which the service in question could not be provided, the CCA calculated that the cost of the hunter training program was not covered by the price of then HRK 400 excluding VAT (EUR 53.09) excluding VAT. Additionally, it found that the difference between this price and the actual cost of providing the service was cross-subsidized by the CHA using the funds from county associations and other members or its own resources obtained from a group of connected neighbouring markets where, based on specific rules, it is the sole provider of services protected by legal monopoly.

Additionally, to remedy the negative effects of the CHA practices in the market, the undertaking was ordered to keep separate accounts regarding the activities concerned.

This entails keeping separate accounts of the costs incurred in the provision of hunter training services and those incurred in markets where CHA is the sole provider of the services protected by legal monopoly. Furthermore, it is necessary to establish a requisite legal standard in the matters with its members who participate in any way in the implementation of the hunter training program, ensuring a transparent transfer pricing system for all individual services in actual quantities used in the programme supplied by its members.

These transfer prices must correspond to competitive prices that would be charged to third parties, including the CHA competitors, or at least to the actual incremental cost of producing the respective services. Failure to comply with this commitment may result in the imposition of periodic penalty payments in line with Article 63.a in conjunction with Article 14 paragraph 1 item 3 of the Competition Act.

The remedies to rectify the negative effects of the CHA practices must be implemented by the CHA within four months from the date of the receipt of the CCA decision.

# Merger control

In the sense of competition rules, a concentration between undertakings arises where a change of control on a lasting basis is created by:

- acquisition or merger of two or more independent undertakings or parts thereof that establish a new company or continue to operate under the name of one of these;
- acquiring direct or indirect control or decisive influence of one or more undertakings over one or more undertakings, or a part or parts of an undertaking or undertakings, in particular by acquisition of the majority of shares or share capital, or obtaining the majority of voting rights, or in any other way in compliance with the provisions of the Companies Act.

The creation of a joint venture by two or more independent undertakings performing on a lasting basis all the functions of an autonomous economic entity also constitutes a concentration within the meaning of competition rules. As a rule, mergers (concentrations between undertakings) are a normal and common part of business and a justified form of consolidation or restructuring processes of companies or whole industries with a view to achieving savings and synergies that will ensure new economic entities better performance. Unlike the assessment of possibly prohibited agreements between undertakings or abuse of a dominant position by an undertaking/s 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. Concretely, the parties to the concentration are obliged to notify any proposed concentration to the CCA if the following criteria under Article 17 paragraph 1 are cumulatively met:

- the total turnover (consolidated aggregate annual turnover) of all the undertakings - parties to the concentration, realized by the sale of goods and/or services in the global market, amounts to at least EUR 132,722,808.41 in the financial year preceding the concentration in compliance with financial statements, where at least one of the parties to the concentration has its seat and/or subsidiary in the Republic of Croatia, and
- the total turnover of each of at least two parties to the concentration realized in the national market of the Republic of Croatia, amounts to at least EUR 13,272,280.84 in the financial year preceding the concentration in compliance with financial statements.

In other words, no concentration exceeding the said thresholds can be implemented without the compatibility assessment and approval of the CCA. The task of the CCA is to carry out ex ante investigations into these transactions and run the checks into their possible beneficial effects on market structure and consumer interests, that should outweigh the anticompetitive effects of the concentrations, such as the decline in the number of competitors or the rise in collusive behaviour or possible creation or strengthening

of a dominant position. In 2024 the merger control cases involved the analysis of 29 relevant markets:

- sale of new motor vehicles (in the segments of passenger cars and light commercial vehicles),
- sale of original spare parts for Hyundai, Ford, Renault, Nissan and Dacia motor vehicles,
- provision of repair and maintenance services for Hyundai, Ford, Renault, Nissan and Dacia motor vehicles,
- collection of industrial and commercial waste (bio-waste, wood, bulky waste, metal, mixed construction waste, plastic),
- collection of industrial and commercial waste (paper/cardboard),
- processing of paper/cardboard,
- wholesale of paper/cardboard,
- grocery retail - predominantly food, beverages and household hygiene products,
- production and import of bakery products,
- wholesale of bakery products,
- retail of bakery products,
- purchase of cereals (wheat and maize),
- production of flour,
- wholesale of flour: (a) to industrial customers and (b) to retail chains and wholesalers,
- generation and wholesale of electricity,
- provision of services for the design, construction and maintenance of transformer stations,
- production and sale of transformers,
- production and sale of photovoltaic panels,
- provision of development and construction services for photovoltaic systems (solar power plants),
- production and sale of electricity,
- wholesale of cereals (wheat and maize),
- production and sale of fresh poultry meat,
- production and sale of processed poultry meat,
- retail of fertilizers and plant protection products in specialized outlets (so-called agricultural pharmacies),
- purchase of cereals and oilseeds (commercial commodities),
- wholesale of cereals and oilseeds (commercial commodities),
- wholesale of agricultural inputs (seeds, fertilizers and plant protection products),
- retail of seeds, fertilizers, plant protection products and other agricultural inputs in specialized outlets (so-called agricultural pharmacies), and
- civil engineering construction – construction of water-management and municipal infrastructure facilities.

**30**

resolved cases

**13**

administrative

**17**

non-administrative

**29**

relevant markets

# Example of merger assessment case: Clearance of concentration in Phase I

**MLIN I PEKARE D.O.O., SISAK, PLODINEC D.O.O., VELIKA GORICA, ALLIANZ ZB D.O.O. ZAGREB AND PBZ CO D.D., ZAGREB (IN ITS OWN NAME AND ON BEHALF OF THE FUNDS) / ČAKOVEČKI MLINOVI D.D., ČAKOVEC**

The CCA cleared in Phase I the concentration between the undertakings in the form of acquisition of direct controlling interest on a permanent basis over the undertaking Čakovečki mlinovi d.d., Čakovec by MLIN I PEKARE, PLODINEC, ALLIANZ ZB, PBZ CO (on its own behalf for the benefit of the funds).

The concentration will produce effects on the following relevant markets: the groceries retail market (primarily food, beverages, toiletries and household supplies); production and imports of bakery products; wholesale of bakery products; retail of bakery products; grain procurement (wheat and corn); flour production and wholesale: a) to industrial buyers and b) to retail chains and wholesalers. For all these markets, the territory of the Republic of Croatia is the relevant geographic market, except for the flour production market, that covers the EU area. Additionally, regarding the groceries retail market, the relevant areas include not only the territory of the Republic of Croatia but also the following counties: Varaždin, Zagreb, Krapina-Zagorje, Bjelovar-Bilogora, Osijek-Baranja, Požega-Slavonia, Međimurje, Primorje-Gorski Kotar, Virovitica-Podravina, Istria, and the City of Zagreb.

A detailed analysis of the available data for all identified relevant markets lead to the conclusion that in none of the identified relevant markets does the concentration result in a significant strengthening of the acquirer's position. In the flour production market, even if a more narrowly defined market is considered, i.e., the territory of the Republic of Croatia, as well as in the entire EU region, the position of the participants to the concentration will not be significant in the post-merger period. Regarding the markets related to the bakery sector, the implementation of the proposed concentration will not impede competition in either the production or wholesale and retail of bakery products.

There are numerous undertakings present in these markets that produce bakery products and participate in wholesale and retail, and additionally, from the perspective of the end consumers, besides the large market players in the sector

concerned, there are also many undertakings active in the retail that are not part of large undertakings.

At the same time, in the retail market, both in the territory of the Republic of Croatia and in the observed counties, it is evident that there is no significant strengthening of the acquirer's position. There is a large number of undertakings, particularly large retail chains, that are among the leading ones at the national level, as well as numerous undertakings that are not part of large undertakings.

Given that the concentration in question produces no significant effects in the relevant market, particularly taking into account that it does not create or strengthen a dominant position of its participants and as such cannot produce anti-competitive effects, the CCA cleared the notified concentration in the first phase.

## **EC NOTIFICATIONS OF CONCENTRATIONS**

**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. 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. At the same time, a well-placed authority to deal with the compatibility assessment procedure is decided within the European Competition Network (ECN).**



# Competition advocacy

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. Competition advocacy activities also include important market studies (sector inquiries), the publishing of the CCA decisions on its website, press releases, the monthly e-bulletin AZTNInfo and other communication activities that ensure transparency in the work of the CCA, including the digital business network LinkedIn.

The CCA experts often write articles and research papers, give lectures, organize and participate in trainings, workshops and international conferences covering the relevant competition issues. The primary enforcement activity of the CCA is thereby significantly enhanced by competition advocacy.

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

**“ In 2024 there were 98 resolved advocacy cases, thereof six expert opinions on laws, 91 answers to different queries about competition issues and one cooperation case. Besides, the CCA answered a lot of questions submitted by undertakings and other stakeholders regarding competition advocacy and compliance with competition rules. ”**

## Example of competition advocacy case

### **PROVISION OF TAXI SERVICES IN THE TOWN OF DUBROVNIK - ANALYSIS OF BYLAWS REGULATING TAXI SERVICES IN DUBROVNIK PROTECTED CULTURAL-HISTORICAL AREA AND THE IMPLEMENTATION OF PUBLIC TENDERS RELATED TO TAXI SERVICES**

Following several reasoned submissions by taxi service providers the CCA issued its opinion on the compliance of the rules contained in the decision issued by the local administration of the Town of Dubrovnik introducing a new traffic and licencing regime within the territory of the Town of Dubrovnik for a limited number of taxi services providers with competition rules.

Concretely, taxi service providers claimed that the local administration of the Town of Dubrovnik had adopted a decision introducing a new traffic regime and regulating the issuance of licenses for a limited number of taxi vehicles that can operate in the old town.

Allegedly, the local administration of the Town of Dubrovnik had leased a number of taxi stands to a limited number of

taxi service providers or taxi associations, and thereby supposedly restricted the provision of these services. Related to the matter concerned the CCA requested the explanation and the necessary documentation from the local administration of the Town of Dubrovnik.

The Decision of the Town of Dubrovnik defines in detail four categories of taxi operators that are authorised to operate in the inner centre of Dubrovnik.

The first category includes sole traders and legal entities that lease reserved parking spaces in the city centre; the second category refers to taxi operators holding contracts with the Dubrovnik Port Authority; the third category comprises operators with a regulated status at Dubrovnik Airport; while the fourth category encompasses taxi operators that



**“ CCA underscores the importance of ensuring a balance between the protection of cultural heritage and maintenance of competitive conditions in the taxi services market.**

are granted the right of access based on a public procurement procedure.

Category 1 includes taxi operators that use parking spaces in Dubrovnik. The Town of Dubrovnik organised a public tender procedure for the lease of these parking spaces, and the contracted lease period is five years. However, the CCA recommends reducing the lease period for this category to one or two years in order to facilitate the entry of new market participants and ensure that market entry conditions remain proportionate and fair. The CCA further advises the Town of Dubrovnik to justify the criteria used to determine the minimum number of vehicles required in the tender, in order to avoid an arbitrary decision.

For the taxi operator categories 2 and 3, which hold contracts with the Dubrovnik Port Authority and Dubrovnik Airport respectively, the Decision enables unrestricted access to the inner-city centre. With respect to these two categories, the CCA considers that no special limitations exist and therefore no additional justification or re-examination of the relevant conditions is required.

For the fourth category of taxi operators, which are granted access on the basis of a public tender, the Town of Dubrovnik may issue brown passes depending on the number of vehicles listed in the tender application. The CCA considers that the tender conditions should be balanced and based on objective criteria so that all market participants have equal access conditions. Therefore, the Town of Dubrovnik should ensure that the tender conditions are not discriminatory towards the fourth category of taxi operators and that the

number of passes issued is sufficient to guarantee effective competition. Furthermore, the Town of Dubrovnik must ensure an adequate number of passes for all categories of taxi operators, including those in the fourth category, in order to maintain market balance and ensure market access for all service providers. The CCA emphasises the importance of equal conditions for all taxi operators, since any discrimination in the process of issuing passes could result in a distortion of competition.

It is the opinion of the CCA that within the meaning of competition rules the local administration of the Town of Dubrovnik should list justifiable objective criteria, specifically the quantitative requirements regarding the minimum number of vehicles. This is to avoid any arbitrary decisions. The CCA emphasized that the requirements for the provision of taxi services should be comparable among different categories of taxi operators.

Finally, the CCA noted that any further tendering procedure should ensure that the conditions are not discriminatory for any category of taxi operators.

The administration of the Town of Dubrovnik must also ensure that any category of taxi operators has the right to provide taxi services in a way that enhances competition in the taxi service market within the Town of Dubrovnik, in line with the objectives of the traffic regime. In view of the particular features of the traffic system in Dubrovnik, the CCA underscores the importance of ensuring a balance between the protection of cultural heritage and maintenance of competitive conditions in the taxi services market.

# Sector inquiries

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

In 2024, the CCA conducted two extensive sector inquiries: the retail and wholesale grocery market — predominantly food, beverages and household hygiene products — in the Republic of Croatia in 2023, and the press distribution market in the Republic of Croatia in 2023.



## Example of sector inquiry

### MARKET STUDY INTO RETAIL AND WHOLESALE GROCERY MARKET — PREDOMINANTLY FOOD, BEVERAGES AND HOUSEHOLD HYGIENE PRODUCTS — IN THE REPUBLIC OF CROATIA IN 2023

The sample included 44 undertakings that, according to their realized turnover, represented the largest undertakings operating in the grocery retail market.

The turnover from grocery retail in the Republic of Croatia of all undertakings from the sample in 2023 amounted to EUR 7.73 billion. In 2023, a nominal grocery retail turnover growth of EUR 1.07 billion was recorded compared to the previous 2022, when it amounted to EUR 6.66 billion, showing that the grocery retail market rose by 16.1%. For the sake of comparison, the growth rate had been 15.7% in the previous period, or EUR 0.9 billion. This was certainly influenced by the general inflation trends and especially in the part related to the food and non-alcoholic beverages component in the consumer price index. In 2023, there was a total of 5,140 sales outlets of the sampled retailers, which rose by 144 compared to the previous 2022, representing a growth of 2.9%. Konzum plus was the largest grocery retailer in 2023. Its market share in the observed 2023 amounted to 20%-30% and recorded a slight increase in market share compared to 2022, with a double-digit turnover growth in groceries retail. In 2023, it had 637 outlets (in the previous 2022 it had 628 outlets). The trend of increasing turnover in groceries retail of the Schwarz Group members continued. In 2023, Lidl recorded double-digit turnover growth according to relative indicators. Lidl's market share in

the observed 2023 amounted to 10%-20%. The other Schwarz Group member, Kaufland, also recorded the rise in its turnover and market share in the range between 5%-10%. Overall, both Schwarz Group members had a combined market share of 20%-30% in 2023.

The turnover growth in the groceries retail in the observed 2023 was recorded by 37 retailers. The highest nominal rise in groceries retail turnover in 2023 was recorded by Konzum plus (by more than 200 million euro), followed by Lidl, Spar, Studenac and Kaufland (all four recorded growth in the range from 100 to 200 million euro). They were followed by Plodine and Tomy (nominal growth ranged between 50 million to 100 billion euro), KTC and Eurospin (growth ranging from 20 million to 30 million euro). In the observed year 2023, regional retailers - Boso, Ribola, Mlin i pekare, NTL and Decentia also experienced turnover growth in the grocery retail, like some smaller local retailers.

Studenac kept the lead in the number of outlets (1,257 outlets in 2023), predominantly of small format such as small stores and supermarkets. The list of "Top 10" in 2023 remained unchanged: Konzum plus, Lidl, Plodine, Spar, Kaufland, Studenac, Tommy, KTC, Trgovina Krk, NTL. The highest rise in the market share among top ten grocery retailers in 2023 com-

pared to 2022 was recorded by Studenac and Spar, followed by Konzum plus.

In 2023 asymmetry between the leader in the market Konzum plus and its second rival Lidl remained the same.

Compared with 2022 the report year showed a mild rise of the concentration ratio CR10 (the market shares of the 10 biggest retailers in the market), that was 86.7 in 2023 and 86.4 in 2022. The CR10 increase was primarily due to the rise in market shares of Studenac and Spar, less of Konzum plus. However, a competitive structure of the grocery retail market in Croatia was maintained. The highest turnover from retail was recorded in the City of Zagreb (1.3 billion euro), followed by Split-Dalmatia County (1 billion euro), Primorje-Gorski Kotar County (678,7 million euro), and Istria County (614 million euro), Zadar County (522 million euro), Zagreb County (less than 505 million euro), and Osijek-Baranja County (little more than 402 million euro). The City of Zagreb and six counties (Split-Dalmatia, Primorje-Gorski Kotar, Istria, Zagreb, Zadar, and Osijek-Baranja counties), realized slightly less than two-thirds (65.6%) of the total grocery retail turnover in Croatia in 2023, continuing the trend from the previous years, with a slight decrease compared to 2022 when this share was 65.8%.

Konzum Plus remained the leading retailer in the City of Zagreb and six counties. Members of the Schwarz Group were leading in two counties. Lidl was the leading retailer in Koprivnica-Križevci, while Kaufland is the leading retailer in Brod-Posavina County. Furthermore, among the leading retailers in the counties, Studenac became the leading retailer in the Dubrovnik-Neretva County and Bjelovar-Bilogora County, KTC was the largest retailer in Virovitica-Podravina County, while Mlin i pekare remained the market leader in Požega-Slavonia County. Boso has been the long-standing leader in the Vukovar-Srijem County, Trgovina Krk was the largest groceries retailer in Međimurje County. Tommy retained the top position in Split, whereas Studenac had the highest number of outlets. In Rijeka, the market leader in the grocery retail was Spar, the highest number of outlets is yet held by Brodokomerc Nova. In Osijek, Konzum Plus remained the largest retailer in the grocery retail market, whereas the highest number of outlets in Osijek is held by NTL. Supermarkets achieved the highest grocery retail turnover in Croatia in 2023, amounting to slightly more than 4 billion euro or 17%

more than in 2022. Hypermarkets followed, with a turnover of 1.56 billion euro in 2023, marking an increase of 14.4%, whereas self-service stores generated a turnover of almost 1.52 billion euro with a 14.5% increase. Small stores recorded a total turnover of 649.6 million euro showing an increase of 18.7%. Supermarkets as a type of a retail outlet continued to dominate the sales structure based on both turnover and the net sales area. Similar as in the previous year, in 2023 self-service stores held the share of more than 42% of all retail outlets, followed by small shops with 39%, supermarkets with 16% market share and hypermarkets with a little less than 3%. The results of the sector inquiry for 2023 showed that groceries on-line shopping has still not taken a significant share in the total turnover structure of the groceries retail shops. The highest share in the on-online grocery retail turnover in 2023 was recorded by the biggest retailer Konzum plus. Seven retailers reported turnover by e-commerce on their own platforms. Loyalty programmes were applied by 14 groceries retailers. Konzum plus, Lidl and Kaufland, followed by the members of Schwarz Group and Studenac and KTC had the highest number of members in their loyalty reward programmes, with regional retailers such as Robin and Dergez worth mentioning.

Similarly as in previous years the CCA investigated the average gross margins of retailers applied across eight categories of products. The results of this research showed that the average gross margins for food products in 2023 were the highest in the category of bakery products - 37.2%, confectionery products - 31.7%, fresh fruit and vegetables - 29.9% and non-alcoholic drinks and water - 25.9%. When comparing average gross margins in 2023 to those in 2022, the research results showed a slight decrease in average gross margins in four categories (meat and meat products, poultry and eggs, milk and dairy products, basic food products), while the remaining four categories show a slight increase in average gross margins. It must be noted here that certain food products included in the CCA survey were in 2023 subject to the government Decision on Direct Measures for Price Control for Individual Food Products, lastly expanded to 30 products and includes, in addition to food products, a smaller number of non-food products.

The full version of the CCA Groceries Retail Market Inquiry for 2023 in the Croatian language is available on the CCA website.

### HIGHEST GROSS MARGINS IN 2023



**37.2%**

BAKERY  
PRODUCTS



**31.7%**

CONFECTIONERY  
PRODUCTS



**29.9%**

FRESH FRUIT AND  
VEGETABLES



**25.9%**

NON-ALCOHOLIC  
BEVERAGES AND  
WATER



**59**

resolved cases

**3**

administrative cases

**56**

non-administrative cases

## Enforcement of the rules on the prohibition of unfair trading practices

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 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.

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



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

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.

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.

# Example of unfair trading practices case

CCA V STUDENAC D.O.O., OMIŠ



The CCA fined STUDENAC d.o.o. from Omiš EUR 132,000 for the serious infringement of the Croatian Act on the prohibition of unfair trading practices in the business-to-business food supply chain (UTPs Act). The investigation showed that STUDENAC used its strong bargaining power and imposed unfair trading practices on its suppliers.

The CCA opened ex officio infringement proceeding against the buyer STUDENAC within the meaning of the UTPs Act with the view to establishing whether it used its strong bargaining power and imposed unfair trading practices on its suppliers of agri- and food products.

The investigation showed that by using its strong bargaining power, STUDENAC imposed unfair trading practices on its suppliers by:

1. closing its business deals based on a written contract that failed to comply with the provisions of the UTPs Act in terms of product pricing, in other words, the prices of products were not agreed upon in writing prior to delivery;
2. imposing extra charges for the publication in STUDENAC ad flyer with no prior agreement on the price for the marketing services and respective discounts, in other words, the price was not previously agreed with the supplier and invoiced in a clear and unambiguous written form. Under the UTPs Act any fees for the buyer's services to the supplier, the realization of which depends on the real and measurable performance of the buyer, the buyer must issue an invoice to the supplier on to which it is obliged to clearly specify each individual service for it has been charged;
3. illegally returning agricultural and food products due to poor turnover, based on an exception that had not been previously agreed upon in a clear and unambiguous manner;
4. making payments exceeding the 30-day deadline for perishable agricultural and food products, or the 60-day deadline for non-perishable agricultural and food products.

Considering the gravity, the scope and the duration of the infringement, the consequences for the suppliers, and a number of mitigating circumstances, the CCA imposed a fine in the amount of EUR 132,000.

The CCA believes that the fine would have a deterrent effect not only on STUDENAC but also on other actors in the food supply chain.

**“ The CCA fined STUDENAC d.o.o. from Omiš EUR 132,000 for the serious infringement of the UTPs Act.**

# Judicial review

Against the decision of the CCA in the area of antitrust and merger control no appeal is allowed but the dissatisfied party can take action against the decision of the CCA by filing a complaint for an administrative dispute at the High Administrative Court of the Republic of Croatia within 30 days from the receipt of the decision. The claim shall be decided over by a panel of three judges with respect to the following points:

- misapplication or erroneous application of substantive provisions of competition law,
- manifest errors in application of procedural provisions,
- incorrect or incomplete facts of the case,
- inappropriate fine and other issues contained in the decision of the CCA.

Against the decision of the CCA identifying an infringement of the Competition Act and Article 101 or 102 TFEU and imposing a fine, a claim may be filed by the injured party to the proceeding, whereas against the decision of the CCA on the basis of which the initiative for the initi-

ation of the proceeding is dismissed due to lack of standing to act, or where the proceeding is terminated, a claim may be filed also by the complainant, in other words, any person who has been granted the same procedural rights that are enjoyed by the complainant.

Against the decision of the High Administrative Court of the Republic of Croatia rejecting the claim of the claimant in an administrative dispute and confirming the legality of the decision of the CCA, a constitutional complaint can be filed in cases regulated by the Constitution of the Republic of Croatia. For example, when the dissatisfied party believes that their right to a fair trial has been violated (Article 29 paragraph 1 of the Constitution of the Republic of Croatia) or when they believe that there has been a violation of the legality of individual acts of the state administration and public authorities and their judicial control (Article 19 of the Constitution of the Republic of Croatia). It must be noted here that exclusively the CCA lawyers represent the CCA in courts in the proceedings carried out against the decisions of the CCA.

Against the decision of the CCA in the area of unfair trading practices in the business-to-business food supply chain 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: 1. the violation of material law in the area of unfair trading practices in the food supply chain, 2. manifest errors in application of procedural provisions, 3. incorrect or incomplete facts of the case, and 4. inappropriate fine and other issues contained in the decision of the CCA. The High Administrative Court decides in the second instance.

A lawsuit against the decision of the CCA does not postpone the enforcement of the decision, save for the part of the decision relating to the imposed fine. Similarly, the lawsuit against the decision of the CCA challenging the procedural issues does not stop the course of the procedure, whereas all the disputes before the competent administrative courts initiated in the sense of the UTPs Act are urgent.



**“ In each of the 17 judgments delivered in 2024 in the area of competition law, the High Administrative Court of the Republic of Croatia dismissed the plaintiffs’ claims and fully upheld the decisions of the CCA, thereby rendering them final and binding.**

**With respect to the lawsuits brought against the CCA’s infringement decisions—where the CCA established that traders, buyers and/or processors had violated the UTPs Act and imposed fines on the undertakings concerned—two competent administrative courts issued judgments in 2024. In both cases, the courts dismissed the plaintiffs’ requests to annul the CCA decisions, as well as their claims for reimbursement of the costs of administrative litigation. The plaintiffs lodged appeals against both judgments before the High Administrative Court of the Republic of Croatia. In one case, the High Administrative Court dismissed the appeal, while the decision on the appeal in the second case has not yet been issued.**

# International cooperation

In 2024 international activities involved vibrant multilateral cooperation and bilateral contacts with competent authorities in and outside the EU.

## CCA AND OECD

After the Republic of Croatia received the candidate status in January 2022, the CCA further intensified its activities regarding the negotiations in the area of competition policy. After the CCA filled out an initial comprehensive questionnaire, first OECD mission followed in Zagreb in February 2023. The OECD prepared then the pre-accession report which was discussed in early December 2023 in Paris during the Global Forum on Competition. 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 recommenda-

tions and duly informs the OECD upon their completion.

The CCA collaborates with the OECD twice a year within the framework of the Competition Committee, where the CCA has held participant status since June 2016, and once annually at the Global Forum on Competition, where participation is open to all global jurisdictions regardless of the OECD membership. The meetings of the Committee are structured as a series of roundtables and discussions based on written and oral contributions by the participants. In 2024, the following topics were addressed: competition and regulated professions; monopolisation; strategies of economic

entrenchment and foreclosure; artificial intelligence, data and competition; industrial policy designed to foster competition; the interrelation between competition and personal data protection; competition and regulatory frameworks in the care sector; structural assumptions underpinning competition law; the standard and burden



of proof in competition law; and the relationship between competition and democracy. 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.

Representatives of the CCA continue to take an active part in the joint OECD–Siemens project entitled “Fair Market Conditions for Competitiveness”, the objective of which is to support the establishment of a level playing field and fair market conditions in three pilot countries of the Adriatic region (Serbia, Croatia and Bosnia and Herzegovina), with a view to strengthening competitiveness and integrity in a sustainable and inclusive manner. In April 2024, the vice-president the Council, Branimira Kovačević, MA, delivered a presentation on the work of the CCA at a roundtable dedicated to anti-corruption, organised within the framework of the aforementioned project.

## COOPERATION BETWEEN THE EU AUTHORITIES

### WORKING BODIES OF THE COUNCIL OF THE EUROPEAN UNION AND THE EUROPEAN COMMISSION

The Working Party on Competition held a total of five meetings 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, ECN+ Directive, the recommendations from the Letta and Draghi Reports on competition policy. The representatives of the Permanent Representation of the Republic of Croatia in Brussels and experts from the CCA took part on behalf of Croatia. The CCA actively participates in the work of the Advisory Committee on Digital Markets (DMAC) and the Advisory Committee on Foreign Subsidies (FSAC), which operates on the basis of the new Foreign Subsidies Regulation (FSR). It is also active in the work of the European Competition Network (ECN) through regular meetings of working groups, subgroups and advisory committees.

### EUROPEAN COMPETITION NETWORK (ECN)

ECN operates as a network established by the European Commission (EC) and national competition authorities with the aim of achieving maximum consistency and convergence



among different jurisdictions in the application of EU competition law. The CCA received and responded to 68 requests for information 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. Although there was no participation in professional training at the EC due to budgetary constraints, the CCA remained involved in a number of important topics — from the evaluation of Regulation 1/2003 to the implementation of the DMA and the development of the Guidelines on Article 102 TFEU. 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 also actively participated in public consultations, published information through its communication channels, and encouraged the involvement of market participants. Special attention was devoted to the area of unfair trading practices through participation in meetings of the UTP network and international workshops. In Warsaw, CCA representatives gave a presentation on the Croatian legislative framework and the implementation of Directive 2019/633, and the CCA is also involved in the new Working Group on agricultural products.

### TECHNICAL SUPPORT PROJECTS

The CCA is participating in the TSI project (Technical Support Instrument) on combating prohibited agreements in public procurement procedures (bid rigging). This project, in which the Republic of Croatia is the lead Member State and whose objective is to raise awareness and educate all stakeholders in the public procurement system on the need to comply with competition law, is being carried out together with the



public procurement procedures (bid rigging). This project, in which the Republic of Croatia is the lead Member State and whose objective is to raise awareness and educate all stakeholders in the public procurement system on the need to comply with competition law, is being carried out together with the

competition authorities of Austria, Bulgaria, Cyprus, Greece and Romania. The training is intended for all stakeholders involved in combating prohibited agreements in public procurement procedures, and the providers of support are experts from the OECD and the EC. The initial meeting was held in Zagreb at the CCA on 23 September 2024, followed by three workshops — for public purchasers, including state administration bodies, agencies and sectoral contracting authorities in public procurement procedures; for judicial officials, including judges and state attorneys; and for business associations and entrepreneurs participating in public procurement procedures. CCA representatives also contributed to the workshops. In 2024, the Republic of Croatia submitted another TSI project to the European Commission entitled Supporting digital transformation in competition law enforcement, which the Commission officially approved by a decision of 31 March 2025. The CCA has also assumed the role of lead authority in this project, in which competition authorities from several Member States are participating. The aim of the project is to strengthen regulatory authorities for more effective use of digital tools, especially artificial intelligence (AI) and data analytics in competition law enforcement. Activities include the development of AI tools to detect prohibited agreements, particularly in the area of public procurement and digital forensics, and cooperation with experts in AI and machine learning. In cooperation with the EC, the CCA is also developing applications for identifying irregularities in public procurement procedures (bid rigging). It should be noted that the CCA is also developing tools for detecting anticompetitive practices using artificial intelligence.

### INTERNATIONAL COMPETITION NETWORK (ICN)

The ICN is a global network of more than 120 competition authorities that, through thematic groups, webinars and virtual meetings, promotes the exchange of experience and the improvement of competition law enforcement.

The Annual Conference of the International Competition Network (ICN) was held in Brazil (Saipe) from 14 to 17 May 2024 and brought together a large number of representatives of national competition authorities from around the world. During plenary discussions and workshops, conference participants discussed key topics, exchanged experience and sought answers to important questions faced by all agencies, such as relations with the courts, interplay between competition and regulation, artificial intelligence and sustainability. The CCA was represented by Sandi Valentinc,



The CCA was represented by Sandi Valentinc,



head of the Department for International and European Cooperation, who took part in a panel on public communication within the working group on agency effectiveness. CCA staff also participated in a virtual ICN workshop on sustainability, held from 2 to 3 July 2024, as well as in several coordination virtual meetings on ICN activities and in the working group on agency effectiveness and competition advocacy.

## BILATERAL COOPERATION

Cooperation agreements are intended to promote collaboration between agencies in the field of competition law and policy enforcement and the exchange of professional experience and information on concrete cases from practice. The CCA has concluded such agreements with the competition authorities of Austria, Bosnia and Herzegovina, Montenegro, Georgia, Kosovo, Hungary, North Macedonia, Romania, Albania, Serbia and Turkey.

Bilateral cooperation with Montenegro continues through the active involvement of CCA staff in the area of concentrations within the EU IPA project “Strengthening institutional capacities in the harmonisation and implementation of the EU acquis in the field of competition and innovation.”



In April 2024, the vice-president of the Council, Branimira Kovačević, MA, and the Council member Denis Matić, LL.M, actively participated in the first Competition Day organised by the Agency for the Protection of Competition of Montenegro, taking part in the panel discussion “Competition protection policy as a factor of economic development” and in a round table at the Faculty of Law in Podgorica. The president of the Council, Mirta Kapural, PhD, and Branimira Kovačević, MA, took part in providing technical assistance to the Competition Council of Bosnia and Herzegovina through a TAIEX workshop on European competition law held in January 2024 in Sarajevo.

In April 2024, the CCA hosted a delegation from the Antimonopoly Committee of Ukraine (AMCU), which spent a week in Croatia on a study visit. The Ukrainian delegation took part in meetings with CCA representatives, who presented the internal organisation and competences of the CCA, the practice of European and international institutions, methods of proving infringements in the context of prohibited agreements and abuse of dominance in Croatia, the assessment of concentrations, and practices related to identifying and terminating competition law infringements in the media and digital markets. Future prospects for cooperation were also discussed. As part of the TAIEX assistance project to Ukraine and a study visit by representatives of Ukrainian public and state administration bodies, a training on EU accession negotiations was held in November 2024 in Tallinn, Estonia. Mirta Kapural, PhD, the president of the CCA Council, delivered a lecture to the Ukrainian colleagues on Croatia’s and the CCA’s experience in the EU accession negotiations and the requirements for membership in the area of competition policy, as well as on the challenges before and after the EU accession. After the lecture, there was a visit to the Estonian competition authority, during which the president of the CCA held a bilateral meeting with the president of the Estonian competition authority and her associates.



# Conferences and meeting, communication strategy, advocacy and training

Through various communication channels, the CCA pays special attention to the public and to the transparency of its work. Active promotion of competition law and policy and the prohibition of unfair trading practices in the food supply chain, as well as informing addressees about the rules concerned, is carried out through transparent and open communication with the public by publishing all decisions, press releases, trainings for undertakings and consumers, as well as by responding to inquiries from addressees, which are published on the CCA's website.

## COMMUNICATION STRATEGY

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, the CCA continues to publish on its website its decisions, opinions and annual reports, relevant articles written by its experts and press releases about the opened and closed cases. The authorised representatives of the CCA are present in the media and maintain contact with the journalists. The CCA publishes different related content and newsletters, 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. Raising awareness about the benefits that competition brings to citizens is achieved through communication activities that showcase the work of the CCA using available communication channels, such as its website and the monthly e-bulletin AZTN Info. This publication presents CCA decisions and activities in a simple and accessible manner for both the general and professional public, while also sharing interesting information and topics related to competition law from the EU and globally. It is sent electronically to the subscribers and published on the CCA website, where all past editions are archived and availa-



ble. In 2024 there were 11 issues of the e-bulletin published. Activities to modernize and further improve CCA communication continued throughout 2024. During the reporting period, the redesign of the existing website was completed to align it with current guidelines, along with ongoing sharing of news, insights, and trends in competition law on the professional social network LinkedIn.

## CONFERENCES AND MEETINGS

The competition conference "Meet to Compete Competition Law and Policy Conference – Tools for the New Rules" was held on 9 and 10 May in Opatija, organised by the International Chamber of Commerce (ICC) Croatia and the Croatian Chamber of the Economy, with the support of the CCA and the Croatian Employers' Association. The conference was attended by the EC representatives – Directorate-General for Competition (DG Comp), the representatives of national competition authorities, the OECD representatives, university professors, lawyers and other experts in the field of competition. The president of the Competition Council, Mirta Kapural, PhD, emphasised that the CCA strongly supports the organisation of such conferences, as they represent a unique opportunity to exchange recent developments among the leading experts, share ideas and gain insight into the practices of other countries, all of which is crucial for competition advocacy and awareness, something the CCA continuously works on. At the Lear Competition Festival, held from 24 to 27 September in Rome, the president of the Council, Mirta Kapural, PhD, took



part in a plenary session where presidents of national authorities discussed recent enforcement activities, new legislative provisions that have entered into force, and enforcement priorities in the near future. In joint organisation by the CCA and the Faculty of Law in Osijek — with whom the CCA has a cooperation agreement — a conference was held on 2 October 2024, focused on two thematic panels addressing the competences of the CCA in enforcing the UTPs Act, enforcement practices from the beginning of its implementation to the present, its benefits, amendments, the most common unfair trading practices, and examples from practice. Introductory remarks were given by representatives of academia, institutions and business associations, while the president of the Council, Mirta Kapural,



PhD, highlighted that the UTPs Act has contributed to greater compliance and legal certainty in the relations between traders, suppliers and producers. The president of the Council, Mirta Kapural, PhD, participated in the international competition conference held on 3 and 4 October 2024 at the Faculty of Law in Osijek, titled “Opportunities and Limits of

Competition Law – Global Trends, Regional Perspectives”, organised by the Jean Monnet South and East European Competition Law Centre of Excellence and the Croatian Competition Law and Policy Association. The key topics of the conference were digital markets and their regulation, cartels in public procurement procedures, the role of competition law in sustainable development, and private enforcement of competition law. The president of the Council also participated in the conference “Challenges of Public Procurement in the Construction Sector” held on 26 November in Zagreb, which brought together the leading experts in construction, public procurement

and state administration to discuss key issues and proposals for improving current public procurement processes. The topic of her presentation was prohibited agreements between bidding undertakings in public tenders and the CCA decision from April 2022, CCA

v. Agro-Vir, Agrodalm, Diljexport, Marino Lučko, as well as an example from the Austrian construction sector in 2020. On 19 December 2024, Mirta Kapural, PhD, president the Council, and Hrvoje Šeremet, LLM, member of the Council, participated in the 2nd Annual Conference on Public Procurement of Construction Works, which addressed current topics relating to resolving construction disputes and regulating prices and deadlines in public procurement of construction works. Mr. Šeremet presented an example of a prohibited agreement from the CCA’s practice on the subject of price coordination by bidders in a public procurement procedure, while Ms. Kapural took part in a panel addressing contract amendments, deadlines and prices.



## ADVOCACY, TRAININGS AND WORKSHOPS

In addition to one annual conference organised by the CCA, its experts give papers throughout the year at other conferences, workshops and seminars organised by higher education institutions (law and economics faculties in Croatia), the Croatian Competition Law and Policy Association, and professional business associations. In this way, the CCA’s communication extends from the general public to the professional and specialised public — primarily undertakings, the judiciary, the legal profession and academia. Staff members of the CCA regularly take part in trainings and professional development in the fields of competition law and unfair trading practices. The aim of participating in such trainings is the continuous improvement of knowledge and keeping in touch with current legal and market trends.

On 11 October 2024, a workshop titled “Recent developments in competition law” was held at the Judicial Academy in Zagreb. The president of the Council, Mirta Kapural, PhD, explained the basic concepts used in this area of law. The EU competition law was presented through selected cases of the General Court of the EU and examples from the practice of the European Commission. Vesna Patrlj, LLM, director of the Competition Division, introduced the participants to the procedure before the CCA and the latest amendments to the Competition Act, with particular emphasis on the settlement instrument in competition law. Hrvoje Šeremet, member of the Council, spoke about prohibited horizontal and vertical agreements in competition law, citing examples from the practice of the CCA, the European Commission and the EU courts.

The new Act on Amendments to the Act on the Prohibition of Unfair Trading Practices in the Food Supply Chain entered into force in March 2024, and the members of the Croatian Chamber of the Economy (HGK) requested clarification of certain provisions of the Act. Therefore, a seminar was organised on 24 May 2024 that gathered more than 70 participants — member companies from trade and manufacturing. Presentations were delivered by Juraj Orenda, head of the Wine and Market Regulation Service at the Ministry of Agriculture, Forestry and Fisheries, and from the CCA by Tajana Blagojević, LLM, senior advisor in the Unfair Trading Practices Legal Issues Department, and Vlatka Vrkić, MEcon, head of Unfair Trading Practices Economic Issues Department.



Throughout 2024, the president of the Council, Mirta Kapural, PhD, delivered around twenty lectures and presentations and took part in numerous workshops, panels, professional meetings and conferences. She also appeared in television and radio programmes and gave interviews to media outlets (Nova TV, HRT, HRT Radio Osijek, Osijek Television, HRT Radio Pula, HRT Channel 2, Poslovni dnevnik, Lider, Glas Slavonije).

# Cooperation with other institutions





Starting from the importance of cooperation with other stakeholders in the enforcement and promotion of competition law, the CCA continued to cooperate intensively with a number of institutions throughout 2024. Cooperation agreements were signed with the Agency for Electronic Media and the State Attorney's Office of the Republic of Croatia.

### **COOPERATION AGREEMENT WITH THE AGENCY FOR ELECTRONIC MEDIA**

On 13 March 2024, the president of Competition Council, Mirta Kapural, PhD, and the president of the Council for Electronic Media, Josip Popovac, signed a cooperation agreement between the CCA and the AEM. The agreement confirms the shared objective of both regulators to protect competition in the electronic media market, the digital market and related sectors. The aim of the cooperation is to create a competitive environment that encourages innovation, opens space for new market participants and prevents distortion of competition. The cooperation includes the exchange of expert opinions and technical support in specific cases falling within the jurisdiction of both bodies, joint training and professional events, as well as participation in educational programmes and initiatives in the field of competition law and media regulation. Through this partnership, the CCA and AEM further strengthen institutional coordination in order to protect competition in markets that are key to the digital transition and economic development of the Republic of Croatia.

### **COOPERATION AGREEMENT WITH THE STATE ATTORNEY'S OFFICE OF THE REPUBLIC OF CROATIA**

On 10 June 2024, the president of the Competition Council, Mirta Kapural, PhD, and the Attorney General, Ivan Turudić, signed a cooperation agreement between the CCA and the State Attorney's Office of the Republic of Croatia (DORH). The agreement focuses on strengthening cooperation in competition protection, especially in the area of prohibited agreements in public procurement procedures. Within the scope of their respective competences, the CCA and DORH will exchange expert knowledge and technical support, cooperate in cases involving criminal offences relating to market



distortion, and jointly conduct training sessions, workshops and professional events. This cooperation enables effective detection and investigation of the most serious violations of competition rules, while strengthening institutional coordination between the regulatory and judicial system of the Republic of Croatia.

### **COOPERATION WITH THE COMMITTEE ON THE ECONOMY OF THE CROATIAN PARLIAMENT**

As part of the continuous cooperation with state authorities, on 28 November 2024 the CCA hosted Mr. Igor Peternel, chair of the Committee on the Economy of the Croatian Parliament. The discussion also addressed the challenges that the CCA has been facing regarding the inadequate resources, the importance of promoting competition culture and the role of the CCA in raising awareness of its importance for the economy and consumers. This visit confirms the good cooperation and the important role of the Committee on the Economy as the parliamentary body covering the work of the CCA.

### **COOPERATION WITH REGULATORS: GUIDELINES FOR THE MEDIA AND TELECOMMUNICATIONS INDUSTRIES**

In cooperation with AEM and HAKOM, the CCA participated in drafting the Regulators' Guidelines for the media and telecommunications industries. The document provides a detailed explanation of the procedure for submitting merger notifications in accordance with the relevant rules and contributes to the convergence of regulatory practice, thereby further strengthening legal certainty in the market.

### **ACCESS TO INFORMATION**

The high level of transparency of the CCA's work is complemented by compliance with the statutory obligation regarding the right of access to information, in accordance with the Act on the Right of Access to Information. The CCA ensures the right of access to information by regularly publishing decisions within its competence on its website, together with press releases, opinions, acts of a general and internal nature, and by responding to users who submit a request to exercise the right of access to information.

# CCA system digitization



“ On its website the CCA also provides anonymous reporting of cartels and other prohibited agreements.

The CCA has been successfully integrated in the “ZUP IT” system (IT system for monitoring of the enforcement of the General Administrative Procedure Act). Currently, data entry is not automated and requires active involvement of all officials or case handlers. This system provides the relevant authorities with a detailed overview of the status of any administrative proceeding, contributing to improved efficiency, transparency, and legality in the administrative procedures conducted by the CCA.

The “ZUP IT” system also enhances communication between public authorities and parties involved in the proceedings. Through its functionalities, any party has access to information about the status of their case, reducing unnecessary inquiries and facilitating collaboration among participants in administrative processes. Furthermore, the system’s ongoing upgrades and adjustments allow for the introduction of new functionalities and improvements in line with the legislative changes or the user needs.

Hence, the “ZUP IT” system represents a significant step toward the modernization of public administration, offering tools for the efficient implementation of the laws, the improved communication with the citizens and businesses, and fostering trust in public institutions.

The CCA also provides on its website a system for the anonymous reporting of cartels and other prohibited agreements. Since the prohibition of anticompetitive conduct and participation in prohibited agreements, as well as the sanctions that may be imposed on offenders, are generally well known, such unlawful activities are usually carried out in secret and the accompanying documentation is minimal. Anyone who has knowledge of an infringement of competition law and/or attempts to cover up an infringement can assist in its detection and sanctioning by submitting a fully anonymous report. A report may contain any available information or knowledge regarding infringements of competition law, such as: fixing or aligning purchase or selling prices, sharing markets or allocating customers, limiting production, markets or technological development, bid rigging in public procurement, excluding competitors from the market, restricting resale price autonomy, restricting territories where buyers may sell, restricting cross-supply between distributors within a selective distribution system, and similar conduct. Reports are submitted via a specialised programme for reporting, receiving and processing information on prohibited agreements. Similar programmes are used by the EC and competition authorities across the EU to ensure the anonymity of whistle-blowers as well as the completeness and confidentiality of the information received.

The programme enables two-way communication so that additional information or clarification can be requested from the reporting party if needed. Once a report is submitted, the system generates a unique confirmation code that can be used at any time to log back into the programme, check the status of the report, amend or supplement it, upload any available documentation, or read messages.

# Social Responsibility in CCA



Social responsibility aims to meet increasingly challenging ethical, environmental, legal, and public standards.

Regarding the ethical responsibility, the CCA has appointed an ethics commissioner and adopted a code of ethics. In daily operations, employees prioritize environmental protection, while CCA has its wastepaper disposed and documents containing business secrets destroyed.

In terms of legal and public standards, all job advertisements are public, inquiries made by the parties, journalists and citizens are promptly answered, the decisions made by the CCA are published on its website. Business operations are guided by the principles of efficiency, sustainability and effectiveness as fundamental principles in the management of administrative organizations.

The CCA social responsibility is demonstrated by fulfilling all legal obligations while investing in human capital, the environment, relationships with third parties, and the reduction of operating costs. In human resources management, the CCA implements the gender equality strategy providing equal opportunities for men and women. This means equal access to career advancement, further education and professional development. Men and women are equally paid for equal work.

In its daily operations, the CCA strives to conduct all business activities in line with best European practices and actively promote social responsibility.

# Organizational structure

ON 31 DECEMBER 2024 THE CCA HAD

## 56 EMPLOYEES

## 6 ORGANIZATIONAL UNITS

**Competition Council** (4 lawyers and 1 economist)

**Office of the Council** (2 economists)

**Office of the Chief Economist** (2 economists)

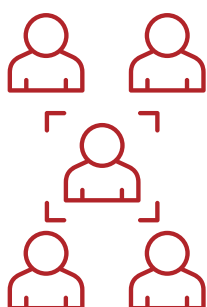
**Competition Division** (13 lawyers, 10 economists and 2 IT-experts)

**Division for International and EU Cooperation and Communications** (2 economists, 1 lawyer, 2 MAs in humanities)

**Unfair Trading Practices Division** (5 lawyers and 4 economists)

**General Affairs Division** (2 lawyers, 2 economists, 1 administrative lawyer, 2 clerks and 1 driver)

The Competition Council consists of **five members**. As of 31 December 2024, the Council was composed of one economist and four lawyers, four women and one man.

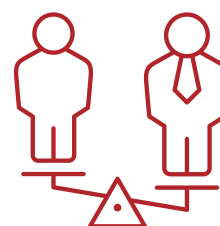


The majority of the CCA employees **hold a university degree**. No less than 23% of employees hold a post graduate degree whereas 75% hold a graduate degree, 2 employees have a secondary vocational education.



Most employees, a total of **80%**, **hold a master's degree in law** or a master's degree in economics. All legal professionals acting as case handlers must pass the Bar exam. Additionally, to conduct the proceeding involving the imposition of fines, a minimum of four years of work experience after passing the Bar exam is required.

The **average age of CCA employees is 46**. There are **36 women and 20 men employed**. **60% of employed women** stands for non-discrimination principle that requires equal treatment of an individual or a group based on improvement of employability for those facing labour market challenges. There are 64% women in leading positions whereas 75% of the members of the managing body of the CCA – Competition Council are women.



**Croatian Competition Agency**, Savska cesta 41, 10000 Zagreb, Hrvatska

**Editor:** CCA, Public Relations Office

**Phone:** +385 1 617 64 48

**Web:** [www.aztn.hr](http://www.aztn.hr)

**E-mail:** [agencija.ztn@aztn.gov.hr](mailto:agencija.ztn@aztn.gov.hr)

**Design:** Ognjena Brkanović

**Photos:** Envato Elements, Studenac.hr



