

**MEMORANDUM OF INTENT ON COOPERATION IN THE FIELD OF
COMPETITION LAW ENFORCEMENT AND POLICY BETWEEN THE
HELLENIC COMPETITION COMMISSION AND THE ISRAEL COMPETITION
AUTHORITY**

The Hellenic Competition Commission and the Israel Competition Authority (hereinafter referred to as “the Participants”),

Expressing their wish to develop closer cooperation in the field of competition policy and competition law enforcement;

Recognising the need for broader international engagement between competition authorities due to the nature of the challenges they face;

Based on the principles of equality and mutual benefit;

Underlining the role of competition in the effective and sustainable development of market economy;

Intend as follows:

Paragraph I. PURPOSE AND DEFINITIONS

1. The purpose of the present Memorandum of Intent (“the Memorandum”) is to facilitate and strengthen cooperation between the Participants in the field of competition law enforcement and competition policy.

2. In this Memorandum, these terms will have the following definitions:

(a) The terms “competition law” or “competition rules” mean:

(i) for the Hellenic Competition Commission, Law N 3959/2011 “On Protection of Free Competition”, as well as any amendments thereto and regulations made under it;

(ii) for the Israel Competition Authority, the Economic Competition Law 1988, as well as any amendments thereto and rules and regulations made under it;

(b) The term “enforcement activity (ies)” means any investigation or proceeding conducted by each of the Participants in relation to the competition laws they enforce;

3. The terms defined above are to be understood in accordance with the Participants’ respective mandate and legal framework of operation, including under international and/or European Union law where relevant.

4. In applying the present Memorandum, the Hellenic Competition Commission will take account of the commitments arising from the Hellenic Republic’s membership of the European Union.

Paragraph II. AREAS OF COOPERATION

In the mutual interest of the Participants, cooperation may be materialised in the following areas, subject to reasonably available resources:

(a) exchange of information on legislative and policy developments of both States in the field of competition law enforcement;

(b) exchange of views on policy developments relating to international fora in the field of competition law and enforcement, including the International Competition Network (“ICN”), the Organisation for Economic Co-operation and Development (“OECD”) and the United Nations Conference on Trade and Development (“UNCTAD”);

(c) work towards developing shared views on regional or international competition policy developments, including enforcement policy, or best practice standards, as well as promoting said views through appropriate channels;

(d) sharing of technical expertise in the field of investigations regarding the violation of competition rules of the States of the Participants or the application of Artificial Intelligence and other technologies in competition law enforcement, provided that it does not affect any current investigation or proceedings being carried out by either Participant;



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(e) exchange of experience in the field of competition advocacy, including the promotion of a competition culture through raising awareness of companies and the wider public about competition legislation and enforcement;

(f) provision of information and methodological assistance in preparing proposals and drafting legal acts in the field of competition.

Paragraph III. FORMS OF COOPERATION

1. The Participants may periodically hold, at the request of either Participant, meetings or consultations between designated Participant officials to facilitate cooperation within the areas outlined in Article II.

2. Cooperation between the Participants may take the following forms:

(a) exchange of non-confidential information regarding competition policy and enforcement developments;

(b) expert meetings or consultations, including via e-mail, telephone or online communication platforms, between experts of the Participants regarding exchange of non-confidential information on issues of mutual interest;

(c) organisation of study visits and experts' training programs, including experts preparing enforcement developments;

(d) high-level meetings and/or visits for the purposes of discussing the Participants' cooperation and joint activities as well as reviewing the prospects of their overall partnership;

(e) joint organisation of and/or participation in international conferences, seminars, workshops, symposia or other events;

(f) joint participation in research or policy projects, including in collaboration with academic institutions or policy institutes or other organisations;

(g) joint production or commissioning of non-confidential documents in the field of competition law and policy, such as policy papers, briefs or technical reports;

(h) exchange of non-confidential documents in the field of competition law and policy, such as regular publications by the Participants, including annual reports, studies, books, journals and information bulletins.

Paragraph IV. EXCHANGE OF INFORMATION

The transmission of information will be made in English by post, e-mail, telephone or online communication platforms, through designated general contact points or on the occasion of Participants' representatives' meetings.

Paragraph V. CONFIDENTIAL INFORMATION

1. No Participant will be obliged to provide or communicate information to the other Participant if the provision/communication of such information is prohibited by the law of the State of the Participant in possession of this information, or if it is not in the interests of the Participant applying competition law.

2. The Participants will not publish, transmit or disclose to third parties information accessed through joint activities for the implementation of this Memorandum, unless stated otherwise in agreements reached separately by the Participants.

Paragraph VI. ORGANISATION OF ACTIVITIES

The agenda, place and other elements of activities, including financial aspects, will be individually established by the Participants by mutual agreement.

Paragraph VII. DISPUTE RESOLUTION

Disputes regarding the scope, interpretation and application of the present Memorandum, if any, will be resolved through consultations and negotiations.

Paragraph VIII. MODIFICATIONS

Any modification to the Memorandum will be made by mutual written agreement of the Participants.

Paragraph IX. FINAL PROVISIONS

1. This Memorandum is not intended to create any legally binding or financial obligations under domestic or international law.
2. This Memorandum does not oblige the Participants to commit resources in terms of funds, time, staff or other administrative resources.
3. This Memorandum will enter into effect upon signature and will remain in effect indefinitely.
4. Any activity carried out by a Participant pursuant to this Memorandum, will be in accordance with its national laws and regulations and subject to the availability of appropriated funds.
5. The Memorandum of Intent will expire three months from the date of receipt by either Participant of a written notification from the other Participant stating its intention to terminate it

Signed ⁱⁿ at Paris on 22-6-2008 in two original copies in the English language, both being equally authentic.

The Hellenic Competition Commission

The Israel Competition Authority

Ioannis Lianos
President of the Hellenic Competition
Commission

Mitchal Cohen
Director General of the Israel Competition
Authority

