



HELLENIC REPUBLIC  
COMPETITION COMMISSION  
INDEPENDENT ADMINISTRATIVE  
AUTHORITY



Commission for Protection of Competition  
Republic of North Macedonia

**MEMORANDUM  
ON PARTNERSHIP IN THE FIELD OF COMPETITION LAW ENFORCEMENT  
AND POLICY  
BETWEEN THE HELLENIC COMPETITION COMMISSION AND COMMISSION  
FOR PROTECTION OF COMPETITION OF THE REPUBLIC OF NORTH  
MACEDONIA**

The Hellenic Competition Commission and the Commission for Protection of Competition of the Republic of North Macedonia (hereinafter referred to as “the Parties”),

Expressing the wish to develop closer cooperation in the field of competition policy and competition law enforcement of the States of the Parties,

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

Aiming at the creation of favourable conditions for the development of bilateral relations,

Based on the principles of equality and mutual benefit,

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

HAVE AGREED as follows:

**Article I. PURPOSE AND DEFINITIONS**

1. The purpose of the present Memorandum of Partnership (“the Memorandum”) is to facilitate and strengthen cooperation between the Parties in the field of competition law enforcement and competition policy in line with the commitments of the Hellenic Republic as

a Member State of the European Union and those of the Republic of North Macedonia as a candidate country.

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 Commission for Protection of Competition of the Republic of North Macedonia, Law on Protection of Competition (Official Gazette no. 145/2010), as well as any amendments thereto and regulations made under it;

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

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

## **Article II. AREAS OF COOPERATION**

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

(a) exchange of information on legislative and policy developments of the States of the Parties 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 Parties 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 Party;

(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.

### **Article III. FORMS OF COOPERATION**

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

2. Cooperation between the Parties 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 Parties 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 Parties' cooperation and joint activities as well as reviewing the prospects of the 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 Parties, including annual reports, studies, books, journals and information bulletins.

#### **Article 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 Parties' representatives' meetings.

#### **Article V. CONFIDENTIAL INFORMATION**

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

2. The Parties 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 Parties.

#### **Article VI. ORGANISATION OF ACTIVITIES**

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

#### **Article VII. DISPUTE RESOLUTION**

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

#### **Article VIII. REVIEW AND AMENDMENTS**

Any review or amendment to the Memorandum shall be made by mutual written agreement of the Parties, executed as a protocol and signed by both Parties. The protocol enters into force on the date of signature.

#### **Article IX. FINAL PROVISIONS**

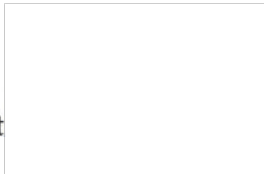
1. The Memorandum is concluded with a view to enhancing and developing cooperation between the Parties and does not constitute an agreement binding upon the States of the Parties under international agreements or domestic law. No provision of this Memorandum shall be construed as establishing legal rights or commitments for the States of the Parties.
2. The Memorandum does not oblige the Parties to commit resources in terms of funds, time, staff or other administrative resources.
3. The Memorandum enters into force upon signature and shall remain in effect indefinitely.
4. The Memorandum will expire three months from the date of receipt by either Party of a written notification to the other Party stating its intention to terminate it.

Done in Athens, on 29 of September, 2021 in two copies, each in English language.

**The Hellenic Competition Commission**

**The Commission for Protection  
of Competition of the Republic  
of North Macedonia**

**The President**



**The President**

**Prof. Ioannis Lianos**

**Prof. Vladimir Naumovski PhD**

