

Republic of Serbia

COMMISSION FOR PROTECTION OF COMPETITION

Number: 4/0-02-626/2016-13

Date: November 1, 2016

Belgrade

Pursuant to Article 39(2), related to Article 44(1 and 2) of the Law on Protection of Competition (“Official Gazette of the Republic of Serbia, no. 51/09 and 95/2013), and Article 71(3) of the Law on General Administrative Procedure (“Official Gazette of the Federal Republic of Yugoslavia, no. 33/97 and 31/01, and “Official Gazette of the Republic of Serbia”, no. 30/2010), authorized official of the Commission for Protection of Competition in the proceeding instituted ex officio against company “N SPORT”, Ltd. for foreign and domestic trade, Belgrade-Zemun, refe. no. 17067648, with registered head-office at 150a, Autoput Beograd-Novi Sad, Belgrade-Zemun, against power of attorney by legal representative Dalibor Šarić, General Manager, and company “SPORTIKO” DOO Arandjelovac for retail and wholesale, refe. no. 17013670, with registered head-office at 86, Knjaza Miloša Street, Arandjelovac, against power of attorney by Radosav Vićentijević, General Manager, for investigation of competition infringement pursuant to Article 10 of the Law on Protection of Competition, enacts the following

CONCLUSION

I IS ORDERED to party in the proceeding, “SPORTIKO” DOO Arandjelovac company for retail and wholesale, refe. no. 17013670, with registered head-office at 86, Knjaza Miloša Street, Arandjelovac, against power of attorney by Radosav Vićentijević, General Manager, to submit the following information, statements and data:

1. To submit data on the start of contract relation with the company “N SPORT”, in addition to copies of all contracts concluded with this company as the vendor, with complete supporting documentation, all possible relating annexes, attachments, protocols, etc. that were/are implemented during 2014, 2015 and 2016.
2. To make a statement on circumstances in which the vendor – “N SPORT”, implemented/is implementing the control over execution of contract obligation related to the minimum retail price in your further retail and/or wholesale of contract products, in addition to information on executing contract provisioned sanctioning related to possible breaches of contract obligation;
3. To submit, in print and/or e-version on a CD drive, copies of all its retail and wholesale price lists implemented in 2014 and 2015, as well as price list/price lists that were/are implemented in 2016, relating to products supplied by the “N SPORT” as the vendor.
4. In case of further wholesale of products supplied by the “N SPORT”, is necessary to

submit list of all buyers you have supplied with the said products, and relating copies of concluded contracts with complete supporting documentation, all possible relating annexes, attachments, protocols, etc. that were/are implemented during 2014, 2015 and 2016;

5. To submit, in print or e-version (on a CD drive) completed Excel file table “*Struktura dobavljača.xls*” attached to this Conclusion. The table should be completed as per provided template, entering the list of all your suppliers and generated financial implementation (purchase value, VAT free) listed as per provided categories (sports footwear, textile – sports clothing and equipment – sporting goods) for 2014, 2015 and 2016. In the column *Selling brands*, list all brands supplied by the vendor in related period;
6. To submit, in print or e-version (on a CD drive) completed Excel file table “*Ostvareni promet u maloprodaji.xls*” attached to this Conclusion. The table should be entered with generated turnover (retail value, VAT free) in retail stores operating under the control of your company, presented separately as per provided categories (sports footwear, textile – sports clothing and equipment – sporting goods) at annual level for 2014, 2015 and 2016.

II This Conclusion shall be published on the Internet page of the Commission for Protection of Competition, pursuant to Article 39(2) of the Law on Protection of Competition.

III As the day of orderly receipt of Conclusion no. 4/0-02-626/2016-13 dated November 1, 2016, with the order to submit information, statements and data from Paragraph I of this Conclusion, party to the proceeding shall take November 16, 2016, if party to the proceeding prior to the expiry of deadline from Paragraph I of this Conclusion personally fails to collect the Conclusion in the business premises of the Commission for Protection of Competition.

IV DEADLINE for acting on the orders from Paragraph I of enacting terms of this conclusion is **five (5) days** from the date of receipt of the Conclusion in accordance with Paragraph III of this Conclusion, under the threat of imposing sanctions for procedural breaches pursuant to Article 70(1/1) of the Law on Protection of Competition.