



Republic of Serbia
**COMMISSION FOR PROTECTION
OF COMPETITION**

Number: 4/0-02-58/2017-1

Reference: 4/0-02-25/2016

Date: March 13, 2017

Belgrade

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Anonymized version

Pursuant to Article 22(2), Article 57(1) and Article 68(1/2) of the Law on Protection of Competition (“Official Gazette of the RS”, nos. 51/09 and 95/13), Article 192 of the Law on General Administrative Procedure (“Official Gazette of the FRY”, nos. 33/97, 31/01 and “Official Gazette of the RS”, no. 30/10), Article 3 and Article 4 of the Regulation on criteria for setting the amount payable on the basis of measure for protection of competition and sanctions for procedural breaches, manner and terms for payment thereof and conditions for determination of respective measures (“Official Gazette of the RS”, no. 50/10), deciding in the proceeding of investigating competition infringement from Article 10 of the Law on Protection of Competition, which is instituted *ex officio* against companies: Vital, with registered seat at the address bb Kulski put Street, Vrbas, company registration number 08065721, whose legal representative is Marko Abramović, and Victoriaoil JSC, with registered seat at the address 2 Branka Erića Street, Šid, company registration number 08140391, whose legal representative is Srđan Popov, on the 100th Session held on March 13, 2017, Council of the Commission for Protection of Competition enacts the following

DECISION

I IT IS ESTABLISHED that companies Vital, with registered seat at the address bb Kulski put Street, Vrbas, and Victoriaoil JSC, with registered seat at the address 2 Branka Erića Street, Šid, have concluded the restrictive agreement that limits and controls production and market, wherewith have performed the infringement of competition from Article 10(2/2) of the Law on Protection of Competition.

II IT IS PROHIBITED to companies from Paragraph I of enacting terms of this Decision, any further acting that might limit, distort or prevent competition.

III MEASURE FOR PROTECTION OF COMPETITION IS ESTABLISHED to companies Vital, with registered seat at the address bb Kulski put Street, Vrbas, and Victoriaoil

JSC, with registered seat at the address 2 Branka Erića Street, Šid, in the form of commitment payment of a monetary sum in the amount of 0.33% of the total annual revenue generated in 2014 on the market of the Republic of Serbia, namely:

- to company “Victoriaoil“ in the amount of RSD 23,149,695.00 (in words: twenty-three million, one hundred forty-nine thousand, six hundred ninety-five Dinars),
- to company “Vital” in the amount of RSD 8,601,942.00 (in words: eight million, six hundred one thousand, nine hundred forty-two Dinars).

IV IT IS ORDERED to companies Vital, with registered seat at the address bb Kulski put Street, Vrbas, and Victoriaoil JSC, with registered seat at the address 2 Branka Erića Street, Šid, to effect payment of the monetary amount of measure for protection of competition from Paragraph III of enacting terms of this Decision into the Budget account of the Republic of Serbia no. 840 743224 843 94, model 97 - reference number: two-digit control number per model 97 – three-digit number of municipality, city or area – number of this Decision.

V DEADLINE IS SET to three (3) months from the day of receipt of this Decision for the execution of order from Paragraph IV of enacting terms of this Decision, under the threat of enforcement measure.

VI IT IS ORDERED to companies Vital, with registered seat at the address bb Kulski put Street, Vrbas, and Victoriaoil JSC, with registered seat at the address 2 Branka Erića Street, Šid, to immediately following the execution of order from Paragraph IV of enacting terms of this Decision, to submit to the Commission for Protection of Competition the proof of executed payment.

VII This decision shall be published in the „Official Gazette of the Republic Serbia“ and on the Internet page of the Commission for Protection of Competition.