



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

Number: 5/0-02-90/2017-131

Date: October 23, 2017

Belgrade

Pursuant to Article 22(2), Article 57(1) and Article 68(1/1) of the Law on Protection of Competition (Official Gazette of the RS 51/09 and 95/13), Article 192 of the Law on General Administrative Procedure (Official Gazette of the FRY 33/97, 31/01, and Official Gazette of the RS 30/2010), read in conjunction with Article 213(1) of the Law on General Administrative Procedure (Official Gazette of the RS 18/2016), and Articles 3 and 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 50/2010), in proceedings instituted *ex officio* against company INTER TURS PLUS PREVOZNIČKO PROIZVODNO I USLUŽNO DOO ARANĐELOVAC, company number 20797142, with registered office at 169 Vožda Karađorđa St., Aranđelovac, represented by Ljiljana Grujić, CEO, in order to establish the existence of an act of abuse of dominance within the meaning of Article 16 of the Law on Protection of Competition, at the 125th session held on October 23, 2017, the Council of the Commission for Protection of Competition enacts the following

DECISION

- I IT SHALL BE ESTABLISHED** that the undertaking, company INTER TURS PLUS PREVOZNIČKO PROIZVODNO I USLUŽNO DOO ARANĐELOVAC, company number 20797142, with registered office at 169 Vožda Karađorđa St., Aranđelovac, holds a dominant position in the relevant market for intercity bus dispatch services provided at the bus station in Topola.
- II IT SHALL BE ESTABLISHED** that the undertaking, company INTER TURS PLUS PREVOZNIČKO PROIZVODNO I USLUŽNO DOO ARANĐELOVAC, company number 20797142, with registered office at 169 Vožda Karađorđa St., Aranđelovac, **has abused its dominant position** in the relevant market for intercity bus dispatch services provided at the bus station in Topola, by directly imposing and charging for the services concerned at rates considered unfairly high, based on the Decision of March 31, 2016, on the adoption of the bus station pricelist applicable as of April 1, 2016.
- III MEASURE FOR PROTECTION OF COMPETITION SHALL BE IMPOSED** against the undertaking referred to in Paragraph I of enacting terms herein, in the form of commitment to pay a monetary sum of 1.32% of the total annual turnover generated in 2015, which amounts to RSD 232,029.60 (in words: two hundred thirty-two thousand twenty-nine and 60/100 dinars).
- IV IT SHALL BE ORDERED** to the undertaking referred to in Paragraph I of enacting terms herein, to make payment in respect of the measure for protection of competition referred to in Paragraph III of enacting terms herein, into the Budget account of the Republic of Serbia No.

840 743224 843 94, model 97 - with reference number: two-digit control number according to model 97 – three-digit number of municipality, city or territory – number of this decision.

- V DEADLENE SHALL BE SET OUT** for the undertaking referred to in Paragraph I of enacting terms herein, to **4 (four) months** from the date of receipt of this decision for the execution of orders referred to in Paragraph IV of enacting terms herein, under the threat of enforcement measure implemented by the Tax Administration in accordance with regulations governing tax collection.
- VI IT SHALL BE ORDERED** to the undertaking referred to in Paragraph I of enacting terms herein, to submit proof of payment to the Commission for Protection of Competition within 5 (five) days from the date of execution of the order referred to in Paragraph IV of enacting terms herein.
- VII REMEDIAL MEASURES TO RESTORE COMPETITION AND DEADLINES FOR THE EXECUTION THEREOF SHALL BE IMPOSED AND IT SHALL BE ORDERED** to the undertaking referred to in Paragraph I of enacting terms herein, to enact a new Decision on the bus station pricelist and the Bus station pricelist no later than 15 business days from the date of receipt of this decision, and to submit copies of said documents to the Commission no later than 5 business days from the date of their enactment.
- VIII IT SHALL BE PROHIBITED** to the undertaking referred to in Paragraph I of enacting terms herein, to take any further actions that could prevent, restrict, or distort competition by abuse of dominance in a manner as described in Paragraph II of enacting terms herein.
- IX** This decision shall be published in the Official Gazette of the Republic Serbia and on the website of the Commission for Protection of Competition.

...

CHAIRWOMAN OF THE COUNCIL

Mirjana Mišković Vukašinić,

Council member