



R e p u b l i c o f S e r b i a
COMMISSION FOR
PROTECTION OF
COMPETITION

25/IV Savska Street, Belgrade

Number: 4/0-01-464/2023-14

Date: December 29, 2023

President of the Commission for Protection of Competition, pursuant to Article 22 paragraph 2, 57 paragraph 1, 68 paragraph 1, item 2) and 69, paragraph 3 of the Law on Protection of Competition ("Official Gazette of the Republic of Serbia", number 51/09 and 95/13), and Article 3 and 4 of the Decree on Criteria for Determining the Amount Paid on the basis of Competition Protection Measures and Process Penalties, Payment Manner and Deadline and Conditions for Determination of Such Measures ("Official Gazette of the Republic of Serbia" no. 50/10), in deciding in investigation procedure relating to the infringement of competition, launched ex officio against the following companies: KTG Solucije doo Subotica, seated in Subotica, 60 Venac bratstva i jedinstva Street, company number: 21181030, legally represented by Milica Nikoletić and Eco sense doo Subotica, seated in Subotica, 3 Graničarska Street, company number: 21696625, legally represented by Darko Putnik, for the purpose of investigating competition infringement referred to in Article 10 of the Law on Protection of Competition, at the 146th meeting held on December 29, 2023, adopts the following

DECISION

I IT IS HEREBY ESTABLISHED that the companies KTG Solucije doo Subotica, seated in Subotica, company number: 21181030 and Eco sense doo Subotica, seated in Subotica, company number: 21696625, negotiated the terms of participation in the public procurement procedures of the contracting parties Sports Center "Soko" from Sombor reference number 01-02/2022, Public Utility Company "Stadion" Subotica reference number 05/2022 and Special Rehabilitation Hospital "Banja Kanjiža" Kanjiža, reference number 13/ 2022, which had as their subject the procurement of means for maintaining hygiene, thereby concluding a restrictive agreement in the sense of Article 10, paras. 1 and 2, item 1) of the Law on the protection of competition, which aims to significantly distort, restrict and prevent competition.

II IT IS HEREBY ESTABLISHED that the restrictive agreement referred to in paragraph I of the wording of this decision shall be null and void.

III COMPETITION PROTECTION MEASURE IS HEREBY DETERMINED in the form of an obligation to pay a sum of money to the company Eco sense doo Subotica, in the amount of RSD 384,504.00 (in letters: three hundred and eighty-four thousand five hundred and four dinars).

IV IT IS HEREBY ESTABLISHED that the company KTG Solucije doo Subotica has fulfilled the conditions for reducing the amount of the monetary amount of the competition protection measure, in accordance with Article 69, paragraph 3 of the Law on Protection of Competition.

V COMPETITION PROTECTION MEASURE is HEREBY DETERMINED in the form of an obligation to pay a monetary amount, determined in accordance with paragraph IV of the disposition of this Decision, to the company KTG Solucije doo Subotica, in the amount of RSD 189,578.00 (one hundred and eighty-nine thousand and seventy-eight dinars).

IV Market participant referred to in paragraph I of the enacting terms of this Decision **IS ORDERED** to execute the payment of the monetary amount for the purpose of competition protection measure from paragraphs III and V of the wording of this Decision to the account of the Budget of the Republic of Serbia number 840 743224 843 94, model 97 - with payment reference number: double figure control number per model 97 - three-figure code of the municipality - number of this Decision.

V DEADLINE SHALL BE SET of 6 (six) months from the date of receipt of this Decision for the execution of order from paragraph VI of the wording of this Decision under threat of enforcement implemented by Tax Administration in line with regulations prescribing tax collection.

VI Market participant from paragraph I of the wording of this Decision **IS ORDERED** to, within 15 (fifteen) days from the date of execution of order from paragraph VI of the wording of this Decision, supply the Commission for Protection of Competition with evidence executed payment.

IX Market participants from paragraph I of the wording of this Decision **ARE PROHIBITED** to act, in the future, in any way that might, restrict, distort or prevent competition in a manner described in paragraph I of the wording of this Decision.

X This decision shall be published in the “Official Gazette of the Republic of Serbia” and the webpage of the Commission for Protection of Competition.

President of the Commission

Nebojša Perić