REPUBLIC OF ALBANIA
COMPETITION AUTHORITY

No. 418 prot. Tirana 23.11.2020

Subject: **Memorandum of** Understanding between: the Albanian Competition **Authority (ACA)** and the Spanish Authority for Markets and Competition.

Chairwoman

Juliana Latifi

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CNMC
COMISIÓN NACIONAL DE LOS MERCADOS Y LA COMPETENCIA

AUTORITETI I KONKURRENCËS

MEMORANDUM FOR COOPERATION IN THE FIELD OF COMPETITION POLICY BETWEEN THE ALBANIAN COMPETITION AUTHORITY (ACA) AND THE SPANISH AUTHORITY FOR MARKETS AND COMPETITION (CNMC)

The Albanian Competition Authority[1] and la Comisión Nacional de los Mercados y la Competencia del Reino de España (The National Authority for Markets and Competition of the Kingdom of Spain[2]), (hereinafter referred to as "the Parties"),

Expressing the wish to promote cooperation in the field of competition policy and competition law enforcement,

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

Based on principles of equality and mutual benefit,

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

HAVE AGREED as follows:

Article I

The Parties shall promote and strengthen cooperation in competition law enforcement and competition policy in line with this Memorandum.

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point 1, letter ç, of Albanian law no. 9121 dated. 28.07.2003, "On Competition Protection", as amended, the Chairwoman of the Competition Commission represents the Authority in relations with third parties.

[2] According to article 47 and 48 of the Spanish Act nº 25/2014, of November 27, for Treaties and others International Agreements, and being CNMC' President signatory.

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Article II

In the mutual interest of the Parties, cooperation will be realized in the following basic directions subject to reasonably available resources:

a) exchange of information on legislative developments;

b) exchange of experience in the field of investigations, regarding the violation of competition rules, following the confidential rules;

c) exchange of experience regarding the relations between competition authorities and national regulatory agencies.

Article III

The main forms of the Parties interaction may be as follows:

a) exchange of non-confidential information on legislative developments and cases;

b) organizing study visits and experts training;

c) attendance at interactional conferences, symposiums, seminars and other events organized by the Parties;

d) expert meetings or consultation via e-mail between experts of the Parties regarding exchange of non-confidential information on specific issues of mutual interest;

e) organization of high level-meetings/visits for discussing the perspectives and directions in which the bilateral cooperation will continue;

f) exchange of documents, studies, books etc., which have been published by the Parties.

Article IV

The transfer of information will be made in English language (if available English version of documents) by post and e-mail through designated general contact points or on the occasion of Parties' representatives' meetings.

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Article V

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kewise, in each case, the agenda, place and other elements of the

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bilateral activities, shall be established by the Parties by mutual agreement, and shall be specified in the Annex referred to in Article V of the present Memorandum.

Article VI

Disputes regarding the interpretation and implementation of the present Memorandum, if any, shall be settled by the means of consultations and negotiations.

Article VII

This 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 law. No provision of this Memorandum shall be interpreted and implemented as creating legal rights or commitments, including financial aspects, for the States of the Parties.

Article VIII

The present Memorandum shall be jointly revised by the Parties following prior consultations.

Article IX

The present Memorandum is concluded for an unlimited period of time and enters into force on the date of its signing.

Article X

This Memorandum can be terminated by either Party by submitting a written notification to the other Party.

This Memorandum will expire after three months from the date of receipt of the written notification.

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Article XI

Signed in **Tirana and Madrid** on Monday 23th of November 2020, in duplicate, in English language.

For the Albanian Competition Authority

Prof. Dr. Juliana Latifi
ACA' Chairwoman

For la Comisión Nacional de los Mercados y la Competencia (on behalf the Spanish Kingdom)

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Prof. Dr. Cani Fernánez Vicién
CNMC' President[3]

[3] According to article 47 and 48 of the Spanish Act nº 25/2014, of November 27, for Treaties and others International Agreements, and being CNMC' President signatory on behalf the Spanish Kingdom.

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