

The Council of Competition of Bosnia and Herzegovina represented by Ibrica Lakišić President of the Council and Commission for Protection of Competition of the Republic of Serbia represented by Prof. Dijana Marković Bajalović President of the Council, have concluded

**MEMORANDUM**  
**of mutual understanding and cooperation**  
**in the field of market competition**

**Article 1.**

By signing the Memorandum on mutual understanding and cooperation in the field of competition law and policy (hereinafter: Memorandum), the Council of Competition of Bosnia and Herzegovina and the Commission for Protection of Competition of the Republic of Serbia (hereinafter: the parties to the Memorandum), express their intend towards a promotion of cooperation in the field of competition law and policy, aimed at development of bilateral relations on the grounds of principle of equality and mutual benefit, providing the conditions for efficient operations in the market of products and services pursuant to rules i.e. standards of market competition bearing in mind their significance for establishment and development of free economic market, and agree to base its mutual cooperation on principles and acts defined by this Memorandum.

**Article 2.**

The parties to the Memorandum agree to develop and strengthen the cooperation in the field of application of competition law and policy.

**Article 3.**

The realization of cooperation shall be a matter of mutual interest of the parties to the Memorandum and principally it shall be directed at:

- a) exchange of legislative principles and other legal sources on the basis of which all activities of the parties to the Memorandum are performed within their area of responsibilities in the field of competition protection;
- b) improvement of the legal frame in order to restrict and control the concentration considering the practice of the parties to the Memorandum and regulatory rules and experience of European Community;
- c) exchange of experience gained in procedure for identifying the breach/violation of regulations in the field of market competition;
- d) ordinary exchange of the annual performance reports, other documents and review of activities done by the parties to the Memorandum; and
- e) development of bilateral cooperation aimed at attending various activities organized at the international level.

#### **Article 4.**

The main forms of the mutual activity of the parties to the Memorandum in the field of market competition may be as follows:

- a) exchange of information having non-confidential status but which relates to the case;
- b) organization of the study visits aimed at providing professional trainings for the staff;
- c) exchange of experts in order to provide their participation in professional activities and /or assistance in the realization of those activities, as is the decision making procedure, in a case of need and upon request of the interested party to the Memorandum;
- d) attend the conferences, symposia, seminars and/or other events organized in Bosnia and Herzegovina and Republic of Serbia in order to promote the protection of the market competition;
- e) organize working groups at the professional level within the parties to the Memorandum in order to enable the exchange of the information relating to different matters of mutual importance by the electronic means of communication;
- f) organize mutual high level meetings/visits in order to pursue the discussion of the possibilities and directions for further development of bilateral cooperation;
- g) organize professional training for the staff, depending on funds available; and
- h) exchange of documents, studies and books and other literature on market competition.

#### **Article 5.**

No party to this Memorandum shall dispose or give information and data received from the second party to the third party without prior consent of the second party.

#### **Article 6.**

The exchange of information made by electronic means or at meetings of representatives authorized by the parties to the memorandum will be provided on official languages spoken in the countries of the parties.

#### **Article 7.**

The agenda for each meeting, information and place of the meeting and other conditions, including the financial conditions, will be determined by the parties of the Memorandum in particular.

#### **Article 8.**

All disputes arising out of the interpretation and application of this Memorandum will be settled peacefully between the parties.

**Article 9.**

This Memorandum shall not infringe and/or in any way affect any of rights and obligations of the parties to the Memorandum arising from their participation in other international memorandums.

**Article 10.**

This Memorandum may be amended by the parties to the Memorandum only by mutual consent and prior information exchange.

**Article 11.**

For the sake of this Memorandum the parties to the Memorandum shall appoint responsible persons to maintain the contacts during the official and unofficial meetings.

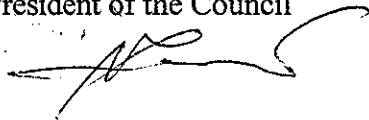
**Article 12.**

This Memorandum is made and signed in 2 (two) originals each in official languages spoken in Bosnia and Herzegovina, in Bosnian, Serbian and Croatian, official language spoken in Republic of Serbia and in English language.

This Memorandum is signed in Belgrade on 15.04.2009.

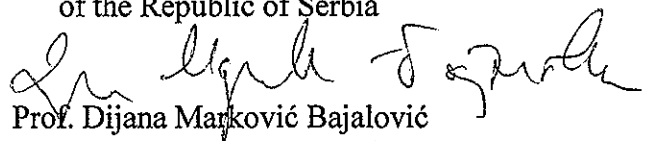
On behalf of  
Council of Competition  
of Bosnia and Herzegovina

Ibrica Lakišić  
President of the Council



On behalf of  
Commission for Protection of Competition  
of the Republic of Serbia

Prof. Dijana Marković Bajalović  
President of the Council



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Sarajevo: 22.04.2009