

REGULATION
ON AMMOUNT OF ADMINISTRATIVE TAXES
RELATED TO THE PRACTICES BEFORE THE COUNCIL
OF COMPETITION

-Consolidated text-

“Official Gazette of BiH“, No. 30/06 and 18/11

Regulation on the Amount of Administration Taxes Relating to the Practices Before the
Council of Competition

Pursuant to Article 17 of the Law on Council of Ministers of Bosnia and Herzegovina (Official Gazette of BiH, No. 30/03, 42/03,81/06,76/07,97/07 and 24/08) and Article 25, paragraph (1) item i) of the Competition Act (Official Gazette of BiH, No. 48/05, 76/07 and 80/09), at the proposal of Council of Competition, the Council of Ministers of BiH, at the 112th and 142nd session held on 16 March 2006 and 25 January 2011, issued the following

**REGULATION ON AMMOUNT OF ADMINISTRATIVE TAXES RELATED
TO THE PRACTICES BEFORE THE COUNCIL OF COMPETITION**

(Consolidated text)

FIRST PART – GENERAL PROVISIONS

Article 1

(Subject-matter)

This Regulation stipulates the amount of administrative taxes related to the practices in competence of the Council of Competition pursuant to the Competition Act (hereinafter: the Act).

SECOND PART - THE TARIFFS OF ADMINISTRATIVE TAXES

Article 2

(Tariffs of administrative taxes)

Administrative taxes set out in Article 1 of this Regulation shall be paid according to following tariffs:

Tariff number 106

Type of a tax obligation

Amount in KM

(1) For requests on:

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a) the expert opinion, recommendations and explanations in line with Article 25, paragraph (1), items c) and f) of the Act;	250,00
b) an individual exemption from the agreement prohibition in line with Article 6, paragraph (4) of the Act	200,00
c) the extension of the time limit of an individual exemption in line with Article 5, paragraph (1) of the Act	200,00
d) the assessment of the block exemption of the agreement in line with Article 7, paragraph (4) of the Act	200,00
e) determination of abuse of a dominant position in line with Article 11 of the Act	1.000,00
f) determination of prohibited agreement in line with Article 4, paragraph (2) of the Act	1.000,00
g) the extension of the duration time of the obligation to bank and other financial institution or insurance associations to notify a concentration in line with Article 12, paragraph (3), item a) of the Act	300,00
h) failure to implement the concentration in accordance with the Decision of the Council of Competition or failure to notify the concentration pursuant to the Article 19, paragraph (1) of the Act	1.000,00
i) review of the issued Decision on individual exemption from the agreement prohibition in terms of Article 5, paragraphs (4) and (5) of the Act	2.000,00
j) review of the issued Decision on concentration, when parties can not meet some of the conditions or infringe some of the measures stipulated in the Decision, due to circumstances that could not have been predicted or avoided and do not depend on the will of the parties, in terms of Article 18, paragraph (8) of the Act	2.000,00
k) review of the issued Decision on assessment of concentration, in terms of Article 43, paragraph (5) of the Act	2.000,00
(2) The notification of concentration in line with Article 16, paragraph (1) of the Act, and for notification on intended concentration in line with Article 16, paragraph (2) of the Act	2.000,00

Tariff number 107

(1) For Decision on:

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|---|------------------|
| a) individual exemption from an agreement prohibition in line with Article 5, paragraph (1) of the Act | 2.000,00 |
| b) extension of the time limit of an individual exemption from an agreement prohibition in line with Article 6, paragraph (3) of the Act | 1.000,00 |
| c) block exemptions from an agreement prohibition in line with Article 7, of the Act | 2.000,00 |
| d) assessment of the concentration as compatible , incompatible or conditionally compatible in line with Article 18 of the Act: | |
| 1) for concentration declared as compatible before taking a conclusion on initiation of the proceedings | 2.500,00 |
| 2) for concentration which shall be evaluated following a conclusion on initiation of the proceedings | 25.000,00 |
| e) approval of the extension of the time limit of the obligation to bank and other financial institution or insurance associations to notify a concentration in line with Article 12, paragraph (3), item a) of the Act | 2.500,00 |
| f) determination of abuse of dominant position on the relevant market, based on request, in terms of Article 11, paragraph (1) of the Act | 1.500,00 |
| g) assessment confirming that an undertaking does not abuse dominant position on relevant market, based on special request, in terms of Article 11, paragraph (3) of the Act | 1.500,00 |
| h) assessment of concentration as compatible, based on special request, in terms of Article 18, paragraph (7) of the Act and Article 19 of the Regulation on notification and criteria for the assessment of concentrations | 2.500,00 |
| i) review of the issued Decision on assessment of concentration, based on special request, in terms of Article 43, paragraph (5) of | |

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the Act	2.500,00
 (2) Annulment, amendment or cancellation of a decision:	
a) on individual exemption from an agreement prohibition in line with Article 5, paragraph (4) of the Act	2.000,00
a) on evaluation of concentration when the parties are not able to accomplish some of the conditions or infringe certain measures set forth in the decision taken by Council of Competition due to particular circumstances which could not be predicted and avoided and which do not depend on the will of the parties in line with Article 18, paragraph (8) of the Act	2.500,00

Tariff number 108

For Conclusion on:

a) compromise made between parties to the proceedings	1.000,00
b) suspension of the proceedings because the parties to the proceedings have waived the request, in a case when a conclusion on initiation of the proceedings is already issued	500,00
c) rejection of concentration notification due to unaccomplished conditions regarding the aggregate annual turnover in line with Article 14, paragraph (1) of the Act	1.000,00
d) rejection of concentration notification due to non-existence of concentration in terms of Article 12 of the Act	1.000,00

Article 3
(Tax Obligation)

- (1) The tax is to be paid in a moment the obligation comes into being
- (2) Tax obligation comes into being:
 - a) for requests, notifications and other submissions, in a moment when it is submitted;

- b) for administrative acts issued by Council of Competition, before it is delivered to the party upon whose request the act is issued;
- c) for other legal actions, in a moment when a request for its realization is submitted.

PART THREE – FINAL PROVISIONS

Article 4 (Application)

The Law on Administrative Taxes («Official Gazette of BH», No. 16/02, 19/02, 43/04, and 8/06) is to be applied to other matters not regulated in this Regulation.

Article 5 (Entry into force)

This Regulation shall enter into force on the eighth day after the publication in the “Official Gazette of Bosnia and Herzegovina”, and shall also be published in the official gazettes of the Entities and Brčko District of Bosnia and Herzegovina.

C.C. Number: 48/06

**President of
the Council of Competition**

Sarajevo, 16th March 2006

Adnan Terzić