

STANDARD SUMMARY PROJECT FICHE

Project Number: RO-9906-02

Title: Strengthening the administrative capacity to manage the “Acquis” in the field of Competition and State Aid

Sub-programme: RO-9906 Strengthen the Capacity to withstand Competitive Pressures

Geographical Location: Bucharest, Competition Council, Competition Office

Objectives

Strengthening the administrative capacity of Competition Council and Competition Office in order to create and maintain a competition environment by prohibition of anti-competitive agreements, abuse of dominant position, merger control, enforcement of state aid policy, making an inventory, monitoring and reporting state aids.

Description

The Competition Council and Competition Office are the supervising authorities of competition policy and state aid. Both institutions made significant progress in this area but, taking into account that they were established only recently (late 1996), they need further support in order to ensure full implementation of the *Acquis Communautaire*.

The Accession Partnership provides that “effective enforcement of anti-trust legislation must be enhanced”, and that “a national legal framework on state aid, covering the monitoring and admissibility of state aid must be created”. The project is a priority of the National Programme for the Adoption of the Acquis (NPAA), and its objectives are in line with the recommendations of the bilateral screening session on Competition that took place on 8 March 1999.

With Phare assistance and supported by DG IV, the Competition Council prepared a draft Law on State Aid, which was adopted by the Chamber of Deputies on March 1999 and was submitted to the Senate for the final adoption while the Competition Office started the activity of making an inventory of state aids as provided by the Accession Partnership.

The project aims at improving the institutional capacity to apply the Competition Law (no 21/1996) and secondary legislation.

The objectives of the programme are as follows:

- ***Strengthening and improvement of administrative capacity of competition and state aid authorities to manage and implement the acquis.***

The administrative capacity of the Competition Council (which is responsible for State aid control) and the Competition Office (which deals with monitoring of aid and reporting) should be reinforced. Further training on State aid issues to the staff of these bodies will be necessary. Training on State aid matters should also extend to aid granting bodies (i.e. to other Government departments, local Governments etc.) and to judges etc. The two institutions will acquire the required efficiency and competence to enforce the Law on State Aid.

In this respect it is necessary to continue the training of the existing staff as well as the training of the personnel that will be hired for the completion of the administrative chart (at Competition Council).

This can be done by organizing seminars in Romania and training courses with the EC Commission and/or similar authorities in Member States.

There is a special necessity of training the personnel with responsibilities in the decision making process through an intensive exchange of experience with the EC Commission, similar authorities from Member States or from more advanced countries associated to EC

Considering the novelty and the lack of relevant experience in the field of state aid, long term assistance for implementing and enforcing the new state aid legislation, granted by an EC expert is a major component of this objective.

It is also necessary to acquire an adequate hardware and software in order to create a solid database and to develop an informational net that ensures the exchange of information between the two authorities and the 42 County Competition Inspectorates subordinated to the Competition Office.

In order to keep permanent contact with the newest developments of EC legislation in the field, the relevant documentation is obviously necessary.

- ***Effective enforcement of the competition policy, adapting and completion of secondary legislation.***

Effective enforcement of the competition policy is possible by fostering the development of the analytical, investigation and prosecution skills and procedures of the two institutions involved in investigations and by increasing the administrative capacity of Law enforcement.

In line with the results of the bilateral screening, the adoption of the “acquis” has to be approached as a permanent process and the harmonization of national legislation with EC law must be continued by completing and adapting it, taking into account the actual, the new, the future EC regulations.

For example, the Competition Council will complete the Regulation on granting block exemptions with provisions regarding vertical restraint, in order to be harmonized with the draft provision of EC legislation in this respect.

- ***Effective enforcement of the state aid policy and drafting Regulations and Guidelines for the enforcement of the State Aid Law.***

For the legal framework ensuring a proper State aid control, implementing regulations should be drafted for the application of State aid law, which is expected to be adopted during the current parliamentary session and enter into force on 1.1.2000.

The Competition Council has to work out and adopt Regulations and Guidelines for effective enforcement of State Aid Law for: establishing the conditions to be met by a state aid to be considered under “de minimis” threshold, the criteria on granting exemptions on categories of state aid, state aid notification, defining the essential criteria to be met when authorizing a state aid measure.

The Competition Office needs assistance for elaborating and promoting some Government Decrees regarding the procedures of inventoring, monitoring and reporting of State Aids under transparent conditions and updating the state aid inventory with new aid measures which “must be effectively monitored on a systematic basis”, according to Accession Partnership.

A comprehensive inventory should list information on all existing aid measures in operation in Romania (e.g. aid granted on central Government level, through central budget, by tax authorities, by local authorities etc.). The inventory should cover all types of aid, direct and indirect, including fiscal aid measures. The annual report should provide information on the total volume of aid granted in Romania during a given financial year on the basis of the methodology used by the Commission in its surveys (covering various aid objectives and sectoral distribution of aid).

Assessment of aid should be carried out on the basis of the criteria arising from Article 87 EC (ex Article 92 EC) on the basis of Article 64 EA. Aid grantors should notify aid plans to the monitoring authority enabling it to assess the compatibility of aid with the Europe Agreement. The monitoring authority should also assess existing legislation containing State aid elements (e.g. tax legislation, State budgetary measures and other State aid provisions) under the Europe Agreement.

- *Competition and state aid rules advocacy – dissemination of the provisions of the Competition Law, of the State Aid Law and of the enforcement regulations adopted by the Competition Council and the decisions made by the Competition Council.*

In order to enable undertakings and institutions involved in such activities that could affect competition to observe the competition and state aid rules, they have to be aware of the Competition Law, State Aid Law as well as of the activity of the competition bodies.

The Competition Office intends to promote its image by issuing a “Competition Revue”, brochures and leaflets.

Institutional framework

The Competition Council is an autonomous body with investigation powers and regulatory and decision making attributions in the field of competition and state aid policy.

The Competition Office is a specialized body, under the authority of the Government, with investigative powers in the competition field, price regulation for natural monopolies and for products with a special regime, having the task to monitor and report the state aids.

The two institutions are to keep each other informed concerning the cases investigated, cooperating in determining appropriate solutions. The Competition Council is the responsible authority for taking decisions in all cases investigated.

The Competition Council is appointed by the Competition Law (art.16) to receive the merger notifications, and is the only authority competent to analyse notified mergers and to investigate economic concentrations.

The main responsibility of Competition Office according to Art.34 (a) of Competition Law, lies in organising, investigating on its own initiative, or following up on complaints, infringements of Art.5 and 6 of the same law. It also has attributions in implementing the decisions of the Competition Council.

Competition Office, including its territorial Competition Inspectorates, has 346 persons, out of which 300 persons have investigative attributions in the field of anti-trust, price regulation and control for natural monopoly activities and state aids.

As underlined at the bilateral screening session on competition (8 March 1999), the Competition Council has a staff of 80 persons but approximately 190 persons would be needed.

Long term consultancy for one year is required from two advisors:

- one expert to the Competition Office, to support the updating and further development of state aids inventories;
- one expert to the Competition Council to give expert advice on analysing and deciding on the notified state aid measures.

Support will be provided to continue the professional training of the competition and state aid authority staff of the central institutions in Bucharest and of the County Competition Inspectorates subordinated to the Competition Office:

- training courses in Romania in the field of competition and state aid, conducted by Romanian and foreign experts;
- establishment of direct contacts between the investigation staff and enforcers from other competition authorities from Member States, in particular through training courses at the competition authorities from EU Member States.

A Training Needs Assessment will be prepared by both experts, which will result in a proposed one year training programme for all relevant personnel.

Budget (MEUR 2.0)

	Investment	Institution	Total	Beneficiar	IFI*	Total*
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	I	Building IB	PHARE (=I+IB)	y		
1. Strengthening and improvement of administrative capacity	0,250	0,645	0,895			0,895
	0,120	0,320	0,440			0,440
	0,130	0,325	0,455			0,455
2. Effective enforcement of the competition policy adapting and completion of secondary legislation	0,010	0,400	0,410			0,410
		0,200	0,200			0,200
	0,010	0,200	0,210			0,210
3. Effective enforcement of the state aid policy and drafting Regulations the Guidelines for enforcement of State Aid Law	0,015	0,570	0,585			0,585
		0,350	0,350			0,350
	0,015	0,220	0,235			0,235
4. Competition and state aid rules advocacy	0,020	0,090	0,110			0,110
		0,010	0,010			0,010
	0,020	0,080	0,100			0,100
TOTAL	0,295	1,705	2,000			2,000

(NB The budget breakdown within each sub-project shows the indicative allocations to the Competition Council and Competition Office respectively.)

Implementation Arrangements

The project implementation authorities are the Competition Council and Competition Office while the financial management will be performed by the CFCU in the Ministry of Finance as Implementing Agency. Provided that an appropriate twinning partner can be identified, the project will be implemented through twinning with a Member State Institution.

Implementation schedule

Start of tendering
October 1999

Start of project activity
January 2000

Completion
December 2001

Environment: not applicable

Rates of return: not applicable

Investments criteria: not applicable

Conditionality and sequencing

State Aid Law adopted.

Annex 1 of the Project Fiche

			Programe name: Strengthening the administrative capacity to manage the acquis in the field of state aid and number:	Date of drafting: 4.06.1999
LOGFRAME PLANNING MATRIX FOR STRENGTHENING THE ADMINISTRATIVE CAPACITY TO MANAGE THE ACQUIS IN THE FIELD OF COMPETITION AND STATE AID			Contracting period expires: September 2001	Disbursement period expires: December 2001
<i>Project Number: RO-9906-02</i>			Total Budget (MEURO): 2	Phare contribution (MEURO): 2
Wider Objective	Indicators of Achievement*	How, When and By Whom Indicators Will Be Measured	Assumption and Risks	
Creating and maintaining a competitive environment by prohibiting anti-competitive agreements, abuses of dominant positions, control of economic concentrations, endorsement of state aid policy, inventorying, monitoring and reporting of state aids.	<ul style="list-style-type: none"> • Number of investigations carried out by the Competition Council and Competition Office • Number of decisions issued by the Competition Council • Number of decisions and fines of the Competition Council upheld on appeals to the Court of Appeal and Supreme Court • Number of notified mergers • Regulation and guidelines for enforcement of State Aid Law adopted by the Competition Council • Number of notified state aid measures • Working out and updating the state aid inventory 	<ul style="list-style-type: none"> - Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society - Decisions of the Competition Council published in the Official Gazette - Secondary legislation published in the Official Gazette - Progress reports made by the team of experts every six month 	<ul style="list-style-type: none"> - Long period of parliamentary debates on State Aid Law - Possible miss correlation in providing the necessary information for state aid inventory - Competition Office and Council might not be able to attract and maintain sufficient qualified staff due to low salaries for civil servants and to less attractive career opportunities 	

* Must be quantified and measurable

Immediate Objectives	Indicators of Achievement*	How, When and By Whom Indicators Will Be Measured	Assumption and Risks
<ul style="list-style-type: none"> Improvement of administrative capacity of competition and state aid authorities to manage and implement the acquis Effective enforcement of the competition policy adapting and completion of secondary legislation Effective enforcement of the state aid policy, drafting Regulations and Guidelines for enforcement of State Aid Law 	<ul style="list-style-type: none"> Effective functioning of Competition Council and Competition Office Additional staff needed to implement new State Aid law and regulations Additional Staff needed for implementing and enforcing Competition Law No of investigated cases by Competition Council and Competition Office No of Decisions of Competition Council No of Decisions of Competition Council confirmed by the Court of Appeal in Bucharest and by the Supreme Court of Justice, if appealed Working out the state aid inventory by the Competition Office No of decisions taken by the Competition Council on state aid measures No of appeals of state aid decisions 	<ul style="list-style-type: none"> Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society Decisions of the Competition Council published in the Official Gazette Progress reports made by the team of experts every six month Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society Decisions of the Competition Council published in the Official Gazette Secondary legislation published in the Official Gazette Progress reports made by the team of experts every six month 	

* Must be quantified and measurable

<ul style="list-style-type: none"> • Competition and state aid rules advocacy – dissemination of the provisions of the Competition Law no 21/1996, of the State Aid Law and of the enforcement regulations adopted by the Competition Council and of the decisions made by the Competition Council 	<ul style="list-style-type: none"> • No of complaints received by the Competition Office and Council • No of merger notifications received by the Competition Council • No of meetings with the representatives of public authorities, employers associations and business community 	<ul style="list-style-type: none"> - Annual Report of activity of Competition Council, submitted to the Parliament and to the civil society - Progress reports made by the team of experts every six month 	-
Output	Indicators of Achievement*	How, When and By Whom Indicators Will Be Measured	Assumption and Risks
<p>1.- Training stages in Romania supported by Romanian and foreign experts</p> <p>-Training stages at the Competition Authorities from EU Member States</p> <p>-Exchange of experience with competition authorities of EC, Member States, associated countries</p>	<ul style="list-style-type: none"> •No of training personnel •No of training personnel •No of equipment / officer •No of seminars • Improvement of decision making process • A better understanding of Competition Rules of judges involved in judging the appeals against the Decisions of Competition Council 	<ul style="list-style-type: none"> - Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society - Decisions of the Competition Council published in the Official Gazette - Progress reports made by the team of experts every six month 	

* Must be quantified and measurable

<p>-Judges from the Court of Appeal in Bucharest and from the Supreme Court of Justice will be included in the training programs</p> <p>- Well equipped institutions, having a complete number of staff and properly trained personnel</p>	<ul style="list-style-type: none"> • No of investigations carried out by Competition Council and Competition Office • No of resolved cases • No of decisions of Competition Council confirmed by the Court of Appeal in Bucharest and by the Supreme Court of Justice, if appealed • State aid inventory worked out by the Competition Office • No of decisions on notified state aid schemes • Appropriate decision making process 	<p>- Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society</p> <p>- Decisions of the Competition Council published in the Official Gazette</p> <p>- Progress reports made by the team of experts every six month</p>	
<p>2. Effective enforcement of the Competition Policy by putting into effect the Rules on Competition applicable to undertakings referred to in art.64 para 1I), 1ii) and 2) of the Association Agreement, to be approved by the Association Council</p>		<p>- Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society</p> <p>- Decisions of the Competition Council published in the Official Gazette</p> <p>- Progress reports made by the team of experts every six month</p>	

3. Effective enforcement of state aid policy by putting into effect the rules on granting state aid in applying the art.64 para 1iii) and 2) of the Association Agreement approved by the Association Council		<ul style="list-style-type: none"> - Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society - Decisions of the Competition Council published in the Official Gazette - Progress reports made by the team of experts every six month 	
4. Ensuring transparency of the provisions of the Competition Law no 21/1996, of the State Aid Law and of the enforcement regulations adopted by the Competition Council for the business community, administrative bodies and civil society	<ul style="list-style-type: none"> • No of participants to the meetings with the representatives of these categories 	<ul style="list-style-type: none"> - Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society - Decisions of the Competition Council published in the Official Gazette - Progress reports made by the team of experts every six month 	
5. Printing the Competition Revue by the Competition Office - Organizing meetings with the representatives of the juridical authorities, public institutions, business community	<ul style="list-style-type: none"> • The revue • No of subscriptions • No of meetings 		

Inputs	Indicators of Achievement*	How, When and By Whom Indicators Will Be Measured	Assumption and Risks
1. The Competition Council and Competition Office will provide the necessary documentation and human resources for the implementation of technical assistance	<ul style="list-style-type: none"> • No of persons involved in the program • No of documents provided • No of offices • No of phone lines • No of experts 		
2. The two institutions will provide the team of experts with offices, international telephone line, one line for e mail	<ul style="list-style-type: none"> • State aid inventory worked out by the Competition Office • No of decision on notified state aid schemes • Appropriate decision making process • The inventory 	<ul style="list-style-type: none"> - Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society - Decisions of the Competition Council published in the Official Gazette - Secondary legislation published in the Official Gazette - Progress reports made by the team of experts every six month 	
3. One long term expert from an EU authority, at the Competition Office, to support the updating and further development of state aid inventory			

* Must be quantified and measurable

4. One long term expert from an EU authority at the Competition Council to advise on analyzing and deciding on notified state aid schemes. Duration for 3 and 4: one year	<ul style="list-style-type: none"> • Regulations and Guidelines issued by the Competition Council • Appropriate decision making process 	<ul style="list-style-type: none"> - Annual Report of Activity of Competition Council, submitted to the Parliament and to the civil society - Decisions of the Competition Council published in the Official Gazette - Secondary legislation published in the Official Gazette - Progress reports made by the team of experts every six month 	
5. Lectures and seminars will be supported by Romanian and EU experts (economists and lawyers)			
6. Procurement of PC, specific software and other necessary equipment	<ul style="list-style-type: none"> • No of computers 		

Strengthening the administrative capacity to manage the acquis in the field of competition and state aid														
CUMULATIVE CONTRACTING SCHEDULE (MEUR 2.0)														
Date:														
	30/9/99	31/12/99	31/3/00	30/6/00	30/9/00	31/12/00	31/3/01	30/6/01	30/9/01	31/12/01	31/3/02	30/6/02	30/9/02	31/12/02
Objective 1		0.895												
Objective 2		0.410												
Objective 3		0.585												
Objective 4		0.111												
TOTAL		2.000												
NB: all contracting should normally completed within 6-12 months and must be completed within 24 months of signature of the FM														

Objective 1: **Strengthening and improvement of administrative capacity of competition and state aid authorities to manage and implement the acquis**

Objective 2: **Effective enforcement of the competition policy adapting and completion of secondary legislation**

Objective 3: **Effective enforcement of the state aid policy and drafting Regulations and Guidelines for enforcement of State Aid Law**

Objective 4: **Competition and state aid rules advocacy – dissemination of the provisions of the Competition Law no.21/1996, of the State Aid Law and of the enforcement regulations adopted by the Competition Council and the decisions made by the Competition Council**

Strengthening the administrative capacity to manage the acquis in the field of competition and state aid														
CUMULATIVE DISBURSEMENT SCHEDULE (million)														
Date:														
	30/9/99	31/12/99	31/3/00	30/6/00	30/9/00	31/12/00	31/3/01	30/6/01	30/9/01	31/12/01	31/3/02	30/6/02	30/9/02	31/12/02
Objective 1			0,045	0,130	0,320	0,150	0,065	0,070	0,045	0,070				
Objective 2					0,340			0,070						
Objective 3					0,485			0,100						
Objective 4				0,025		0,030		0,025		0,030				
TOTAL			0,045	0,2	1,345	1,525	1,590	1,855	1,9	2				
NB: all disbursements <i>must</i> be completed within 36 months of signature of the FM														

Objective 1: **Strengthening and improvement of administrative capacity of competition and state aid authorities to manage and implement the acquis**

Objective 2: **Effective enforcement of the competition policy adapting and completion of secondary legislation**

Objective 3: **Effective enforcement of the state aid policy and drafting Regulations and Guidelines for enforcement of State Aid Law**

Objective 4: **Competition and state aid rules advocacy – dissemination of the provisions of the Competition Law no.21/1996, of the State Aid Law and of the enforcement regulations adopted by the Competition Council and the decisions made by the Competition Council**

Strengthening the administrative capacity to manage the acquis in the field of competition and state aid

CUMULATIVE CONTRACTING and DISBURSEMENT SCHEDULE (million)

Date:

	30/9/99	31/12/99	31/3/00	30/6/00	30/9/00	31/12/00	31/3/01	30/6/01	30/9/01	31/12/01	31/3/02	30/6/02	30/9/02	31/12/02
Contracted		2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000				
Disbursed		0	0,045	0,200	1,345	1,525	1,590	1,855	1,900	2,000				

NB: 1. *all contracting should normally be completed within 6-12 months and **must** be completed within 24 months of signature of FM*

2. *all disbursements **must** be completed within 36 months of signature of the FM*

TIME IMPLEMENTATION CHART FOR PROJECT NUMBER RO-9802-02
Strengthening the administrative capacity to manage the acquis in the field of
competition and state aid

[illegible]

**STRENGTHENING THE ADMINISTRATIVE CAPACITY TO MANAGE THE ACQUIS
IN THE FIELD OF COMPETITION AND STATE AID**

	Phare budget in MEURO: 2 million		Total Phare	Recipient*	IFI*	Total
	Investment	Institution Building				
			(I+IB)			
Strengthening and improvement of administrative capacity of competition and state aid authorities to manage and implement the acquis	0,250	0,645	0,895			0,895
Computer equipment, software, INTERNET subscription	0,250		0,250			0,250
Training in U.E.		0,120	0,120			0,120
Training in Romania		0,120	0,120			0,120
Exchange of experience		0,125	0,125			0,125
E.U. expert		0,240	0,240			0,240
Documentation		0,040	0,040			0,040
Effective enforcement of the competition policy adapting and completion of secondary legislation	0,010	0,400	0,410			
Effective enforcement of the state aid policy and drafting Regulations and Guidelines for enforcement of State Aid	0,015	0,570	0,585			
Competition and state aid rules advocacy – dissemination of the provisions of the Competition Law no.21/1996, of the State Aid Law and of the enforcement regulations adopted by the Competition Council and the decisions made by the Competition Council	0,020	0,090	0,110			
TOTAL	0,295	1,705	2,000			

* In case of co-financing

**Relation of project with previous PHARE activities
And with ongoing projects financed from other sources
(including government budget)**

The Competition Office and the Competition Council have benefited or may to some degree benefit in the future from other programmes. Some of these are PHARE programmes, others are supported by other donors, most notably USAID.

By the first half of 1998 was concluded the assistance granted by Gide Loyrette Nouel through Phare /REPEDE Programme, which was oriented toward the regulatory activity of the Competition Council and completing the secondary legislation on competition as well as toward drafting the State Aids Law, starting the State Aid Inventory at the Competition Office and training the staff of both institutions.

Two long term consultants, one from Federal Trade Commission and one from Department of Justice – Antitrust Division, USA, supported the activity of both institutions in case handling for a period beginning with September 1997 till present.

Long term consultance will be continued by an antitrust expert from Federal Trade Commission until the first quarter of 2000.

Also, both US agencies granted short term assistance, consisting in seminars and workshops aimed at training the staff of the two Romanian competition authorities (central and territorial staff) in the field of antitrust.

Proper coordination has to be ensured in order to avoid overlapping with other programmes.

LIST OF RELEVANT LAWS AND REGULATIONS

1. Romanian Competition Law no. 21/1996
2. Regulation on granting exemptions per categories of agreement, association decisions or concerted practices from the prohibition provided for in art. 5(1) of the Competition Law no. 21/1996
 - Annex 1-1: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements for exclusive distribution
 - Annex 1-2: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements for exclusive purchase
 - Annex 1-3: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements for research – development
 - Annex 1-4: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements for specialization
 - Annex 1-5: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements for transfer of technology and/or know-how
 - Annex 1-6: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements for franchise

- Annex 1-7: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements for distribution and service for cars
 - Annex 1-8: Notification for obtaining the exemption from the provisions of art. 5 paragraph (1) of Competition Law, by placing them in the category of agreements in the domain of insurance
3. Regulations for the application of the provisions of art. 5 and 6 of the Competition Law no.21/1996 regarding anticompetitive practice
 4. Guidelines on calculation of turnover in the cases of anti-competitive practices stipulated in art. 5 and 6 of the Competition Law no. 21/1996, and in economic concentrations cases
 5. Guidelines on relevant market definition with a view to determining the significant market share
 6. Regulation upon authorization of Economic Concentration
 7. Regulation on organization, functioning and procedures of Competition Council

Reference to relevant Government Strategic plans and studies

The programme is aiming at improving the institutional capacity of applying the Competition Law (no 21/1996) and of the secondary legislation, the Accession Partnership providing that “effective enforcement of anti-trust legislation must be enhanced”.

Also referring to Accession Partnership, “a national legal framework on state aid, covering the monitoring and admissibility of state aid must be created”.

With Phare assistance and supported by DG IV, the Competition Council worked out a draft Law on State Aid, which was adopted by the Chamber of Deputies on March 1999 and by the Senate on June 16, 1999, while the Competition Office started the activity of inventorying state aids as provided by the Accession Partnership.

All the objectives of the programme are high priorities for adopting and managing the acquis, resulted from the bilateral screening session on Competition that took place on 8 March 1999.

Since the Competition Council and Office are committed to fulfill all the measures included in National Programme for the Adoption of the Acquis (NPAA), all the objectives of the programme are aimed at sustaining this goal. The objectives of NPAA are:

- The strengthening and improvement of administrative capacity of the authorities in charge with competition and state aid control;
- Effective implementation of the competition policy, adaptation and completion of secondary legislation;
- Effective implementation of the state aid policy, issuing Governmental decrees, regulations and guidelines on enforcing the State Aid Law;
- Promotion of competition and state aid rules, dissemination of the provisions of the Competition Law and the State Aid Law, Governmental decrees and regulations and decisions of the Competition Council.