



THE GEORGIAN NATIONAL COMPETITION AGENCY IS THE MAIN ORGANIZATION DEFINING AND IMPLEMENTING COMPETITION POLICY.

THE AGENCY PROMOTES FAIR COMPETITION ON THE MARKET, TO SUPPORT THE COUNTRY'S ECONOMIC GROWTH, BUSINESS COMPETITIVENESS AND CONSUMER WELFARE.

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CONSUMER RIGHTS PROTECTION POLICY

109
RECEIVED
APPLICATIONS

63
STUDY HAS
BEEN STARTED

In the first quarter of 2023, in the direction of protection of consumer rights, Agency has received 109 applications, and a case study has been started on 63 applications.

46
CASES

25
COMMITMENT
AGREEMENT

11
AGREEMENTS HAVE
BEEN FULFILLED

28 commitment agreement was signed in favor of the consumer on 46 cases, where, 11 agreements have been fulfilled.

Based on 16 applications, the Agency made 5 decisions confirming the violation, of which the violation established in one decision was eliminated.

16
APPLICATIONS

1
DECISION WAS
ELIMINATED

5
DECISIONS
CONFIRMING

WAS ESTABLISHED

STANDARD OF PUBLICLY
INDICATING THE PRICE

STANDARD FOR SENDING
ADVERTISING SMS
MESSAGES

SERVICE DELIVERY
STANDARD IN GEORGIAN
LANGUAGE

STANDARD OF
INFORMING

CASE OF USA2GEORGIA

On January 27, 2023, the National Competition Agency completed USA2GEORGIA case study and signed a commitment agreement with the trader in favor of the consumer. According to this, the company has made a commitment to calculate the shipping cost based on the actual weight for consumers who purchased parcels between October 25, 2022 and January 25, 2023, and to return the overpaid amount to the consumers. Regardless of whether the consumer has repackaging service checked or not.

View More: <https://bit.ly/4200Lge>

CASE OF NEW BOT

In the equipment trade sector, the Georgian National Competition Agency completed the case study on the alleged violation of the Georgian Law on the Protection of Consumer Rights by "New Bot" and the fact of violation was established.

View More: <https://bit.ly/3HCGipF>

CASE OF SUPER

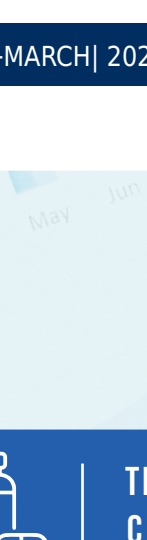
The Agency, in favor of the consumer, signed the commitment agreement with "Super". In the process of studying the case, it was established, that the consumer has the right to receive information regarding the unconditional return of the item and the legal guarantee in the case of online trading provided by law. According to the agreement, in case of signing a contract between the customer and the trader in the future, "Super" undertook to inform the customer in advance in the Georgian language in a clear and understandable way.

View More: <https://bit.ly/3HAN302>

CASE OF EXTRA AREA

The fact of violation of the law was not confirmed on the consumer's claim when receiving short text messages (SMS) with advertising content on the phone number. The case concerned on receiving short text messages (SMS) of advertising content from the company "Extra Area" to the telephone number belonging to the applicant. All advertising short text messages sent to the consumer's phone number have a corresponding NO SMS code, which means, that any citizen can use and refuse to receive unwanted messages. In this particular case, the SMS sent to the consumer was checked and the use of the NO SMS option after any promotional is not fixed.

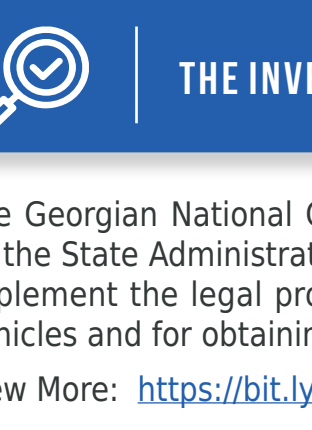
View More: <https://bit.ly/428QRCf>



ACCORDING TO THE LAW OF GEORGIA ON THE PROTECTION OF CONSUMER RIGHTS

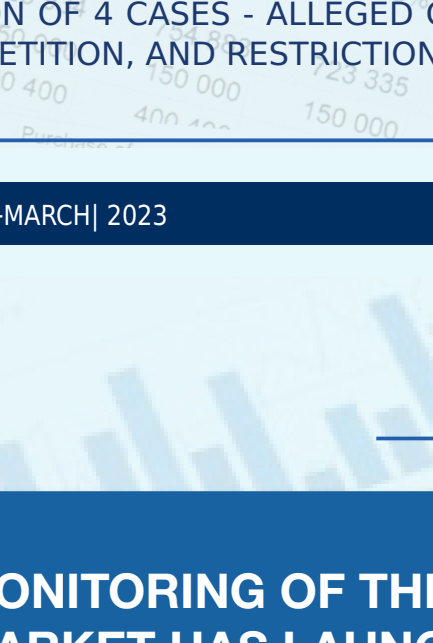
AGGRESSIVE COMMERCIAL PRACTICE IS PROHIBITED

Systematically sending to the consumers unsolicited text messages



IN CASE OF SYSTEMATICALLY RECEIVING
UNSOLICITED PROMOTIONAL MESSAGES

YOU CAN DECLINE BY REPLYING



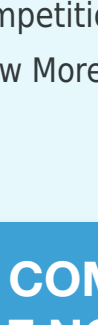
NO SMS

IF THE TRADER DOES NOT COMPLY WITH THE REQUEST, THE CONSUMER
CAN REFER TO THE GEORGIAN NATIONAL COMPETITION AGENCY.

JANUARY-MARCH | 2023

GEORGIAN NATIONAL COMPETITION AGENCY

INVESTIGATION



THE INVESTIGATION ON THE PHARMACEUTICAL MARKET HAS BEEN INITIATED

The Georgian National Competition Agency has started the process of investigating four companies in the pharmaceutical market. The case concerns - in the recent period, the sharp increase in prices on the part of the importing and selling companies of chronic and oncological medicines and the establishment of the alleged, identical pricing.

The investigation started in two directions, which implies the possible abuse of dominant position and the possible restrictive agreements of competition (cartel deals).

View More: <https://bit.ly/44vkZfi>



THE INVESTIGATION ON THE TOBACCO MARKET HAS BEEN INITIATED

The National Competition Agency, based on the complaint of the undertaking, started investigating the tobacco market. The issue concerns alleged violations of Articles 6 and 7 of the Law of Georgia on Competition. An investigation has been launched in 2 directions, the abuse of a dominant position and restrictive agreements.

View More: <https://bit.ly/44Ktw2z>



THE INVESTIGATION IN THE TECHNICAL INSPECTION SECTOR HAS BEEN COMPLETED

The Georgian National Competition Agency, completed investigation, and established the restriction of competition by the State Administrative Authority. The case concerns compliance with the competition legislation of the refusal to implement the legal procedures necessary for the establishment of a periodic technical inspection center for auto vehicles and for obtaining accreditation, which caused a delay in the activity of the undertaking.

View More: <https://bit.ly/428QRCf>

ACCORDING TO THE DATA OF THE FIRST QUARTER OF 2023, THE AGENCY IS CONSIDERING THE INVESTIGATION OF 4 CASES - ALLEGED CASES OF CONCENTRATED ACTION, ABUSE OF A DOMINANT POSITION, UNFAIR COMPETITION, AND RESTRICTION OF COMPETITION BY ADMINISTRATIVE AUTHORITIES.

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GEORGIAN NATIONAL COMPETITION AGENCY

MONITORING

MONITORING OF THE NUT MARKET HAS LAUNCHED

The Georgian National Competition Agency has launched nut market monitoring, based on the application of local farmers. The purpose is to assess the market condition compliance with competition legislation, including studying factors affecting seasonal pricing.

View More: <https://bit.ly/3LyYUlp>

DURING THE REPORTING PERIOD, THE AGENCY IMPLEMENTS THE MONITORING OF THE INSURANCE PRODUCT OFFER/DELIVERY IN THE BANKS AND LPG/CNG GAS AUTO FUEL MARKETS.

CONCENTRATIONS IMPLEMENTED WITH PRIOR MANDATORY NOTIFICATION

In the fourth quarter of 2022, 5244 concentrations of undertakings operating in Georgia were registered.

According to the identified data, in 5234 cases, the annual turnover of the parties participating in the registered concentrations did not meet the criteria necessary for the origination of the obligation of prior notification in the part of the annual turnover. 10 cases were meet the criteria, although 5 of them fell under the exceptions defined by the competition legislation.

View More: <https://bit.ly/3Ytu6k4>

3 COMPANIES WERE FINED FOR NON-SUBMISSION OF NOTIFICATION OF A CONCENTRATION

The National Competition Agency fined 3 undertakings for non-submission of notification of a concentration. Among them, one individual. According to the decision of the Agency, the mentioned companies were instructed to - submit to the Agency a notification regarding the implemented concentration in accordance with the rules established by the legislation. For non-submission of notification of a concentration, the undertakings were fined up to 32,000 GEL.

View More: <https://bit.ly/44ywTct>

JANUARY-MARCH | 2023

GEORGIAN NATIONAL COMPETITION AGENCY

STATE AID

THE BODY PROVIDING THE INSIGNIFICANT AMOUNT OF INDIVIDUAL STATE AID SHOULD ANNUALLY SUBMIT INFORMATION TO THE COMPETITION AGENCY ON THE AMOUNT OF INDIVIDUAL STATE AID GRANTED, THE DATE OF ISSUANCE AND THE RECEIVING UNDERTAKING/ UNDERTAKINGS. BASED ON THE MENTIONED INFORMATION, THE AGENCY MAINTAINS AN ANNUAL REGISTER OF INDIVIDUAL STATE AID.

In 2022, the volume of individual state aid issued by various public bodies in Georgia amounted to 3 001 036 GEL.

Batumi Municipality, in 2022, remains the largest provider of an insignificant amount of individual state aid. After Batumi, Ozurgeti and Rustavi municipalities are leading.

The main part of the assistance is financial, exemption from contractual obligations and transfer of operational assets.

View More: <https://bit.ly/3AVDjaq>

JANUARY-MARCH | 2023

GEORGIAN NATIONAL COMPETITION AGENCY

INTERNATIONAL AND LOCAL COOPERATION FORMATS

INTERNATIONAL WEEK ON THE PROTECTION OF CONSUMER RIGHTS

MARCH 13-17 | 2023



#BEINFORMED

#PROTECTYOURRIGHTS

On March 13-17, the first International Week on the Protection of Consumer Rights was held in Georgia, organized by the Georgian National Competition Agency, the Georgian National Energy and Water Supply Regulatory Commission, the Communication Commission, the National Bank of Georgia, the Insurance State Supervision Service of Georgia and the National Food Agency.

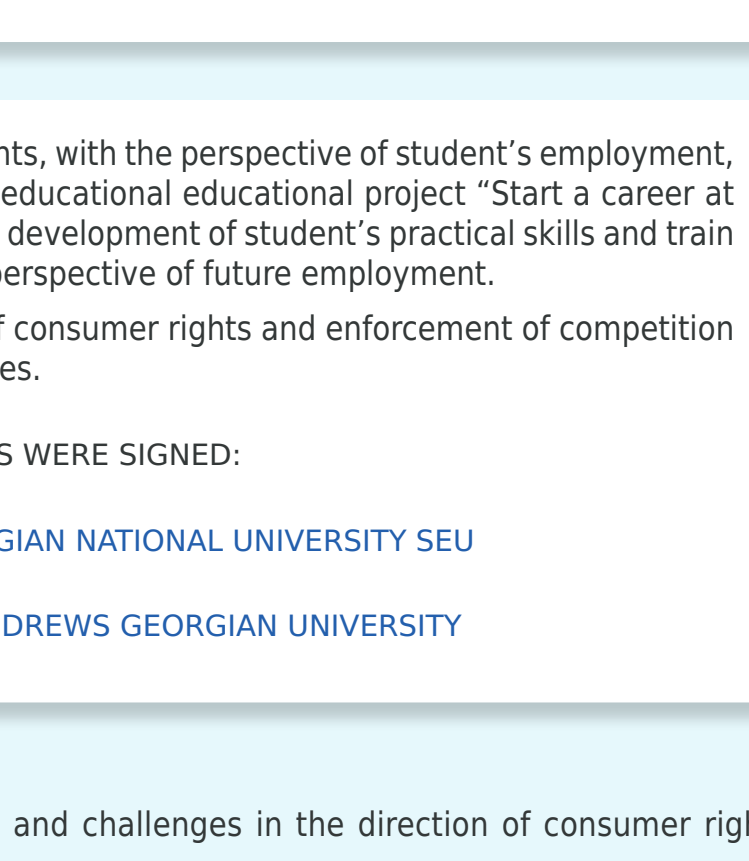
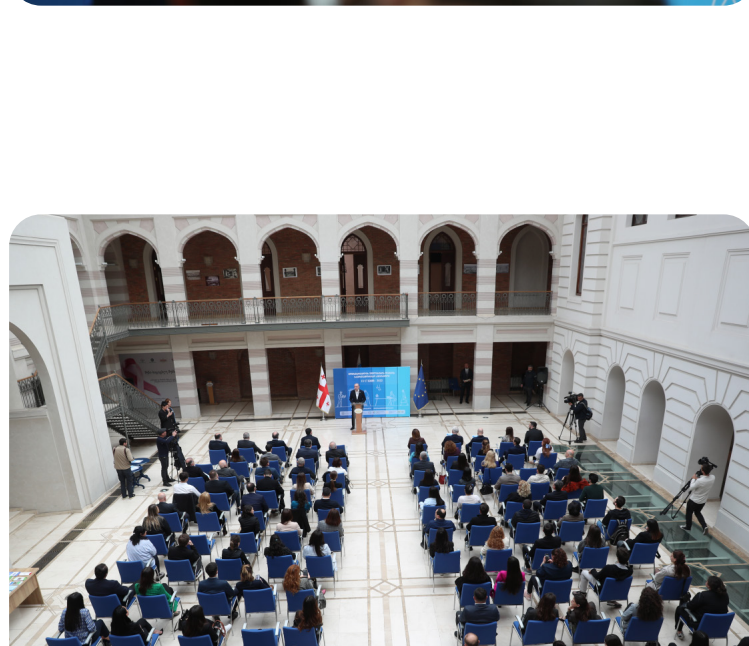
Within the frame of the event, the regulatory bodies discussed the reforms implemented in the direction of consumer rights protection, the obtained results, existing challenges, enforcement mechanisms, effective consumer awareness campaigns and international experiences.

THE FOLLOWING MEETINGS WERE HELD DURING THE WEEK:

- UNIVERSITY RECEPTION WITH STUDENTS AND REPRESENTATIVES OF THE ACADEMIC SECTOR
- OPENING EVENT OF THE WEEK IN TBILISI WITH THE UNIVERSITY OF INTERESTED PARTIES
- CLOSING EVENT OF THE WEEK WITH CONSUMERS AND THE LOCAL BUSINESS SECTOR IN BATUMI

Representatives of consumer rights protection organizations, local and international counterpart Agencies, Diplomatic Corps, business, non-governmental and academic sectors participated in the conference.

The goal of the events was to raise awareness and strengthen the quality of consumer rights protection in Georgia.



Within the framework of the Week on the Protection of Consumer Rights, with the perspective of student's employment, the Georgian National Competition Agency launched the university-educational project "Start a career at the National Competition Agency". The project aimed to promote the development of student's practical skills and train qualified staff in the sector of consumer rights protection, with the perspective of future employment.

Within the framework of the project, on the topic of the protection of consumer rights and enforcement of competition policy, information-working meetings were held in various universities.

IN ORDER TO STRENGTHEN MUTUAL COOPERATION, MEMORANDUMS WERE SIGNED:

- BETWEEN THE NATIONAL COMPETITION AGENCY AND THE GEORGIAN NATIONAL UNIVERSITY SEU
- BETWEEN THE NATIONAL COMPETITION AGENCY AND THE ST. ANDREWS GEORGIAN UNIVERSITY

Irakli Lekvinadze made a speech regarding the results and challenges in the direction of consumer rights protection in the Parliament of Georgia.

<https://bit.ly/3nyxYAA>

The Steering Committee Meeting of the EU-funded Twinning Project "Strengthening Capacity of the Competition Agency of Georgia" was held.

<https://bit.ly/3B4hRh3>

In the frame of the "TWINNING" project, employees of the Competition Agency, together with foreign experts discussed the specifics of the on-site inspection of undertakings.

<https://bit.ly/3nwDnle>

Representatives of the Georgian National Competition Agency participated in the OECD-GVH RCC seminar "Merger Control" in Budapest, Hungary.

<https://bit.ly/3BgKTul>

Under the guidance of foreign experts, training on merger remedies was held in the Agency.

<https://bit.ly/3rHAZ8u>

An article by Tamar Chakvetadze was published in the latest newsletter of the OECD-GVH RCC, where the focus was on the annual conference "Competition and Consumer Protection".

<https://bit.ly/3LXP04l>

With in the World Consumer Day, an online discussion was organized by UNCTAD.

<https://bit.ly/417MJQ>

In Budapest, Hungary, the Agency employees, Slava Fetelava, and Mariam Maisuradze, participated in the seminar "Intellectual Property Rights and Competition Policy", organized by the OECD-GVH RCC.

<https://bit.ly/41at1f5>

JANUARY-MARCH | 2023

GEORGIAN NATIONAL COMPETITION AGENCY

IMPORTANT CASES IMPLEMENTED IN THE DIRECTION OF COMPETITION POLICY

INTERNATIONAL REVIEW



Danish Competition and Consumer Authority - five companies have been fined for cartel co-operation within the business concept Nye Visioner.

<https://bit.ly/3oQvcNJ>

Federal Trade Commission (FTC) - Releases Reports on Cigarette and Smokeless Tobacco Sales and Marketing Expenditures for 2021.

<https://bit.ly/441fAR8>

Italian Competition Authority - The Authority has fined Yoox Net-a-Porter Group S.p.A. for a total of 5,250,000 euro.

<https://bit.ly/41LGU4j>

Office of Competition and Consumer Protection of Poland UOKiK - More than pln 7 million in penalties for bid rigging on seven entrepreneurs operating in waste collection sector.

<https://bit.ly/3n7u69v>

Australian Competition and Consumer Commission (ACCC) - Company have to pay \$6 million in penalties for making false or misleading representations on its website.

<https://bit.ly/4443N4N>

Competition and Markets Authority - The CMA has fined 10 construction firms nearly £60 million for breaking competition law by bid rigging.

<https://bit.ly/3LbyVq9>



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<https://bit.ly/3r2dxvL>

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