HELLENIC COMPETITION COMMISSION

Competition Protection Commission

MEMORANDUM
ON PARTNERSHIP IN THE FIELD OF COMPETITION LAW ENFORCEMENT AND POLICY
BETWEEN THE HELLENIC COMPETITION COMMISSION ANDTHE COMPETITION PROTECTION COMMISSION OF THE REPUBLIC OF ARMENIA

The Hellenic Competition Commission and the Competition Protection Commission of the Republic of Armenia (hereinafter referred to as "the Parties"),

Expressing the wish to develop closer cooperation in the field of competition policy and competition law enforcement of the States of the Parties,

Recognising the need for broader engagement between competition authorities internationally due to the nature of the challenges they face,

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

Based on the principles of equality and mutual benefit,

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

HAVE AGREED as follows:

Article I. PURPOSE AND DEFINITIONS

1. The purpose of the present Memorandum of Partnership ("the Memorandum") is to facilitate and strengthen cooperation between the Parties in the field of competition law enforcement and competition policy.

2. In this Memorandum, these terms will have the following definitions:

(a) The terms "competition law" or "competition rules" mean:

(i) for the Hellenic Competition Commission, Law N 3959/2011 "On Protection of Free Competition", as well as any amendments thereto and regulations made under it;

(ii) for the Competition Protection Commission of the Republic of Armenia, RA Law N HO-92-N"On Protection of Economic Competition, as well as any amendments thereto and regulations made under it;

(b) The term "enforcement activity(ies)" means any investigation or proceeding conducted by each of the Parties in relation to the competition laws they enforce.

3. The terms defined above are to be understood in accordance with the Parties' respective mandate and legal framework of operation, including under international and/or European Union law where relevant.

4. In applying the present Memorandum, the Hellenic Competition Commission will take account of the commitments arising from membership to the European Union.

Article II. AREAS OF COOPERATION

In the mutual interest of the Parties, cooperation will be materialised in the following areas, subject to reasonably available resources:

(a) exchange of information on legislative and policy developments of the States of the Parties in the field of competition law enforcement;

(b) exchange of views on policy developments relating to international fora in the field of competition law and enforcement, including the International Competition Network ("ICN"), the Organisation for Economic Co-operation and Development ("OECD") and the United Nations Conference on Trade and Development ("UNCTAD");

(c) sharing of technical expertise in the field of investigations regarding the violation of competition rules of the States of the Parties, provided that it does not affect any current investigation or proceedings being carried out by either Party;

(d) exchange of experience in the field of competition advocacy, including the promotion of a competition culture through raising awareness of companies and the wider public about competition legislation and enforcement;

(e) provision of information and methodological assistance in preparing proposals and drafting legal acts in the field of competition;

(f) organizing study visits and experts' trainings;

(g) participation in conferences, seminars and other events organized by the Parties.

Article III. FORMS OF COOPERATION

1.The Parties shall periodically hold, at the request of either Party, meetings or consultations between designated Party officials to facilitate cooperation within the areas outlined in Article II.

2. Cooperation between the Parties may take the following forms:

(a) exchange of non-confidential information regarding competition policy and enforcement developments;

(b) expert meetings or consultations, including via e-mail, telephone or online communication platforms, between experts of the Parties regarding exchange of non-confidential information on issues of mutual interest;

(c) organisation of study visits and experts' training programs, including experts preparing enforcement developments;

(d) high-level meetings and/or visits for the purposes of discussing the Parties' cooperation and joint activities as well as reviewing the prospects of the overall partnership;

(e) joint organisation of and/or participation in international conferences, seminars, workshops, symposia or other events;

(f) joint participation in research or policy projects, including in collaboration with academic institutions or policy institutes or other organisations;

(g) joint production or commissioning of non-confidential documents in the field of competition law and policy, such as policy papers, briefs or technical reports;

(h) exchange of non-confidential documents in the field of competition law and policy, such as regular publications by the Parties, including annual reports, studies, books, journals and information bulletins.

Article IV. EXCHANGE OF INFORMATION

The transmission of information will be made in English by post, e-mail, telephone or online communication platforms, through designated general contact points or on the occasion of Parties' representatives' meetings.

Article V. CONFIDENTIAL INFORMATION

1. No Party will be obliged to provide or communicate information to the other Party if the provision/communication of such information is prohibited by the law of the State of the Party in possession of this information, or if it is not in the interests of the Party applying competition law.

2. The Parties will not publish, transmit or disclose to third parties information accessed through joint activities for the implementation of this Memorandum, unless stated otherwise in agreements reached separately by the Parties.

Article VI. ORGANISATION OF ACTIVITIES

The agenda, place and other elements of activities, including financial aspects, shall be individually established by the Parties by mutual agreement.

Article VII. DISPUTE RESOLUTION

Disputes regarding the scope, interpretation and application of the present Memorandum, if any, shall be resolved through consultations and negotiations.

Article VIII. REVIEW AND AMENDMENTS

Any review or amendment to the Memorandum shall be made by mutual written agreement of the Parties, shall be executed as a protocol and shall be an integral part of the current Memorandum. The protocol enters into force on the date of signature of both Parties.

Article IX. FINAL PROVISIONS

1. The 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 agreements or domestic law. No provision of this Memorandum shall be construed as establishing legal rights or commitments for the States of the Parties.

2. The Memorandum does not oblige the Parties to commit resources in terms of funds, time, staff or other administrative resources.

3. The Memorandum enters into force upon signature and shall remain in effect indefinitely.

4. The Memorandum will expire three months from the date of receipt by either Party of a written notification to the other Party stating its intention to terminate it.

Done in Athens, on Thursday, 7th of October 2021 in two originals, in English language.

For the Hellenic Competition Commission

Ioannis Lianos
President

For the Competition Protection Commission of the Republic of Armenia

Gegham Gevorgyan
Chairperson