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Center for Competition Law and Consumer Protection, Tbilisi (Georgia)

The Center for Competition Law and Consumer Protection was founded in Georgia in June 2014 by Solomon Menabdishvili. The goals of the Center are enshrined in its by-law – its main aim is to promote and enhance free competition on the market. The Center has the following objectives:

1. Start a thorough information campaign on the Competition Law of Georgia in order to promote the new legislation;
2. Work on the development of the current Competition Law of Georgia in order to approximate it with EU rules and eradicate existing flaws;
3. Create a dedicated website for the Center, which would allow interested natural and legal persons to access detail information on the Competition Law of Georgia, its development over recent decades as well as related secondary legislation and guidelines. The website shall provide the definitions of key terms and provisions found in competition law and related soft-laws, interesting decisions of the European Commission and judgments of the Court of Justice of the EU;
4. Print and distribute leaflets and brochures on competition law;
5. Provide online, telephone and personal consultations on competition matters;
6. Represent economic agents before the Georgian Competition Agency and judiciary;
7. Host round table discussions and conferences on competition rules;
8. Help the Georgian Competition Agency implement best practice in Competition Law by providing up-to-date information on competition related issues;
9. Deliver public lectures to interested persons, including attorneys and judges;
10. Invite international experts to deliver guest-lectures in Georgia;
11. Cooperate with Georgian governmental and nongovernmental bodies, including the Business Ombudsman, in order to promote free competition in Georgia;
12. Help economic agents to enter, expand or leave the Georgian market etc.

The establishment of the Center was set out by the adoption of the new Competition Law of Georgia in 2012 as amended in March 2014. The amendment was introduced in order to approximate Georgian legislation with EU rules. This was one of the main requirements of the Association Agreement signed between the EU and Georgia in June 2014.

At the end of 2014, the Center wrote a brochure on novel issues in competition law, which was financed by the German Society for International Cooperation (GIZ).

The Center has hosted a number of public lectures on competition issues with leading European experts acting as guest lecturers. The topics covered include: Economic Analysis in Competition Law Enforcement; Cartels as a Criminal Offence; Private Enforcement through Damage Claims; Power to Carry Out Market Research; Merger Control, etc.

The founder of the Center, Solomon Menabdishvili, is a guest lecturer at Tbilisi State University teaching Competition Law and Consumer Law since 2011. He regularly conducts research in EU Member States and publishes noteworthy articles on current issues of Georgian competition rules as well as on EU competition rules intended for Georgian readers.

Since its creation, the Center has lodged key applications with the Competition Agency of Georgia. First, it asked the Agency to inspect a merger between supermarket chains which compete with each other directly. The merger had not been notified to the Agency. According to the Competition Law of Georgia, fines cannot be imposed on undertakings that fail to notify a planned merger. It is, however, feasible to annul the deal and break up the merger.

Another application submitted by the Centre concerned the pharmaceutical sector. Research has shown that there is a reasonable suspicion that local pharmaceutical companies enjoy territorial exclusivities granted to them by foreign suppliers.

The Center will adequately react to future infringements of competition rules in order to promote competition, which would in turn benefit consumers.

The Center is interested in cooperation with foreign organizations in order to achieve its goals.

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