

APPROVED
by the decision No 822
of the Government
of the Republic of Lithuania
as of 12 July 1999
(current version No 1337
approved on 7 November 2012)

REGULATIONS OF THE COMPETITION COUNCIL OF THE REPUBLIC OF LITHUANIA

I. GENERAL PROVISIONS

1. The Competition Council of the Republic of Lithuania (hereinafter – Competition Council) is an independent state institution accountable to the Seimas of the Republic of Lithuania (hereinafter – Seimas) which implements state competition policy and controls the compliance with the requirements of the laws, the control of which has been assigned to the Competition Council.

2. The Competition Council acts in accordance with the Constitution of the Republic of Lithuania, international treaties of the Republic of Lithuania, legal acts of the European Union, the Law on Competition of the Republic of Lithuania (Official Gazette, 1999, No [30-856](#); 2012, No [42-2041](#)) (hereinafter – Law on Competition), other laws, legal acts adopted by the Seimas, decrees of the President of the Republic of Lithuania, decisions of the Government of the Republic of Lithuania (hereinafter – Government), the present regulations and other legal acts.

3. The state is the owner of the Competition Council. The rights and duties of the owner of the Competition Council are exercised by the Government. The Government approves and amends the regulations of the Competition Council in accordance with the procedure set forth in the legal acts, adopts the decision on changing the Competition Council's location, solves other issues assigned to its competence by the laws.

4. The Competition Council is a budgetary institution financed from the state budget of the Republic of Lithuania.

5. The Competition Council is located at the address: Vilnius, Jogailos g. 14.

6. Public notices of the Competition Council, as well as other information related to the activities of the Competition Council indicated in the legal acts, are published on the Competition Council's website (www.kt.gov.lt). In addition, in cases set forth in the legal acts, information may be published on other means of the mass media.

II. OBJECTIVES AND FUNCTIONS OF THE COMPETITION COUNCIL

7. The objectives of the Competition Council:

7.1. implement state competition policy;

7.2. control the compliance with the requirements of the Law on Competition and other laws, the control of which has been assigned to the Competition Council, apply competition rules of the European Union in cases set forth in the legal acts of the European Union.

8. The functions of the Competition Council:

8.1. controls the compliance of undertakings and public administrative bodies with the requirements of the Law on Competition;

8.2. establishes the criteria and procedure for providing the definition of a relevant market and determining a dominant position, investigates and defines relevant markets while performing its functions, determines the market share of undertakings and their position in a relevant market;

8.3. examines the conformity of legal acts or other decisions adopted by public administrative bodies with the requirements of Article 4 of the Law on Competition and, when necessary, requests public administrative bodies to amend or repeal legal acts or other competition restricting decisions. In case of a failure to comply with the request, the Competition Council shall have the right to appeal against the decisions of public administrative bodies, except for the statutory acts issued by the Government, to the Supreme Administrative Court of Lithuania, and against the decisions of municipal administration and other public administrative bodies – to the regional administrative court;

8.4. examines notifications of concentration;

8.5. investigates and examines the infringements of the Law on Competition and other laws and imposes sanctions on the infringers in cases and according to the procedure set forth in the laws;

8.6. applies to court for the protection of public interests safeguarded by the Law on Competition;

8.7. within its remit, examines draft laws and other draft legal acts and submits the conclusions on their effect on competition to the Seimas and the Government;

8.8. submits proposals to the Government on the amendment of laws and other legal acts restricting competition when the Competition Council establishes such restrictions of competition while performing its functions;

8.9. monitors competition effectiveness on the markets and provides conclusions and proposals regarding the measures to ensure effective competition to the Seimas or the Government;

8.10. cooperates with other national, foreign and international institutions and organizations in accordance with the procedure set forth in the legal acts and cooperation agreements;

8.11. performs other functions set forth in the Law on Competition, other laws, as well as legal acts of the European Union.

9. Pursuing the objectives and performing its functions, the Competition Council exercises the rights and powers conferred on it.

III. ORGANIZATION OF THE COMPETITION COUNCIL'S ACTIVITY

10. The activity of the Competition Council is organized in accordance with the strategic plans of the activities approved by the Chairman of the Competition Council and prepared abiding by the Methodology of Strategic Planning approved by the decision No 827 of the Government of the Republic of Lithuania as of 6 June 2002 (Official Gazette, 2002, No [57-2312](#); 2010, No [102-5279](#)), and published on the Competition Council's website.

11. The Competition Council consists of the Chairman and four Council Members. The Chairman and Council Members are appointed by the President for a term of six years upon the proposal of the Prime Minister. The same person may be appointed a Chairman or a Council Member of the Competition Council for not more than two consecutive terms of office.

12. Upon the expiry of their term of office, the Chairman or a Council Member of the Competition Council shall continue to perform their duties until the same or another person is appointed to the respective position. The Chairman or Council Members of the Competition Council shall be dismissed from office in cases set forth in the Law on Competition.

13. The working procedure of the Competition Council and the rules of the procedures regarding the infringements of the laws shall be specified in the Rules of Procedure of the Competition Council adopted by the decision of the Competition Council.

14. The Competition Council solves the issues falling within its competence as a collegial body by votes of the Chairman and Council Members in cases and according to the procedures set forth in the Law on Competition, other laws, legal acts of the European Union and the Rules of Procedure of the Competition Council. The Chairman and Council Members of the Competition Council shall vote independently and individually.

15. The Chairman of the Competition Council appoints two Council Members as his Deputy Chairmen. In the absence of the Chairman, his appointed Deputy Chairman shall act on his behalf.

16. The Competition Council's Chairman:

16.1. directs the work of the Competition Council;

16.2. represents the Competition Council in the Republic of Lithuania and abroad;

16.3. employs and dismisses the administrative staff of the Competition Council;

16.4. submits annual reports of the Competition Council to the Seimas and the Government;

16.5. signs the Competition Council's decisions;

16.6. issues orders while solving issues falling within his competence;

16.7. performs other functions established by the laws and assigned by the Competition Council.

17. Members of the Competition Council shall participate in the consideration and adoption of the decisions on the issues within the remit of the Competition Council, shall be responsible for the activities assigned to them and perform other functions assigned to them by the Competition Council or the Chairman of the Competition Council.

18. In performing its functions the Competition Council shall be assisted by the Competition Council's administrative staff. Its structure and the lists of positions of civil servants and employees working under labour contracts, regulations of the Competition Council's administrative staff which define their functions, shall be approved by the decision of the Competition Council.

19. The procedure for employing the Competition Council's civil servants and employees in a respective position at the Competition Council, the provisions on their responsibility, remuneration, social and other guarantees are set forth in the Law on Civil Service of the Republic of Lithuania (Official Gazette, 1999, No [66-2130](#); 2002, No [45-1708](#)), Labour Code of the Republic of Lithuania (Official Gazette, 2002, No [64-2569](#)) and other legal acts.

IV. CONTROL OVER THE COMPETITION COUNCIL'S INTERNAL ADMINISTRATION

20. The state audit of the Competition Council is conducted by the National Audit Office of Lithuania.

21. The internal audit of the Competition Council is performed by the person (persons) authorized by the Chairman of the Competition Council in accordance with the provisions set forth in the legal acts.

22. The implementation of the strategic plan of the Competition Council's activities is supervised by the Chairman of the Competition Council or by his authorized person (persons).

V. FINAL PROVISIONS

23. The Competition Council is reorganized or liquidated in accordance with the provisions set forth in the laws and other legal acts.
