

THE MONOPOLY ADMINISTRATION OF THE REPUBLIC OF MACEDONIA CANNOT DO ANYTHING!

Paradoxical, but true. In one of the latest issues of "Kapital", the weekly published the information that the Monopoly Administration of Macedonia submitted to the Court of original jurisdiction in Skopje charges against "Ogledalo" Ltd, "Ost, Branko, Erol i drugi" Ltd ? "Krug" Ltd - publishers of „Vest“, „Utrinski vesnik“ and „Dnevnik“ - with the explanation that they didn't comply with Article 49 of the Law against restricting competition, according to which they should have informed the Administration about the merger with the German publisher WAZ.

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"The management of "Ogledalo" (publishers of "Vest") has broken the law by not informing us that "Ost holding" from Vienna joined the company as a partner and acquired 51% of the capital of the company. That is why we submitted a request for bringing charges against the company's management", Pance Bardarov, director of the Monopoly Administration of Macedonia told "Kapital". The company "Ost holding" from Vienna acquired the same percentage of the property in "Most, Branko, Erol i drugi" that publishes "Utrinski vesnik", while in "Krug" - which publishes "Dnevnik" – "Ost holding" acquired 93.8% of the capital of the company. None of the three companies reported the merger that happened on the 24th of July this year.

According to the Law, enterprises that merge are obligated to report on that to the Administration if in the previous year they made a sale worth 5 million euros, whereas Article 29 of the same law even stipulates that the Administration should be informed of any planned merger if the companies involved in the merger have realized a sale of at least 25 million euros in the previous business year.

But even if this news appears bombastic, in effect it means nothing! Namely, even if the court accepts the charges of the Monopoly Administration and convicts the companies mentioned, a penalty for the companies and their managers will ensue, and that would be it.

Even though the Monopoly Administration has an impressive name, it can only conclude that by buying the three newspapers, WAZ has acquires a dominant position in the market. The director of the Administration told KAPITAL: "We should analyze whether the state will gain or lose from that merger, and accordingly whether we would approve or ban the merger. But, he himself is well aware that the Monopoly Administration has no legal competence to declare sentences if their decisions are not obeyed. In other words: if the Administration makes a decision to ban the merger, it does not have the mechanisms to punish the subjects involved if they do not obey it!