



EUROPEAN PARLIAMENT

DIRECTORATE-GENERAL FOR RESEARCH
DIRECTORATE A
DIVISION FOR INTERNATIONAL AND CONSTITUTIONAL AFFAIRS

FACTSHEET

SLOVENIA

Chapter 6 - Competition Policy

1. The *acquis* ¹

The *acquis* in this chapter is based on EC Treaty Article 31 (State monopolies of a commercial character), Articles 81-85 (rules applicable to undertakings) and Article 86 (State aid) as well as Articles 65-66 of the ECSC Treaty (expired 2002). Control of mergers is governed by EC Merger Regulation 4064/89 (amended). Some issues in the area of state aid are covered in other chapters (transport, agriculture, fisheries) and Commission Directives concerning liberalisation of energy, transport, telecommunications and IT sectors are addressed under the respective chapters.

In assessing whether the candidate countries can comply with the competition *acquis* and withstand the competitive pressure of the internal market, the Commission examines whether undertakings in these countries are accustomed to operating in an environment such as that of the EC.

2. The negotiations

The chapter has been closed with ten countries and remains open with Bulgaria and Romania. Transitional arrangements have been agreed for six of the ten.

Chapter opened: May 1999

Status: closed in December 2002 (provisionally closed in November 2001)

Transitional arrangements: none

¹ Information largely drawn from the European Commission, DG Enlargement
<http://europa.eu.int/comm/enlargement/negotiations/index.htm>

3. Latest Assessment of the European Commission ¹

In its 1997 Opinion, the Commission concluded that Slovenia's level of approximation of anti-trust legislation was not satisfactory but that, should the Law on Competition be adopted, the process of approximation would be close to being completed. In the field of state aid, the Opinion stated that the requirements as regards transparency and monitoring of state aid had not yet been fulfilled, requesting Slovenia to make a substantial effort in order to meet the requirements in the medium term.

Since the Opinion, Slovenia has made steady progress in adopting the relevant anti-trust and state aid legislation and in developing the State Aid Commission's administrative capacity. Overall, on legislative alignment, administrative capacities and enforcement record, Slovenia is reasonably advanced. However, increased attention needs to be paid to developing the enforcement of existing anti-trust and state aid rules with a view to ensuring efficient competition on the Slovenian markets.

Negotiations on this chapter have been provisionally closed. Slovenia has not requested any transitional arrangements. Slovenia is generally meeting the commitments taken and the requirements for sufficient legislative alignment, administrative capacity and enforcement record arising from the negotiations in this field.

In order to complete preparations for membership, Slovenia now needs to focus on continuing to ensure that sufficient resources are available to the Competition Protection Office in the field of anti-trust as well as ensuring that both the anti-trust and the state aid legislation are implemented in the appropriate way with a view to ensuring efficient competition on the Slovenian markets. Slovenia should make sure that it continues to update its alignment as the *acquis* in this area evolves.

January 2003

¹ European Commission, Regular Report on Slovenia 2002, p. 59:
http://www.europa.eu.int/comm/enlargement/report2002/si_en.pdf
WIP/2002/11/0298