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Balkan Legal Forum

Merger Control Developments and Pitfalls

Sofia, 7 November 2008
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Outline

- Legislative developments
- Main criticism

Legislative Developments

In Force or imminent

- New jurisdictional thresholds (BGL, SLO, SRB)
- „New“ substantive tests - „SLC“ (HUN, ROM)
- Suspension clause (SLO)
- Adaptations to reflect Com Notices (e.g. Com Jurisdictional Notice (ROM, SRB))

Main Criticism

- Low jurisdictional thresholds
 - „Catch all“ thresholds (BLG, SRB, UKR)
 - No „effects doctrine“
- Focus on formality requirements rather than substantive review
- Filing deadlines (in CRO, HUN, ROM, SRB, CRO, SLO)
- Hardly predictable timing (ROM)
- Excessive filing/clearance fees (ROM, SRB, BLG)

Thank you!