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COMPETITIVE ENVIRONMENT PROBLEMS AND CHALLENGES IN THE PRE-PANDEMIC AND POST-PANDEMIC SOCIETY

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Abstract: Competition and a competitive environment serve as a crucial foundation for the effective use of resources and the growth of economy, pushing enterprises to be more efficient, limit costs, and spend more in inventing and developing new goods. Customers may obtain more advantages at a lesser cost and of better quality when there is a strong competition. The competitive climate makes the state more appealing to investors, increasing the possibility of attracting local or international investment. Consumer protection and competition are critical for achieving economic growth and decreasing poverty. The jurisdiction and economic environment in which a enterprise works have a considerable impact on the quality of competition. The goal of the state and associated institutions is to encourage competition and to avoid any activities that place market participants and consumers in an unfair situation. It is also critical that the state's activities and appropriate regulatory standards do not impose a significant burden on the business sector, since both business and consumer rights must be respected.

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1. Introduction

Competitiveness is one of the most important factors for success in economic activity. A competitive advantage is a material or non-material resource based on which a company can better meet customer needs than its competitors. Gaining and maintaining competitiveness is the goal of any enterprise. It can be: access to natural resources, technological advances, qualified personnel, favourable geographical location, possibility of low costs and other. Competitive advantage is a necessary factor for successful business activities. Therefore, managers try to identify its new sources, analyse the strengths of the company and create a new competitive advantage that will be maintained in the long term.

Gaining and maintaining a competitive advantage is impossible without a strategic planning. The strategy is developed based on the goals and capabilities of the company. A strategic plan covers a long-term period and is related to tactical plans and objectives. The importance of strategic management has increased since economic activities have moved to a global scale. In a competitive environment, it is almost impossible to maintain a position in the market without the resources of the company and the organized action of the employees. For a successful strategy, the company must have: simple, relevant goals, knowledge of the competitive environment and an objective assessment of its own resources (Buccirossi et al. 2013; Calvano et al. 2019; Drezner et al. 2008).

The development of the transport sector facilitates the movement of labour between countries (Hakimi, 1983; Karakitsiou & Migdalas, 2017). This fact gives a great advantage to the working and receiving countries. In the conditions of unemployment, people can look for better jobs outside the country. At the same time, the choice of companies has also increased dramatically. Competent personnel can be found in any part of the world. This process of labour migration helps reduce geographical inequality. At the same time, it also reduces costs, which is one of the effective means of gaining a competitive advantage.

Society has long had a mixed attitude towards globalization. This process has advantages and disadvantages. Globalization contributes to the deepening of political, economic, cultural and other types of ties between states (Lekvinadze, 2014). The fact that under the conditions of globalization it is possible to sell products all over the world gives companies great opportunities for development. However, in order to establish oneself in the global market, it is necessary to engage in a competitive battle with various companies of the world (Gal et al. 2003; Wilks, 2005). Globalization offers many advantages. Under the conditions of free trade, countries have the opportunity to exchange goods and resources. This means that countries produce those products in which they have a comparative advantage.

Globalization can also have a negative impact. For example, free trade can hinder the development of a particular country's economy (Fetelava, 2013). As already mentioned, developed and developing countries are equally involved in the competition. According to some people, free trade creates an uneven playing field. Free trade allows developed countries to export. Local companies from developing countries cannot even compete in the local market with their high costs. The fact that free trade is beneficial for everyone does not mean that it affects all countries in the same way. To overcome this problem, the government imposes tariffs and other barriers, thus trying to promote a local production.

One of the most important outcomes of globalization is an open, competitive market. It completely changed the model of competitive advantage. In global competition, it is no longer enough to focus only on improving one's own results. In an open market, all companies are forced to compete globally.

Today, the main task of companies is to gain and maintain a competitive advantage in the conditions of globalization. In the new global reality, it is difficult to maintain a leadership position in the global market for years with a standardized strategy. Most fast-growing markets are quite different, and this trend continues. This means that the global market is heterogeneous and includes many sub-markets. This further means that services, ideas, products, and systems must be adapted to certain markets. With such an approach, it is possible to occupy a segment with relatively specific requirements in the common market, which will ultimately strengthen the company's position.

A market economy is unthinkable without competition and vice versa. In economic competition, the winner is guaranteed a strong position and maximum profit, but it is not easy. The market economic model sets different rules of the game, by which the manufacturer will be able to give economic advantages to his products and attract the interest of the consumer. For a long time, the phenomenon of competition has become a world property and has acquired global dimensions. At the modern stage, it is the competitiveness indicator that determines the place and role of different states in the international division of labour. It promotes the formation of monopolies and other monopolistic structures in the market, which forces states to develop anti-monopoly policies.

Today, there is no developed country in the world without an anti-monopoly policy, which serves absolute competition and the expulsion of monopolists from the market. The policy is aimed at regulating the monopolies operating in the market, regardless of how the various companies reached the monopoly position.

Recently, sectors relating to the competitive environment with which customers interact on a daily basis have become significant in society (Zavadskas et al. 2008). One of the factors limiting the competition is a lack of awareness among consumers and the business sector, as a result of which: both economic agents and citizens may lack adequate information on whom to turn against in order to protect

their rights in the event of competition violations; they do not fully understand what actions indicate a violation of competition law, which may be a prerequisite for actions taken by them or against them in bad faith (Motta, 2004; Mullinova & Karsanov, 2015).

Is the existence of an antitrust office required? A competition is viewed as a key determinant in economic progress and societal well-being in international best practice. Most developing nations see strengthening competition policy as one of the important reform approaches, as evidenced by the actions of international organizations in this area, as well as the competition regimes of up to 120 foreign countries. Unfortunately, the function of competition policy in the process of economic reforms and the growth of the economy, in general, have been largely ignored in Georgia for many years (Fetelava, 2021). The issue of establishing the basic pieces of the competition policy - the competition legislation and a properly authorized agency (whether referred to as an agency or a service) - is still important today.

The adoption of the market model of economic management changed the economic policy of the Georgian government; ensuring macroeconomic stability was designated as the main direction, which includes:

- Stabilization of the economy for the post-crisis period and sustainable and high growth of economy at the next stage;
- Ensuring a single-digit rate of inflation;
- Further improvement of the investment environment;

Ensuring macroeconomic stability cannot be achieved without studying the characteristic parameters of the competitive environment, investment and customs environment, tax and currency regime (Zoidze & Abuselidze, 2021).

2. Literature review

The law of Julia de Annona, which operated in the Roman Empire around the 50s BC, is the preeminent norm of modern competition law. It defended the grain trade and imposed heavy fines on those who directly, intentionally, and artificially obstructed shipping. In 301 AD, Emperor Diocletian issued an order prohibiting the imposition of a maximum price and imposing the death penalty for violating the tariff system. The order also forbade the complete purchase, concealment, or scarcity of goods for daily consumption.

In the late 18^{th} century, the first modern competition law norms were established on the North American continent. In 1889, Canada passed the Commercial Restrictions Act. The Sherman Act was passed by the United States Congress a year later. This legal document was created in order to fight against "trusts." The use of trusts was common in America at the time. Firms operating in

one of the sectors, in particular, handed over trusts or trusted individuals to govern their business, and it was via this trust that all essential choices in the specific industry were made. Naturally, this approach resulted in an unhealthy competitive atmosphere, which had considerable negative economic implications (Baker et al. 2016).

Congressman Sherman's name is connected with the commencement of the fight against this practice, and the Sherman Act, which was approved in his honour in 1880, was named after him. Antitrust law is the branch of law in the United States that deals with the struggle against trust.

After World War II, several European nations began to consider adopting the competition law principles as a method of rebuilding the economy, which is why the competition law has played an essential role and has already become a vital component of the political system (Beslev et al. 2010).

It is now unarguable that a market economy cannot run normally without the competitive legal standards and suitable executive institutions. As a result, a competitive policy that is in sync with the rest of the world is the foundation of a market economy. The correct administration of the country's economy is critical to the nation's economic stability and legal progress.

As a result of the above, special emphasis is placed on the study of competition theory and antitrust regulation, as well as the methods of actual implementation, with which there is some experience in the world scientific-economic literature.

In this regard, we can single out the works of the following authors: M. Augier and A.W. Marshall (2017), G. Abuselidze and M. Kizinidze (2019), G. Abuselidze (2021), J. Baker et al. (2016), T. Besley et al. (2010), P. Buccirossi et al. (2013), E. Calvano et al. (2019), T. Drezner and Z. Drezner (2008), S. Fetelava (2013, 2021), M.S. Gal and M. Gal (2003), S. L. Hakimi (1983), M. Haseeb et al., (2019), A. Karakitsiou and A. Migdalas (2017), G. Kuparadze (2019), C. Laszlo and P.J. Cescau (2017), I. Lekvinadze (2014), M. Motta (2004), S. Mullinova and K. Karsanov (2015), M. Neumann (2001), P. J. Norback and L. Persson (2012), K. Oksanen and A. Hautamäki (2015), M. Patil (2015), D.D. Phan (2003), M.D. Sotiriadis and S. Varvaressos (2015), M.L. Shailaja and R. Pankajakshi (2018), N. Van Gorp and S. Honnefelder (2015), S. Wilks (2005), E. K. Zavadskas et al. (2008), etc.

The research (Wang et al. 2021) is based on the knowledge-based view's knowing processes. It claims that company performance is obtained through ambidextrous innovation, which is dependent on the use of learned supplier knowledge as well as the effect of the external competitive environment. The single-source and cross-sectional data confine the relationship test.

The article (Tkachenko et al. 2021) presents a categorization of analytical techniques for assessing a company's economic security based on consistency and strategic levels of governance. The approaches are formalized at general, structural,

factorial, and unitary levels by the authors. Indicator, functional resource, and economic-mathematical approaches are examples of general methods. The direction of the economic security system distinguishes structural ways, which allows for the formalization of corporate, motivational, financial, and profitable approaches to investments. The technique factor group is also notable, as are the diagnoses of creative influence, competitive status, market dangers, and normative-legal influence. The biggest category contains unitary diagnostic approaches, which encompass bankruptcy, personal, and intellectual procedures.

The goal of the paper (Ciekanowski and Wyrębek, 2020) is to examine the elements that influence firm competitiveness and performance, as well as the extent to which they affect economic security. The approach of expert evaluation was used in the study.

The work deals with regulated economic spheres. The article discusses the issue of the necessity of the existence of a regulatory normative base of regulated economic spheres and regulatory institutions operating in the sphere. A discussion on the expediency of regulatory mechanisms is presented. It is also analysed the effectiveness of the regulation mechanisms created in the industrial era. To what extent the mentioned regulatory mechanisms respond to the challenges arising in the post-industrial era. The conclusion presents the author's assessment regarding the current situation in the regulated economic spheres in Georgia.

Despite the fact that Georgian competition policy and competition legislation have just a few decades of history, the public is very interested in this new path of state economic policy. Government officials, businesses, and regular individuals in general attempt to address many concerns asked by the market economy, such as what is the competition legislation, what function and position it plays in regulating market interactions, what problems it will solve, and what method it will utilize.

3. Results and discussion

3.1 Georgian and the competition agency in the pre-pandemic period

The foundation of any country's economic development is free and fair market competition. As a result, Georgia has competition legislation, which is primarily enforced by the competition agency. One of the key conditions of Georgia's Deep and Comprehensive Free Trade Agreement (DCFTA) with the European Union was competition policy reform. According to Georgia's Association Agreement with the European Union, the nation should have efficient antitrust laws as well as a competent competition regulating authority.

One of the concerns, the regulation of which was a requirement for the completion of the Association Agreement, is competition protection (ensuring fair, free competition in the market). In this regard, Georgian law aligned with European

standards was mostly enacted in 2014, prior to the signing of the Association Agreement. The key responsibility outlined in the Association Agreement is that this competition protection system work properly.

The EU competition legislation has been largely incorporated into Georgia as of 2022. A competition agency has also been formed and is currently operational. Georgia's competition legislation, however, is not yet completely compliant with the EU law (Abuselidze, 2021; Abuselidze & Zoidze, 2021; Zoidze & Abuselidze, 2021).

The Competition Agency is an autonomous legal agency under a public law (LEPL) that reports to Georgia's Prime Minister and the general public. The Antimonopoly Service was established by presidential decree in 1996. After the Rose Revolution, this service was dismantled, and from 2005 to 2010, it was a sub-department of the Ministry of Economy. In 2010, it was created as a LEPL and renamed the Free Trade and Competition Agency, based on a government decision. This entity amalgamated with the State Procurement Agency in 2012.

The Competition Agency was re-established as an independent organization in 2014 as a consequence of an amendment to Georgia's Law on Free Trade and Competition. One of the reasons for the split is the Association Agreement with the European Union, in which a competition is seen as a high priority. The pre-existing Competition and State Procurement Agency was divided as a result of this reform, and two distinct legal bodies under the public law were re-established: the State Procurement Agency and the Competition Agency.

Despite the fact that this organization has been in operation for eight years and is paid by the state budget, the public has little knowledge of its work and frequently expresses concerns about the market's unfair competition and the risks of artificially forming an oligopoly. As a result, we thought it would be a good idea to analyse the work of the provided agency and submit a desk research on what powers the competition agency has, how transparent its actions are, and what specific instances it has reviewed. During the research, we examined the relevant provisions of the Law on Competition and the Agency's Statute. The Agency's examination of cases and data are mostly based on the yearly reports provided by this agency.

The Georgian Competition Agency was founded as an autonomous entity in 2014. The agency's primary purpose is to maintain a free and fair competitive environment in the country. The Competition Agency's authority is outlined by the Georgian Competition Law and the Agency's Statute. The agency is supported by the state budget. Because it was founded as a distinct institution in April 2014, it did not get full yearly financing from the budget in 2014. It got GEL 510,095 from the budget as a distinct organization. The agency got GEL 1.9 million from the budget in 2015, which climbed in subsequent years to GEL 2.4 million in 2021.

Figure 1. Financing of the Georgian Competition Agency from the State Budget, 2015-2021 (Million GEL)



Source: Georgian Competition Agency

The law of competition and its enforcement mechanisms are not weapons of attack against companies, economic agents; the term "fight" seems inappropriate to companies with monopoly status, because the Law of Competition does not consider it illegal to have a monopoly position, but certain actions taken by a company in that position in order to restrict or prevent competition. In popular parlance, competition law seeks to promote and safeguard competition while, on the other hand, prevents, detects, and punishes anti-competitive behaviour. The legislation relates to anti-competitive conduct by corporations, as well as regulatory decisions and measures intended at, or resulting in, discrimination, limitation, or suppression of competition by companies.

The primary clauses of the Competition Bill deal with acts such as monopoly abuse, dominating market position, and what is regarded an abuse of the position: restrictive competition agreements, decisions, and concerted actions between companies (including cartel transactions: division of markets, imposing agreed prices, etc.), regulatory decisions and actions with anti-competitive effects that place market participants in an unequal position, certain forms of state aid, concentration of market power, and so on.

The proposal also includes several exceptions to the prohibition, such as the fact that the rule does not apply to agreements with enterprises with a limited market share (up to 5-15 percent). So, while a firm's holding of a substantial portion of the market is not unlawful in and of itself, it will be regarded an abuse of position if the company exploits market dominance to restrict or eliminate competitors. A corporation is said to be in a dominating position if it is able to

operate independently of competitors, suppliers, customers, and consumers, to influence the market, and to limit competition.

According to the draft legislation on competition regulation, the company's monopolistic position has a market share of 40% (in most countries, this figure is in the range of 35-50%); nevertheless, it should be emphasized that this figure is only one indicator of dominance.

Will the passage of this legislation have an impact on product prices? Obviously, under the standards of good faith, the motivations for entering the market will be reinforced, and the competitiveness between market players will be heightened. The customer is the path to market success, which is why enhancing competition policy will surely impact the quality of products, services, and pricing. Customer choice and competition are linked issues. Healthy competition is regarded to be the most dependable consumer protector.

Today, monopolistic corporations are found in the fields of fuel and oil goods, as well as medication sales, advertising, and banking, which leads to increased costs and interest rates, while the high price is paid by the low-income people. When there are just a few players in the market, even if unknowingly, it is in their shared interest that prices and earnings do not decline.

3.2 Main activities of the Competition Agency

Competition and consumer rights protection have a substantial influence on economic development. Healthy competition fosters Domestic and Foreign Direct Investment and enables customers to obtain the proper product and service at a cheaper cost, of higher quality, and with a wider range of options. The Competition Agency, an autonomous entity, implements the state policy on competition promotion. Its primary functions are to determine the facts of competition agreements and the misuse of a dominating position, as well as to make decisions on predicted concentrations and the efficacy of state aid.

To control its primary areas of operation, the Competition Agency employs case investigation, market monitoring, and analytical techniques. Initiates an inquiry into a case based on an application, a complaint, or on its own initiative. The criterion for starting in all cases is a reasonable suspicion, which probably implies a breach of the relevant provision of the Georgian Law on Competition, although the purpose for the inquiry can be any public information to which the public is sensitive.

The Competition Agency monitors and analyzes the market in order to determine the competitive environment in the relevant market, which comprises the following structures:

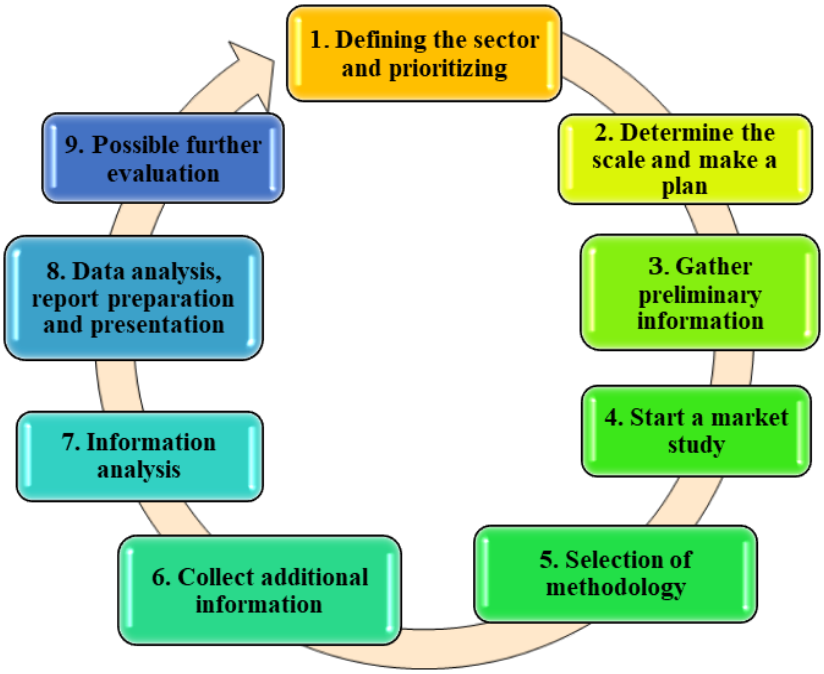
- Market structure analysis;
- Assess the quality of concentration;
- Study of market power;
- Identify possible barriers;
- Detect and evaluate other anti-competitive actions.

According to Figure 2, it is feasible to identify potential risks and predicted results at an early stage, which promotes the effective use of resources since the agency is permitted to avoid additional in-depth market research if the preliminary inquiry reveals no potential concerns.

The European Commission's 2016-2020 plan aims to enhance investment and job creation. Priorities for achieving the aim were outlined as follows (CMA, 2014):

- Energy sector;
- Digital markets;
- Fight against tax evasion;
- Domestic markets.

Figure 2. Market Research Process



Source: Georgian Competition Agency

The European Commission has outlined the internal market research plan as follows: financial services, pharmaceutical, agro-sector (Zoidze, 2020a), transportation, and manufacturing sectors. The European Commission has been able to analyze the advantages to consumers that have emerged from the merger choices of the cartels and corporations in the strategy and action plan by selecting the proper approach and direction. Indicators that are well-designed enable the Competition Agency to correctly measure the outcomes of its efforts. A study by the British Competition Agency (CMA, 2014), for example, outlines the monetary impacts of antitrust action and its repercussions, along with examples from other countries:

- ✓ The revelation of cartels in specific industries in the United Kingdom has resulted in a significant decline in pricing (from 20% to 40%) in the same markets.
- ✓ Employment in the United Kingdom has increased from 2.5 percent to 5 percent as a result of state-sponsored competitiveness reforms.
- ✓ As a result of competition policy improvements, Australia's GDP increased by 2.5 percent.
- ✓ The Kingdom of the Netherlands obtains an annual advantage of about € 100 million as a result of the merger control of the firms.
- ✓ With the efforts against the cartels, the population in the United States saved $1.85 billion dollars.

The efficacy of the Netherlands Competition Agency's efforts is measured by the advantages that the intervention will provide to consumers. The benefit in 2018 was 290 million euros, whereas in 2017 it was 590 million euros. When computing the outcomes, the price change, quality, and ability to choose are all heavily weighted. For increased data dependability, the agency employs a cautious approach to evaluation (OECD, 2018).

Furthermore, the Dutch agency is closely monitoring the firms whose mergers were deemed consistent with competition. The assessment's goal is to examine the economic consequences of the concentration decision. For example, the Netherlands Competition Agency released a report in 2016 detailing the consequences of integrating 14 hospitals between 2007 and 2013, based on a 97-degree indication. Data from United Hospitals were compared to hospitals that did not combine. Because the study's findings revealed no increase in the quality of the associations, the Agency feels that more options to integrate them should be explored further.

On the one hand, corporate mergers help the development of the economy, but on the other hand, they might have the opposite effect on the market. The merger process is predicted to be accompanied by a strengthening of a dominating player's dominant position, with higher consumer prices and a decline in creative offerings.

According to the European Commission's merger rules (European Commission, 2021), every merger inside the EU's borders must be informed to the Commission before the merger takes place. All associations that surpass the statutory yearly turnover criteria will be thoroughly investigated by the Commission. If Union agents do not operate in the same or related areas, their market share is less than the specified annual turnover, and it is determined that their Union does not constitute a danger to competition, the Commission follows a streamlined method based on relevant factors (Official Journal of the European Union, 2013).

Analysis of European nations' yearly competition policy development papers highlighted the necessity of competition authorities paying attention to the merging of various enterprises in the country, due to the urgency and potential positive or negative consequences on the economy.

3.3 Gaps and challenges in the work of the Competition Agency in the post-pandemic period

Based on the above study, we can conclude that the Competition Agency lacks an authorized outcome-oriented strategy, and the action plan is generic and needs to be specified. The organization's strategy and action plan should be based on the key segments chosen to foster competitiveness and the criteria that will enhance the outcomes of the activities. The Agency's capacity to choose and respond to priority areas may be restricted by its need to assess applications and grievances, but this should not prevent the yearly plan from being approved and implemented.

An annual plan based on established priorities and carefully selected criteria will assist the business in responding to issues in terms of competition protection in a timely way, as well as crucial for the right allocation and effective operation of human and other technical resources.

The Agency lacks the ability to identify agreed-upon concentrations, as well as the ability to differentiate enterprises that avoid it. There is a possibility that economic agents whose merger might jeopardize a competitive market environment will combine without the agency's authorization, because the notification of concentration is totally dependent on the economic agents' good faith. According to the explanation received, the Agency has the authority to punish and, if necessary, separate economic agents who were required to send a notification to the Agency under the revision begun in the Law of Georgia on Competition.

The Competition Agency does not undertake market research based on risk. As a result, there is a significant likelihood of investigating regions where anti-competitive behaviors by economic agents may not be identified at all or have a small impact. There is also a danger that the Competition Agency would overlook markets in which the competitive environment and consumer interests are not

adequately safeguarded. Exceptions are circumstances in which markets have been researched and anti-competitive behaviors have not been identified, despite the fact that the Agency performs inspections in the public interest (Zoidze, 2020b).

Based on the limited information given by economic entities, the Agency has devised market monitoring processes. As a result, if all essential data had been evaluated, the conclusions of the market monitoring report may have been different. With present practices, the agency may be unable to monitor target markets when one or more players have a dominating position and refuse to submit information. The Agency lacks the legal power to respond effectively to these facts. The Georgian Competition Law has been amended to allow the Agency to seek any information or documentation from the economic agent, including sensitive information, that is required for the fulfillment of the functions entrusted to it.

Revealing cartel transactions, one type of restrictive competition agreement, is often regarded as the most complex duty for competition authorities globally. The Agency does not have the authority under the existing legislation to examine possible cartel transactions on the spot without a prior notification to economic actors. Existing information technology and human resources are insufficient to solve the issues that the Competition Agency faces in the context of cartel transactions.

The Competition Agency's procedures and legal principles need to be changed, preventing the organization from consistently and qualitatively carrying out its legislative jurisdiction. It is also an impediment to the creation and preservation of institutional knowledge (Zoidze, 2021).

Furthermore, the supply of state aid is regarded acceptable and expedient for economic growth, however it must be carefully proved because the receiver of the aid gains an edge over other rivals. In EU nations, the European Commission is responsible for examining and deciding on particular aid in order for it to be declared acceptable and pursuant to the rule of law.

In 2012, the European Commission decided to undertake a program to modernize state assistance with the goal of encouraging European member states to use resources to stimulate investment, grow the economy, and create employment. As a result of this reform, it is hoped that the maximum amount of economic growth may be achieved with limited state resources.

According to Georgia's state budget allocations, numerous expenditure bodies select the amount, purpose, and frequency of state help, in certain circumstances in collaboration with the government. There is no report created in the form of integrated information on the aim of the awarded state aid and its repercussions.

The rules for granting state aid are defined by the Georgian Competition Law and the Government Resolution (Resolution N529). Tax exemption, reduction or

deferral, debt write-off, restructuring, preferential loan conditions, transfer of operational assets, monetary assistance, profit guarantee, perks, and so on are examples of state aid. However, the primary issue in this regard is that the goal of state aid is not always specified.

4. Conclusions

It is recommended that legislative reforms be considered in order to provide the Competition Agency the necessary ability to take effective action against cartel transactions. It is critical that the Competition Agency is guided in the process of exercising its authority by specially developed methodologies, as this facilitates consistent decisions in the planning, execution, and reporting stages of its activities, assists the organization in developing the necessary processes to achieve the set goals, and promotes the growth, development, and maintenance of human resources, allowing employees to be efficient.

Regardless of the field in which the organization works, the function of methodologies is confined to implementing certain methods, techniques, and approaches created as a consequence of excellent practice to accomplish specified tasks and objectives within a given time period.

The Competition Agency's core activities include concentrations, state aid, market analyses, and other potential anti-competitive practices. In each scenario, the agency should have a clear vision from which applicable criteria may be formed, common methods specified, and the structure of the procedures required to handle the issue clarified. Throughout the year, the organization may be required to discover, investigate, and make appropriate choices in a number of incidents that limit the competition. Because of the nature of the infringement, these situations may differ from one another, but the choices taken should be consistent and based on suitable methodology.

Because markets and their economic purposes differ, a consistent approach to market monitoring cannot be employed, yet some strategies and good practices can be discovered to construct a market monitoring methodology. For example, data collection and modelling methodologies, financial analysis, and qualitative data evaluations.

Because of the situations outlined above, the Georgian Competition Agency's procedures and procedural rules need to be changed, preventing the organization from consistently and qualitatively performing its legislative functions. It is also a hindrance to the creation and preservation of institutional knowledge. As a result, the Competition Agency will assure the refinement of methodology and procedural guidelines in order to consistently and qualitatively apply the powers provided by law, which will aid in the development and maintenance of the organization's institutional knowledge and expertise.

The Competition Agency should develop an appropriate control mechanism to ensure the collection, completeness, and analysis of aid information provided within the state, local, and autonomous republics in order to maintain an equal competitive environment for market participants and to generate economic benefits from the state aid granted.

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PROBLEMI I IZAZOVI KONKURENTSKOG OKRUŽENJA U PREPANDEMIJSKOM I POSTPANDEMIJSKOM DRUŠTVU

Apstrakt: Konkurencija i konkurentno okruženje su najvažniji osnov za efektivno korišćenje resursa i privredni rast, čineći da preduzeća budu efikasnija, ograničavajući troškove, a investirajući više u inovacije i razvoj novih dobara. Kupci dobijaju više prednosti po nižoj ceni i bolji kvalitet kad postoji jaka konkurencija. Konkurentska klima državu čini privlačnijom za investitore, povećavajući mogućnost privlačenja domaćih i stranih investicija. Zaštita potrošača i konkurencija su suštinski veoma važne za postizanje privrednog rasta i smanjenje siromaštva. Jurisdikcija, kao i privredno okruženje u kome preduzeće posluje, imaju značajan uticaj na kvalitet konkurencije. Cilj države i državnih institucija je da ohrabri konkurenciju i izbegne one postupke koje bi mogli da ugroze učesnike tržišta i potrošače. Od ogromne je važnosti i to da aktivnosti države i odgovarajući regulatorni standardi ne preopterećuju poslovni sektor, jer prava poslovanja, kao i prava potrošača moraju da se poštuju.

Ključne reči: konkurencija, konkuretno okruženje, regulacija antitrustova, privredni rast, društvo.

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