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DEPARTMENT OF TRADE AND INDUSTRY

NOTICE OF INTRODUCTION OF COMPETITION AMENDMENT BILL INTO PARLIAMENT

The Minister of Trade and Industry intends to introduce the Competition Amendment Bill ("Bill") into Parliament during June 2008.

EXPLANATORY SUMMARY

The Bill is not intended to overhaul the current competition regime but is focused on key areas aimed at-

- Strengthening the existing provisions of the Competition Act;
- Providing the competition authorities with extra powers to deal robustly with uncompetitive practices; and
- Enabling the Competition Commission to play a more proactive role in investigating markets and take measures to ensure market transparency.

The Bill seeks to amend the Competition Act (No 89 of 1998) so as to provide certainty with regard to concurrent jurisdiction between Competition Commission and sector regulators; to introduce provisions to address other practices that tend to prevent or distort competition in the market for any particular goods or services; to provide more guidance in relation to conducting market inquiries as a tool to identify, and make recommendations with respect to, conditions that tend to prevent, distort or restrict competition in the market for any particular goods or services; to introduce provisions to hold personally accountable those individuals who cause firms to engage in cartel conduct, and to authorize the Competition Commission to excuse a respondent to a complaint if the respondent has assisted the competition authorities in the detection and investigation of such conduct; and to provide for related matters.

Subsequent to the introduction of the Bill into Parliament, copies can be obtained from:

Department of Trade and Industry
Parliamentary Office
Contact Person: Ms S. Naidoo
Telephone: (021) 461 7191
