NEWS CLIPPINGS –NRG MEETING



(English Translation: as provided by Mosadeq Sahebdin, Institute for Consumer Protection, Mauritius)

Competition Act implemented soon

The Competition Act will soon be implemented. This was the assurance given by Motee Ramdass, minister of Commerce and Consumer Protection, at the opening of a workshop on a joint research project to be effected by the University of Mauritius and the Institute for Consumer Portection (ICP).

In his address, minister Ramdass reaffirmed the political will of government to work in favour of a competitive climate so as to ensure lower prices to consumers.

On his part, Mosadeq Sahebdin of ICP underlined that consumer organisations have an important role in sensitising consumers on the importance of a competition policy.

Le Defi plus -

28th May to 3rd June 2005

LES FROMAGES SE LA COULENT DOUCE

Il est un fait que, depuis peu, les trois marques de fromage cheddor sur les royans des supermarches affichent les mêmes pris, ou parfois une différence d'une roupse. En effet le fromage Kraft, reconne comme brand leader, est vendu Es 39,90 le baite de 227g, tarafis que Sunny South qui le

Begg, introduite depuis deux ou tros ans et qui se vendait lls 23,00 in buite du mêrre poids, est afforte depuis mars demes a ... Es 38,90, soit la même pris que Sunny South ou une roupie de mains que Kroft.

COMMERCE Les distributeurs sont les premiers concernés

Competition Act: enfin une concurrence saine!

Le mécanisme pour la mise en application du "Competition Act" démorre bientôt, avec l'installation, dans les semaines à venir, d'un "Director of Fair Trading", comme preconisé dans la loi. Telle est l'assurance donnée par Motee Ramdass, le ministre du Commerce et de la protection des consommateurs, lors de l'auverture d'un atelier de travail dans le cadre du projet de recherche conjoint de l'Université de Maurice et l'Institut pour la protection des consommateurs (ICP) sur la compétition. "Nous n'attendons plus que le feu vert du ministère des Services civils pour démarrer la mise en application de la lai" devait-il déclarer en réaction aux critiques de l'ILP à l'effet que le retara dans l'application laissait la voie à des pratiques commerciales anti-compétitives.

Yavartier un climat de compéti-tion afin de prorveir aux commenmateurs des pris moiss eleves, une meilleum qualité des pro-duits et un thois plus élargi. Mara If fall research qu'il fallait.

Berlam de l'impact des cartels sur le Sero-Eire des consonneteurs, il a affirmé agrun "merger or a cartel con louve termigmance on the economy." Il a procrit qua le Conspectivo Act
prend en compte la spécificite de
notre sonol Alead eminary et
établit un cache lingil pour le Sintrible des précliqués commerciales. Il a hédifinne que le gauvernement est détermine à aller ille Cerant afin qu'il y at une
pritages de competition afficace
à Majorton.

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emplesse l'importance de ce propet de raches l'interesté, il
emplesse l'importance de ce propet de raches proces. And le
Consumer Units and Trust Corrège
(Cuts indernational) pour les septpages africans, dont Meanse. De
proces, act «de prende, vius à
développer une publique de competition efficace.

Fronze la parole, Mesadeq
Sambeldis, coordinateur de PCP,
de apprécie que Cut ait certifie.

salvebdis, conditator de PIO, dir apprécie que Cuts al covillo a PIOP de respeciabliste de la partire conscientisation du projet, dost le nom es code est 71p3, il a souligne que les organisations de conscientisation par un rife important dans la temportant dans la temportant des operanesations sur l'experient

tance d'une politique de com-

Des consprenateurs artific Des consprenateurs artific posient partier à l'attantion de l'autorité régulatrice des pra-

tiques enti-competitives. Il e auja affirme que, pour qu'une Competitiun policy soit efficace, il aut de la visce de retard dans la rise en application de Competition Act, voté en septembre 2003. Il a sussigné que le retard dans l'institution de l'Office et fest de la rise par l'entration de l'Office et fest de la rise par fest l'institution de l'Office et fest de l'entration de l'Office et fest l'institution de l'institution d tembre 2003. It a sustigné que le retard dans l'institution de l'Office et Fair Trading, le Competition Tribanal et le Competition Advisory Council laissaiset la voie à des pratiques arti-compétities, dont la vorte des pris on descois du pris cellulant. L'abas d'une position deres la competition de la competition del number pour imposer des juts élevés, des collusions pour four

elleves, des collenions pour front inspire.

Pour la part, Sapeer Moir, Regional Birector de baireon africain de Cults à Lucole, a copilque la portei de projet inti lide Coposity building mi Competition Policy in Severi Countries of Earlers and Southern Africa, il a cappiele que le projet était le troisième d'use afré était et troisième d'use afré était et coposition dans les pages africains, Les page coporrés par ture de competition dans les pays africaise. Les pays concernes par le présent projet sont le Betowna, l'Ethiopie, le Malavel, le Mccambique, la Namible, l'Ouganda et Meurice.

La describere partie de l'als-lier était consume à la présenta-tion d'un Prefictionary Competition Paper, exposent l'é-Carpertain a Maurice, Occase qui avait ette prosentier en Ouganula en mars denner. La présentation échesa au Dr



\$7927 Le remission du Commence provon une loi vouent entre autres à haraser les pres-

Chandan Janken, Servor Lecturer à l'Ediversité, qui fait aussi partie de l'équipe de chercheurs, aux Sunil Bundoe.

pour le prochain atelier de travail.

Aveu de taille que celui da ministre sorrant de la Proteccion des concommuteurs sur l'Incapac tie de son ministère à mettre un terme à une collusion possible sur les prix du frenage, collusion que le secrétaire permanent du même ministère dit avoir aussi constate. Riveginent aux critiques de l'ICP sur le retard dans la mise en application de la lin sur la com-pettien, le ministre a reconsu-qu'il pourrait avoir une cellusion entre les importateurs de fro-mage (cheòdar), afin de main-teur des prix élevés. Alluston a été fatte à une pus-

sible collusion entre les distribu-leurs afin de maintenir des prix

eleves, les consummatauxs n'apert d'autre choix que de se pler à leurs distais. En réactien, le ministre à l'espécialment recenns qu'une telle collection était apparents à n'apit était d'une ministre qu'il avait eue avec les distributeurs concernes. if a recommunitaria concerne, if a recommunitaria por resusti à les convaincre de binoer leurs pris, évoquaint, par la même, une possibilité. Holgnée, d'importa-tion probablé par la State Wading

possitive. Holgelo, d'importation probable par la Saint Wading
Corporation.

Il est approprie de relever que
le Camperition act, voté es septromare 2003, affune, à la section 12, que Where, under objsprennente (a) the porties
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organisations de consummataus, wasset tipose, en cetta loi, une avencée emportante dans la pro-tection de causact. Or, dans les milleux du ministère, en évoque encare le manque d'expertise pour emplayen le retaint. Voia avet dit bisarre ?

Les conseils anti-arnaque de l'ICP

- Vérifiez que l'inattivison est dûment enregistrée auprès de la Mauritius Qualifications Authority. Le certi-ficat uttessent est enregistrement doit être uffiché.

- Demondes a bien étudier tout contral propose avant de le lire.
- Exigez que le contrat soit signé en deux exemplaires, et qu'un examplaire vous soit remis.

(English Translation: as provided by Mosadeq Sahebdin, Institute for Consumer Protection, Mauritius)

COMMERCE Distributors to be the first concerned.

COMPETITION ACT: healthy competition at last!

The mechanism in view of the implementation of the Competition Act start soon, with the posting of the Director of Fair Trading, as recommended by the law. This was the assurance given by Motee Ramdass, minister of Commerce and Consumer Protection, at the opening of a workshop in realtion to a joint research project on competition policy to be effected by the University fo Mauritius and the Institute for Consumer Protection (ICP). "We are only waiting for the green light of the ministry of Civil Service Affairs to start the implementation of the law, he said in reaction to ICP's criticisms to the effect that the dealy in the implementation of the law had given way to anticompetitive practices.

Minister Ramdass also reaffirmed the political will of government to work in favour of a competitive climate to ensure that consumers get lower prices, better quality of products and a larger choice. But he said that operators' lobby should be taken in consideration. Speaking on cartels, he said that a merger or cartel can have telling impact on the economy. He stressed that the Competition Act took into consideration the specificity of our small island economyand established a legal framework to control commercial practices. He repeated that government was determined to go forward so that Mauritius has an effective competition policy.

Before him Reshma Peerun Fatehmamode, lecturer at the Department of Economics and Statistics of the University fo Mauritius explained the importance of the research project initiated by CUTS International in seven African countries, including Mauritius. This project, she affirmed, aims at developing an effective competition policy.

Addressing the meeting, Mosadeq Sahebdin, ICP coordinator, expressed his appreciation that CUTS had confered upon ICP the responsibility of the advoaccy part of the 7 Up3 project. He underlined that consumer organisations had an important role to play in the raising awareness among consumers on the importance of a competition policy. Empowered consumers, he said, will bring anti-competitive practices, including abuse of dominance and collusion, to the attention of the Competition Authority. He also affirmed that for a competition policy to be effective, a strong political will was essential. He deplored the delay in the application of the Competition Act, voted in September 2003. He underlined that the delay in the institution of the Office of Fair Trading, the Competition Tribunal and the Competition Advisory Council, gave way to anti-competitive practices, such as the abuseof a dominant position to determine prices adnd collusive agreements such as on the cheddar cheese market.

For his part, Sajeev Nair, Regional Director for CUTS African Resource Centre explained the scope of the project entitled Capacity Building on Competition Policy in Select Countries of Eastern and Southern Africa. He recalled that the project was the third of a series that aimed at enhancing a competition culture in African countries. The countries concerned by the present project are Botswana, Ethiopia, Malawi, Mozambique, Namibia, Uganda and Mauritius.

The second part of the workshop saw the presentation of the Preliminary Country Paper that had been presented in Uganda in last March. The presentation was made by Dr Chandan Jankee, Senior Lecturer at the University, who also formed part of the team researchers with Sunil Bundoo. The presentation was followed by open discussion, during which the thirty participants from different stakeholder groups made comments on the PCP.

To conclude, Sunil Bundoo explained that the next stage would be dedicated to a survey among the different stakeholder groups. He remined the participants that they would be invited for the next NRG meeting in six months time.

The outgoing minister for Consumer Protection confessed that his ministry was unable to put an end to the possible collusion on the price of cheddar cheese, a state of things that the Permanent Secretary to the same ministry confessed having noted. In reaction to ICP's

criticisms concerning the delay in the implementation of the competition law, the minister confessed that there could be a collusive agreement between the importers of cheddar cheese, in order to maintain high prices.

It had been alleged previously (by ICP spokesperson) that there could be a collusive agreement between the distributors in order to maintain high prices, consumers having no other choice than to abide by their dictates. In reaction, the minister implicitly recognised that such collusive agreement was apparent. He said that he had had a meeting with the said distributors. He recognised not having been able to convince them to reduce their prices. He also made allusion to the possibility of import of cheese by the State Trading Corporation, in case the situation persists.

It is appropriate to quote the Competition Act, voted in September 2003. Section 12 of the Act says "where, under any agreement- (a) the parties acquire or supply goods or services of the same description, the object of which is, in any way, to - (i) fix the selling or purchase prices of the goods or services; (...), that agreement shall be regarded as a collusive agreement." Il should be noted that any collusion to fix prices is considered, under the law, as a restrictive business practice, an anti-competitive practice, for which the Director of Fair Trading could refer to the Competition Tribunal.

This state of affairs commands us to question the will of the decison-makers to implement a law manifestly in favour of consumers. In fact, the consumer organisations had welcomed this law as a major landmark in consumer protection. However, in the ministerial offices, the lack of expertise is many times used to explain the delay. There should be something fishy somewhere...

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National Reference Group Meeting

The National Reference Group Meeting, held at the University of Mauritius last week aimed at giving wider attention to the Research and Advocacy project effected by the Consumer Unity and Trust Society (CUTS International) on capacity building and on competition policy in select countries of Southern and Eastern African countries.

Code-named 7Up-3, this project is being effected in Mauritius by the department of Economic and Statistics, as the research partners and ICP as the advocacy partner.

The opening session of this first NRG meeting was enhanced by the presence of the Minister of Commerce and the Regional Director of CUTS-Africa Resource Centre, Sanjeev Nair, from Zambia.

'The main objective of competition policy', the minister said 'is to ensure lower prices, adequate supplies, and more distribution of income'. He underlined that monopolies and mergers have a negative impact on consumer welfare.

In her opening remarks, Mrs Rehana Fatehmamode, lecturer at the Department of Economics at the University of Mauritius, explained the scope of the present research project which according to her, aims at developing an effective competition regime.

Sanjeev Nair drew the attention of participants on how mergers and cartels can affect consumer welfare. He affirmed that if a competition policy could bring better regulations, it can also enhance the welfare of the poor section of society.

Mosadeq Sahebdin, the coordinator of the Institute of Consumer Protection(ICP), said that it recognised that the introduction of a comprehensive competition policy can lead to significant advantages to business as well as consumers and added that consumer organisations have an important role to play in raising awareness and stimulating interest among consumers about the competition policy.