

Proceedings of the NRG III meeting & the NTW

NRG III meeting (38 attendees)

The meeting started quite late as the Honourable Minister of Trade and Industry (MOTI) was held up in an impromptu meeting.

The welcome address was given by the acting director of ISSER, Professor Clement Ahiadeke, who welcomed the representative from CUTS and the attendees.

Rijit Sengupta then made a presentation on the Purpose of the Meeting. Afterwards, Dr. Charles Ackah from ISSER made a presentation on Key Learning and Recommendations from the project. After being informed that the Honourable Minister would not be able to attend our meeting after all, Mr. Kwame Fosu from MOTI read out the keynote address in her stead. After a coffee break, two other presentations were made in turn. First Dr. Ackah made a presentation on the Roadmap for Competition Reform.

A discussion then followed in which a number of issues were raised. These included, inter alia: whether banks in Ghana were being anti-competitive; considerations about competition between local firms and foreign firms; the need to focus on competition reform in sectors that affect the bulk of Ghanaian citizens, like energy and water; and the need for Ghana to have a long term development plan in which issues like competition could be embedded.

The final presentation was made by Dela Tsikata and it was an analysis of the Features of the Existing Draft Competition Bill. A short discussion followed.

NTW

Day 1 (28 attendees)

The meeting started about an hour late as time was allowed for participants to arrive.

Mr. Sengupta set the ball rolling with a presentation that gave an Overview of the 7Up4 project and the Progress made so far. Self-assessment questionnaires were then distributed for participants to fill. Mr. Sengupta then went ahead to give the second presentation which was an introduction to competition policy and law. A discussion then followed.

After the first tea break, Mr. Tsikata gave a presentation on the Outline of the Existing Draft Competition Bill of Ghana. A discussion followed.

After lunch, Mrs. Beldine Omolo gave a presentation on the Structure and Functions of a Competition Authority. As usual, the floor was then opened for discussions.

The final presentation was made by Dr. S. Chakravarthy on Horizontal Restraints, with discussions following.

Interesting issues that came up during Day 1 included, inter alia: the need for special courts and people with the expertise to adequately handle competition issues; how to adequately resource the competition authority; the need to prevent the competition authority from being inundated by consumer complaints, which makes having a consumer protection agency important; and the need for Ghana to hasten its pace in having a competition bill passed into law.

Day 2 (~ 24 attendees)

The meeting commenced a little late as we waited for the participants to arrive.

Mrs. Beldine Omollo made the first presentation which was on Vertical Restraints. Dr. S. Chakravarthy then followed with a presentation on Dominance and Abuse of Dominance. The floor was then opened for discussions before the tea break.

After the break, Mrs. Omollo presented on Unfair Trade Practices. After lunch, S. Chakravarthy made a presentation on Competition Law and Sector Regulation. Mr. Sengupta then followed with his presentation on Competition Law and Consumer Protection. Dr. Ackah then gave the final presentation of the day on the Key Findings of the 7Up4 project and the way forward.

During the discussions that followed the presentations, a number of issues were raised, including, inter alia: whether complainants must do investigations before bringing a case before the competition authority; the Bank of Ghana's apparent lax attitude towards regulating the financial sector; numerous instances of unfair trade practices that were present in Ghana; and how to mitigate any rivalries that may arise between the sector regulators and the competition authority.

The self assessment questionnaires were distributed again to the participants to serve as a measure of how much knowledge they had gained from the workshop.

Day 3 (34 attendees)

The meeting with the media personnel commenced a little late as we waited for the participants to arrive.

Mr. Tsikata opened the day with a presentation on the Features of the Existing Draft Competition Bill. This was followed by Mrs. Omollo's presentation on Anti-competitive Practices and Examples. Next, Mr. Sengupta gave an Introduction to Competition Policy and Law. Finally, Dr. Ackah presented the Key Findings of the 7Up4 Project and the Way Forward.

The floor was opened for discussions and some of the issues that came up were: how anti-competitive behaviour affects businesses but unfair trade practices affect consumers directly; the need for the Ghana Standards Board to take the lead role in preventing the importation of shoddy goods; and the fact that the media needs government help and involvement to perform its duty as a watchdog institution.

A meeting was planned with some Parliamentarians but this did not come off as there was a no-show partly because Parliament was out of session. It was decided to convene a meeting with them at a later date when Parliament was in session.

Other remarkable developments during the NRG III and NTW include:

- The need to explore the possibility of developing the curriculum/module at the University on Competition Policy and Law issues;
- The need to contact the BUSAC Fund administrators to explore the possibility there for developing a programme on competition policy and consumer protection with any of the media institutions;
- The need to share the outline of the road-map for competition reforms in Ghana' with the Minister and the Acting Chief Director at the MoTI, Ghana and to emphasise the fact that this roadmap emerged from the discussions at the NRG meetings (where key stakeholders participated); and
- ISSER's plans to develop a Centre for Trade Policy and Competition Analysis.