



## PROGRAMME

### FOURTEENTH ANNUAL COMPETITION LAW, ECONOMICS & POLICY CONFERENCE

**DATE:** 3 – 4 November 2020 • **FORMAT:** Virtual Conference

**THEME:** Competition in a crisis: Competition policy, Regulation and Enforcement in unprecedented times

| DAY 1: Tuesday, 3 November 2020 |   |
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| <b>09:30 – 10:45</b>            | <b>OPENING SESSION</b>  |
| <b>09:30 – 09:50</b>            | <b>Conference opening address &amp; welcomes:</b><br>Mondo Mazwai (Competition Tribunal Chairperson)  |
| <b>10:00 – 10:45</b>            | <b>Farewell to Judge Dennis Davis</b><br>Tembinkosi Bonakele (Commissioner, Competition Commission)<br>Judge Dennis Davis (Judge President, Competition Appeal Court and Judge of the High Court of South Africa) |
| <b>TEA BREAK</b>                |   |
| <b>11:30 – 12:30</b>            | <b>ACADEMIC SESSION 1:</b><br>Competition policy and enforcement and the economic recovery from the Covid-19 crisis   |
| Speakers                        | <i>Discussant:</i> Tanya van Meelis (DTIC)  |
| <b>LUNCH BREAK</b>              |   |
| <b>13:30 – 14:30</b>            | <b>ACADEMIC SESSION 2:</b><br>Covid-19 and competition enforcement  |
| Speakers                        | <i>Discussant:</i> Pamela Mondliwa (Berkeley Research Group)  |

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| <b>15:15 – 16:30</b> | <b>PLENARY SESSION 1:</b><br>Competition policy prioritisation and implementation in a post-Covid period  |
| Background           | <i>Competition agencies had to respond to the Covid-19 crisis as it unfolded with the granting of exemptions to ensure coordinated responses and action against price gouging. Looking ahead to a deep global recession and devastation to sectors such as the airline and tourism industries, there are likely to be challenges around failing firms, industry restructuring and calls for cooperative arrangements in rebuilding the economy. This session will focus on where competition authorities should be focused during the post-Covid period and what approaches should they adopt in addressing these challenges.</i> |
| Keynote address      | Andreas Mundt (President, Bundeskartellamt and ICN Chair)   |
| Speakers             | Moderator: Hardin Ratshisusu (Deputy Commissioner, Competition Commission)<br>Panellists: Dr Thando Vilakazi (Executive Director of the Centre for Competition, Regulation and Economic Development (CCRED)); Francis Kariuki (Director General, Competition Authority of Kenya); Norman Manoim (Acting Judge and former Chairperson of Competition Tribunal); Dr Thabi Leoka (Economist)   |

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| <b>DAY 2: Wednesday, 4 November 2020</b> |   |
| <b>09:00 – 09:30</b>                     | <b>The African Continental Free Trade Area (AfCFTA)</b>   |
| Speaker                                  | Wamkele Mene (Secretary General, AfCFTA)  |
| <b>09:30 – 10:00</b>                     | <b>Launch of the Commission's Digital Competition Report</b>  |
| Speakers                                 | Programme director: Khanyisa Qobo (Competition Commission)<br>Keynote address: Tembinkosi Bonakele (Commissioner, Competition Commission)   |
| <b>10:00 – 11:15</b>                     | <b>PLENARY SESSION 2:</b><br>An appropriate digital market response for a developing economy  |
| Background                               | <i>Digital markets continue to be an important topic across the globe. The Covid-19 pandemic and lockdown has increased the demand for online services and commerce, creating opportunities but also potentially entrenching market leaders more rapidly. It also raises a range of consumer issues in addition to competition issues. The focus of this session is on determining what may be a developing market approach to these issues and how this may differ to the approaches being developed in leading jurisdictions.</i> |
| Keynote address                          | Cristina Caffarra (Vice President, CRAI)  |
| Speakers                                 | Moderator: Thembaletu Buthelezi (Competition Commission)<br>Panellists: Alexey Ivanov (BRICS Competition Law and Policy Centre); Prof Imraan Valodia (Competition Tribunal member and Dean of Commerce, Law and Management, Wits University); Dr Mike Walker (Chief Economic Adviser at the Competition and Markets Authority); Andile Ngcaba (Founding Partner and Chairman of Convergence Partners)   |
| <b>11:45 – 13:00</b>                     | <b>ACADEMIC SESSION 3:</b><br>Merger control: merger thresholds and the failing firm  |
| Speakers                                 | Discussant: Reena das Nair (CCRED)  |
| <b>LUNCH BREAK</b>                       |   |

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| <b>14:00 – 15:00</b> | <b>PLENARY SESSION 3:</b><br>Consumer protection and competition laws: a convergence? What can we learn from the Covid-19 pandemic and other recent enforcement?   |
| Background           | <i>Price gouging behaviour stemming from the pandemic and the enforcement against such conduct on the back of competition law has come in for criticism with many pointing to consumer protection laws being arguably more appropriate. Many other jurisdictions have both competition and consumer protection laws in the same Act and dealt with by the same regulator. Other consumer issues like data privacy/protection are also beginning to intersect with competition law. This session would explore these issues and the perspective of other jurisdictions where both laws are in the same Act, alongside the South African experience.</i> |
| Speakers             | Moderator: Yasmin Carrim (Competition Tribunal)<br>Panellists: Thezi Mabuza (Acting Commissioner of the National Consumer Commission); Amelia Fletcher (Professor of Competition Policy at Norwich Business School and Deputy Director at the Centre for Competition Policy); Sizwe Snail ka Mtuze (Member of the Information Regulator of South Africa); David Howarth (Special Counsel at K&L Gates, Australia)  |
| <b>15:00 – 15:15</b> | <b>CONFERENCE CLOSING:</b> Tembinkosi Bonakele, Competition Commissioner   |