

Media Release

22 December 2015

Competition Commission publishes draft guidelines for the assessment of public interest provisions in mergers for further comments

The Competition Commission (Commission) has published the draft guidelines for the assessment of public interest provisions in merger regulation under the Competition Act 89 of 1998 (as amended), for further public comment.

The guidelines seek to provide guidance in the Commission's approach to analyzing mergers by indicating the approach that the Commission is likely to follow and the types of information that the Commission may require when evaluating public interest grounds in terms of section 12A(3) of the Competition Act.

In January 2015, the Commission published the first draft of the guidelines for public comment. The Commission received written comments from various stakeholders including business, legal practitioners and civil society, and also held workshops in order to discuss comments received and to get more input from stakeholders. The Commission has since revised the guidelines taking into account the input received. This is the last opportunity for the public to provide input. After the conclusion of this process, the Commission will publish the final guidelines.

The revised guidelines can be obtained from the Commission's website www.compcom.co.za and will also be published in the government gazette. Background documents relating to the guidelines can also be accessed on the Commission's website.

Written comments on the revised guidelines may be e-mailed to: SeemaN@compcom.co.za. The closing date for submitting comments is 29 January 2016. All enquiries relating to the guidelines may be directed to Ms Seema Nunkoo at (012) 394 3203.

Ends

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