



competition commission
south africa

MEDIA RELEASE

8 June 2016

COMPETITION COMMISSION PUBLISHES FINAL PUBLIC INTEREST GUIDELINES

The Competition Commission (Commission) has published the final guidelines for the assessment of public interest provisions in merger regulation under the Competition Act. The guidelines have been prepared in terms of section 79(1) of the Competition Act which provides that the Commission may adopt guidelines to indicate its policy approach on any matter falling within its jurisdiction.

The guidelines seek to provide guidance on 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 preparing these guidelines, the Commission followed a consultative process which entailed obtaining input from various stakeholders including legal practitioners, business, civil society, and also holding workshops in order to discuss comments received and to get more input from stakeholders. The Commission has since revised the guidelines to incorporate input from stakeholders.

"These guidelines mark an important milestone in merger regulation in South Africa since the establishment of the Competition Commission 16 years ago. With the increased focus on public interest considerations in merger regulation, the guidelines provide the much needed clarity on how the Competition Commission will consider public interest grounds in assessing mergers. We encourage business and practitioners to follow these guidelines when filing mergers in South Africa," said acting Deputy Commissioner, Hardin Ratshisusu.

ENDS

For more information:

Itumeleng Lesofe, Spokesperson

012 394 3287/ 073 805 7733/ ItumelengL@compcom.co.za