



competition commission
south africa

Media Statement

For Immediate Release

01 December 2021

COMMISSION WELCOMES CONSENT AGREEMENT ON PROCUREMENT OF SCHOOL UNIFORM

The Competition Commission of South Africa (Commission) has welcomed the decision by the Competition Tribunal (Tribunal), to confirm as an order, a consent agreement with a Gauteng based school uniform supplier McCullagh and Bothwell (Hyde Park) (Pty) Ltd. The consent order is a culmination of the Commission's advocacy work and years of investigations following complaints received from parents who were forced to buy school uniform from exclusive selected suppliers. The order effectively terminates all exclusive supply agreements on the procurement of school uniform while guaranteeing parents and learners choice and an opportunity to shop around for competitive prices for school uniform and other learning materials.

In terms of the consent agreement, McCullagh and Bothwell has undertaken the following:

- Not to enter into any evergreen supply agreement with any school;
- To amend all its existing supply agreements with schools to remove any exclusivity or clause recognising McCullagh and Bothwell as a "sole stockist" of uniform for a particular school;
- To ensure that all supply agreements have a termination date not exceeding 5 years; and
- To provide the Commission with a list of schools that have not effected the changes by May 2022.

The Commission will be monitoring compliance by McCullagh & Bothwell. The Commission will also, through its partnership with the School Governing Body Associations, monitor general compliance by all schools in the country to ensure that they adhere to the Guidelines on School Uniform and comply with the principles that promote pro-competitive sourcing of school uniform.

The Commission will also continue to create awareness around anti-competitive practices in the procurement of school uniform and other learning-related material. The Commission has produced an educational pamphlet for schools, parents and School Governing Bodies on the importance of competition in the procurement of school uniform and other learning-related material. The educational pamphlet also provides a guide on the role that schools, parents and School Governing Bodies can play to help lower

the price of school uniform and other learning-related material. The pamphlet, which is available in English, Afrikaans, Sesotho and IsiZulu can be found on the Commissions website (<https://www.compcom.co.za/64689-2/>)

[ENDS]

Issued by:

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