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Media Statement

For Immediate Release

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**ONLINE INTERMEDIATION PLATFORMS MARKET INQUIRY EXTENDED TO PERMIT
EXTENSIVE CONSULTATION ON ADDITIONAL RECOMMENDATIONS**

On Friday, 17 February 2023, the Competition Commission (Commission) published a notice of extension of the Online Intermediation Platforms Market Inquiry (“The Inquiry”) in the Government Gazette. Whereas previously, the period for completion of the inquiry and the final report was to expire on 18 February 2023, the Minister of Trade, Industry and Competition has in terms of section 43B(4)(b) of the Competition Act 89 of 1998 (as amended) granted the inquiry a further two months extension to finalise and complete its report by **18 April 2023**.

The extension has been granted to permit the continuation of the inquiry’s extensive consultation process on additional recommendations. The Gazetted extension can be accessed on the Commission’s website at <https://www.compcom.co.za/online-intermediation-platforms-market-inquiry/>.

Furthermore, the Commission calls for comments on the inquiry’s recommended Commission Guidelines or Section 78 Regulations in terms of the Competition Act 89 of 1998 (as amended). These guidelines seek to prohibit certain conduct of emerging leading platforms that have not yet occurred in some of the intermediation categories, or which may occur in the future.

The inquiry recommends these regulations or guidelines to permit the identification and review of new and emerging platforms and to complement the immediate remedial actions aimed at the current market features that the inquiry has provisionally found to have an adverse effect on competition. Given that the inquiry has gained material insights into the business models and competitive dynamics amongst intermediation platforms that may entrench an uncompetitive and exclusionary market structure, the inquiry is obliged to consider whether

the tools at the disposal of the Commission are able to adequately address these future developments, and if not, recommend legislative or regulatory changes.

After considering the initial submissions on the Provisional Report recommendations along with other factors in respect of future enforcement, the inquiry is currently of the view that section 78 regulations are desirable as they can strengthen enforcement going forward. Stakeholders are still encouraged to submit comments on the proposed recommendations by **close of business on 28 February 2023**. Please send all submissions and comments to ojpmi@compcom.co.za.

Further information about the inquiry is available at: <https://www.compcom.co.za/wp-content/uploads/2023/02/OIPMI-Proposed-Regulations-and-Guidelines.pdf>

[ENDS]

Issued by:

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