



Media Statement

For Immediate Release

15 June 2023

COMMISSION ENGAGES INDUSTRY ROLE PLAYERS ON BUYER POWER PROVISIONS

The Competition Commission (“Commission”) successfully hosted a comprehensive two-day workshop for small and big business stakeholders in Sandton, Johannesburg to unpack the Buyer Power provisions in the amended Competition Act.

The workshop took place on 14 and 15 June 2023 and aimed to enhance awareness and understanding of the buyer power provisions among various stakeholders. It brought together a diverse group of stakeholders, including representatives from industry associations, consumer groups, legal practitioners, and economists. Commission staff further facilitated discussions on the implications and practical applications of the buyer power provisions.

The provisions on “buyer power”, contained in Section 8(4)(a) of the Competition Act 89 of 1998 (as amended), came into effect on 13 February 2020. In terms of these provisions, it is prohibited for a dominant buyer in a designated sector to impose unfair prices or trading conditions on small and medium enterprises (SMEs) and firms owned and controlled by historically disadvantaged persons (HDP). The provisions ultimately aim to address concerns related to the abuse of market power by dominant buyers, which can have adverse effects on competition, suppliers, and ultimately, consumers. These provisions empower the Commission to take appropriate measures to prevent anti-competitive practices, promote fair trading conditions, and ensure a level playing field for all market participants.

Over the two days, participants engaged in interactive question-and-answer sessions enabling a comprehensive exploration of buyer power provisions including insights into the identification of buyer power, the evaluation of buyer behaviour, and potential remedies for anti-competitive conduct.

The Commission’s Head of Advocacy, Khanyisa Qobo, said the workshop served not only as a platform to raise awareness about the buyer power provisions to affected sectors, but also to promote compliance with the Competition Act, and to enable businesses to be innovative within the parameters of the law.

Qobo said the Commission will be hosting more workshops during the course of the year in relation to the amendments to the Competition Act.

The Commission would like to express its gratitude to all participants for their active engagement and meaningful contributions during the workshop.

The buyer power guidelines can be accessed at: [Buying Power – The Competition Commission \(compcom.co.za\)](http://www.compcom.co.za). Parties who wish to lodge a query or complaint can send an email to ccsa@compcom.co.za

[ENDS]

Issued by:

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