

## FREQUENTLY ASKED QUESTIONS

### What is the difference between a market inquiry and abuse of dominance investigations?

A market inquiry focuses on market features in a market that distort competition, and not necessarily on an abusive conduct of a single firm that contravenes a specific section of the Act. Market features include the structure of the

market, barriers to entry, observed market outcomes, and the conduct of firms in the market but also those supplying the market. Market features observed in a market inquiry need not be as a result of intentional acts but may be a by-product of the business models used by firms in that market. In this way a market inquiry seeks to improve competition in a market.

### What are the powers of the Commission in an Inquiry?

The Commission's powers in a market inquiry include the power to require parties to submit information and to attend

public hearings. The Commission is also empowered to make findings and determine appropriate remedial actions, after following a consultation process.

### Who is covered by the Inquiry?

The Inquiry is interested in those involved in the distribution of news media content on digital platforms and the Advertising technology (AdTech) markets. These

market participants include news media publishers and organisations, news broadcasters, social media platforms, news aggregators, search engines, video-sharing sites and other private and public organisations that may have interest or are affected by the scope of the Inquiry.

### What is the process of the Inquiry and how can one participate?

After the launch, the Inquiry will undergo a process of information gathering, this is the first phase of the Inquiry. At this phase, the Inquiry will seek to gain insights of the landscape of the market and understand who the market participants are, the business models and the dependency of media publishers on online platforms. The Inquiry will distribute various rounds of Information Requests, questionnaires and surveys to relevant market participants which include the release of the Inquiry's Statement of Issues ("SOI") along with Requests for Information ("RFIs") to various online platforms and news media publishers and AdTech businesses. The insights from that exercise may

result in the release of a Further Statement of Issues (FSOI). Further requests for information to market participants will be issued and Public Hearings proceedings will be held. The full set of issues and documents will be made available at each phase of the Inquiry website as well as public versions of stakeholder submissions at (<https://www.compcom.co.za/online-intermediation-platforms-market-inquiry/>).

Following the Public Hearings, the Inquiry will issue clarity seeking questions and additional requests for information where required on the submissions received during the proceedings. The Provisional Report will then be issued out for comments, once all comments have been received and engaged with, the Final Report will be released.

### How long is the Inquiry for?

The Inquiry will follow the different phases set out on the administrative timetable (available here: [https://www.compcom.co.za/wp-content/uploads/2023/09/MDPMI\\_](https://www.compcom.co.za/wp-content/uploads/2023/09/MDPMI_)

Administrative-timetable\_final22.pdf) The expected date of completion is January 2025. However, the Inquiry may amend the time within which the Inquiry is expected to be completed by.

### How do I make a confidentiality claim?

A confidentiality claim protects submissions made to the Inquiry that is trade, business or industry information that has economic value and is not publicly available or known to others. If you regard the information and documents you submit to the Inquiry as confidential you may protect it from by completing a CC7 Form (available on Commission's

website: [www.compcom.co.za](http://www.compcom.co.za)), and submit the form with a written explanation stating why the information and documents you provided are confidential.

Kindly note that your information will not be released to the public without your consent, unless the Competition Tribunal orders that the information received is not confidential and therefore may be released.

