

COMPETITION AND CONSUMER AUTHORITY POWERS

PUBLISHED 21st MARCH 2024



Now that we have discussed the abusive conducts, the question we need to ask is what can the Competition and Consumer Authority (“CCA”) do about it? The CCA, out of its own volition or following a complaint, will investigate a business if there are reasonable grounds that it is abusing its dominant position.

There are several remedies that the CCA can employ when it deems a business to be abusing its dominant position. Examples of such remedies include:

- divestiture (process of selling off a business’s assets/division);
- directions to cease a particular conduct/practice; and

- requiring certain undertakings/commitments from the dominant business to mitigate the anti-competitive effects etc.

The CCA has a duty to protect the public and curb anti-competitive practices. Therefore, the CCA will publish on its media platforms businesses that contravene consumer protection and competition laws. Consequently, there is much reputational risk as there is financial risk to anti-competitive conduct.

Article by Lefika Phirre