Update from SADC-EAC-COMESA Tripartite Free Trade Agreement Competition Negotiations and Upcoming Changes From Botswana

By:

Kesego Modongo

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I have been following with interest the Afronomicslaw.org book symposium on Eleanor Fox and Mor Bakhoum's book, Making Markets Work for Africa: markets, development, and competition Law in Sub-Saharan Africa (OUP, 2019) .

I want to provide an update on some ongoing competition related developments. First, the SADC-EAC-COMESA Tripartite Free Trade Agreement (TFTA) negotiations on developing a Protocol on Competition Policy as directed by Article 45 of the TFTA have been ongoing at the same time as this symposium. Though, still at draft stage, the negotiating member states have agreed to adopt a cooperation model framework that will foster cooperation among competition authorities and consumer protection institutions with the

aim of encouraging convergence of laws and policies, analysis, common understandings and common competition culture.

Secondly, and back home, the Botswana Competition Authority will soon expand its mandate to include consumer protection. The new Authority to be called the Competition and Consumer Authority and will be implementing the Competition Act (2018), and the Consumer Protection Act (2018). This expanded mandate will also see the establishment of the Competition and Consumer Tribunal, which will adjudicate on all competition and consumer matters brought before it.

This new enforcement regime and institutional design will surely bring about intensity and elevated redress to competition and consumer challenges that have been occupying our people in Botswana.

View online: Update from SADC-EAC-COMESA Tripartite Free Trade Agreement Competition Negotiations and Upcoming Changes From Botswana

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