OIC 2021 THE GAMBIA EXPERIENCE THUS FAR BY AMADOU CEESAY

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OVERVIEW OF THE GCC

- PASSED BY THE NATIONAL ASSEMBLY IN 2007
- ESTABLISHES THE GAMBIA COMPETITION COMMISSION.
- COMMISSION OPERATIONAL IN 2009.
- POWERS TO INVESTIGATE (Incl. entry and search compelling attendance and production of documents), sanction restrictive business practices and issue directions

Objectives of the Act

 To foster competitive markets and competitive business conduct in The Gambia by establishing a Competition Commission and a competition regime that will control anticompetitive arrangements, monopoly situations and mergers with the aim of improving the well-being of consumers and the efficiency of businesses in The Gambia'.

Objectives of the Act Cont.

- To give confidence to those wishing to invest in the Gambia
- To demonstrates the government's commitment to a free-market economy



- The Act prohibits three main types of anticompetitive conduct:
- 1.Anticompetitive agreements (horizontal and vertical agreements)

PROHIBITIONS Cont.

 Both restrictive vertical and horizontal agreements are prohibited. Collusive horizontal agreements are subject to outright prohibition courting a monetary fine; and nullification of the agreement in total where the anticompetitive portions of the agreement cannot be severed from the whole. Vertical agreements, on the other hand, entered into by parties that occupy a "monopoly situation" and horizontal non-collusive agreements are subject to investigation.

PROHIBITIONS Cont.

- 2.Exploitation of Monopoly Situation
- The Act prohibits the restriction or distortion of competition by companies that occupy a monopoly situation
- 3. Mergers that Substantially Lessen Competition

STRATEGIC DIRECTION

- Strategic plan developed in 2011 for the period 2012-2014
- The overall objectives of the plan are to:
- Make the public more aware of GCC and its functions.
- Build the capacity of staff for increased efficiency.
- Engage more donors to increase the institution's financial resource base.

WHAT HAS BEEN DONE THUS FAR

5A: ADVOCACY Programme:

- FAQ developed,
- website,
- TV /Radio Programme,
- Newspaper Column/ Cartoons,
- Newsletter,
- Competition Impact Assessment Guidelines

WHAT HAS BEEN DONE THUS FAR Cont.

- 5B: SEEKING DONOR FUNDING/CAPACITY BUILDING: TRADECOM PROJECT
- Enforcement capacity of the Gambia Competition Commission strengthened
- Human and institutional capacity of the Gambia Competition Commission strengthened

5C: ENFORCEMENT OF THE ACT:

- 1. EXCLUSIVE CONTRACTS AGREEMENTS IN THE MONEY TRANSFER MARKET
- 2. CARTELISATION OF THE MEDICAL INSURANCE UNDERWTING SCHEME.
- 5D: MARKET STUDIES,
- Completed
- RICE/Sugar/Cement/Flour/Bread
- Onions/Potatoes
- Hajj operations, Tourism. ICT

> Ongoing: OMC's

RELATIONSHIP WITH SECTOR REGULATORS:

- MOU with key regulators
- DONE SECTOR STUDIES WITH SUPPORT FROM PURA. GTBOARD, GPPA

CONSUMER PROTECTION

- Consumer Protection Act passed by the National Assembly April9th, 2014.
- GCCPC to administer.
- Tribunal set up and operational
- ADR conducted in-house
- Average of 100 cases resolved thru ADR per month



• FUNDING

• CAPACITY CONSTRAINTS

• LACK OF COMPETITION CULTURE/ADVOCACY

ESSENTIAL COMMODITIES

• ESSENTIAL COMMODITIES ACT 2015

Objective to ensure the affordability and availability of essential commodities