

# Promoting Competition Challenges & Ambition

13 and 14 December 2022  
Mövenpick Hotel and Resort Al Bidaa, Kuwait

## Session III: Panel Discussion: Coherence of competition policy with other economic and social policies

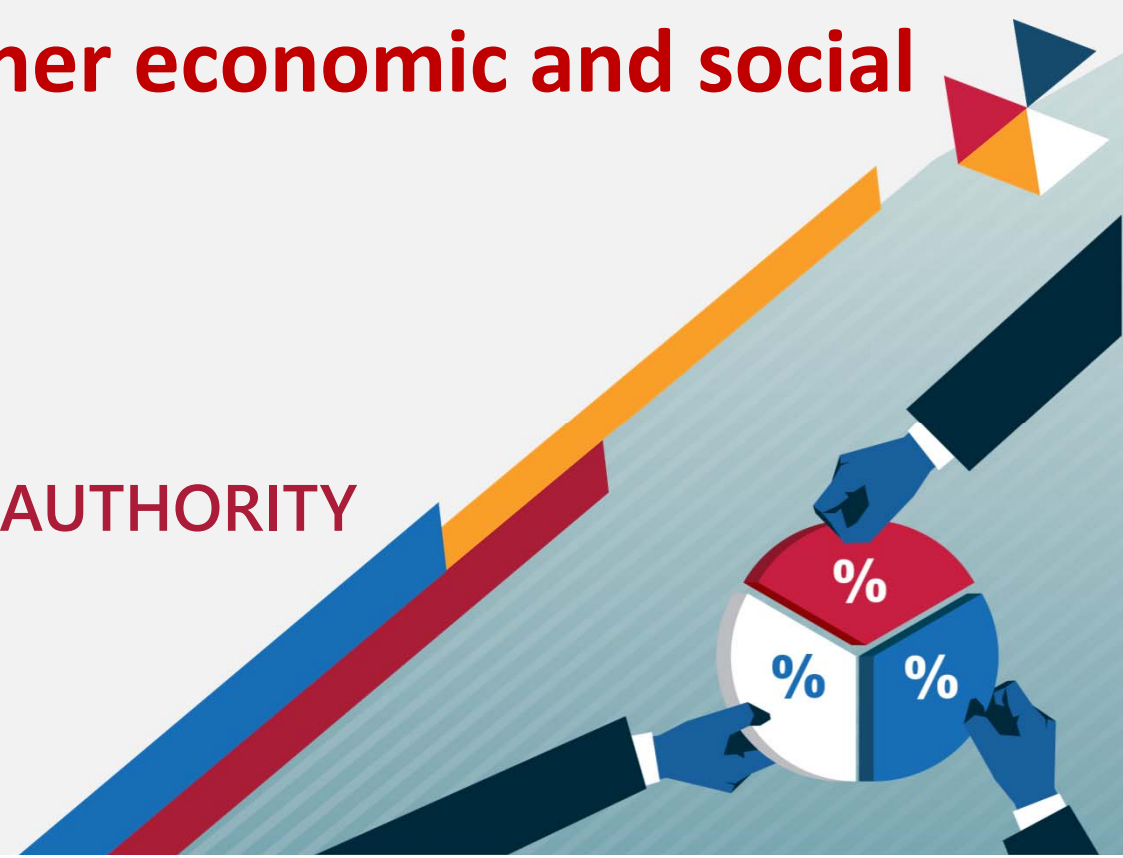
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## Session III: Panel Discussion: Coherence of competition policy with other economic and social policies

- ❖ The Government of Botswana formulated the Competition Policy in 2005 which was preceded by Economic Mapping Survey
- ❖ One of the factors of consideration was the need to safeguard and promote the growth and development of small and medium enterprises
- ❖ This led to establishment of the Competition Authority to implement the Competition Law
  - Check and monitor
  - Level playing field by removal of barriers
  - Public interest – Conditional approval of mergers and exemptions
  - Investigations and Research activities

## Session III: Panel Discussion: Coherence of competition policy with other economic and social policies

### ❖ The Government of Botswana came up with Interventions through social policies/Acts

- **Industrial Development Act**
- **National Trade Policy - integration into the world trading economy at the regional and multilateral levels - to regulate industrial development in the country**
- **Economic Diversification Drive (EDD) Initiative – Encourage local procurement.**
- **Funding is a challenge for SMMEs. There was intervention especially during the pandemic**



**Competition-related matters that need to be considered when examining other policies**

**❖ REGULATORY AUTHORITIES**

- There are sectors in the economy that have regulatory authority such as Power, Petroleum, Communications, Banking, etc.
- The regulatory authorities have up to date industry knowledge, data and statistics
- Signing of MoU is encouraged
- Handling of disagreement during decision making. Dispute such as approval or rejection of merger, sharing of confidential information

**❖ CO-ORDINATED TURNAROUND TIME**

- Agrochemicals Act, Industrial Development Act, National Trade Policy, Economic Diversification drive, etc can be a barrier especially on SMMEs



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## Competition-related matters that need to be considered when examining other policies

### ❖ **IMPACT ON CONSUMERS, SMMEs AND POSSIBLE ARISE OF ABUSE OF DOMINANCE**

- **Agencies are encouraged to continuously review laws and policies**
- **Ask Attorney General to involve them during discussion of the bill**
- **Check Government Gazette to assess bills under circulation**
- **Work with established international organisations for competition assessment criteria**
- **Most large enterprises and professional bodies have tendency of coming with clauses that affect small enterprises or create barriers which ends up with products and services more expensive for consumers and SMMEs exiting the market**



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# Competition-related matters that need to be considered when examining other policies

- ❖ Working with other competition agencies
- ❖ More education campaign and Awareness Creation
- ❖ Advocacy versus Enforcement



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# AMBITIONS

- **At national level there is expectation for policies for large firms to pave a way for SMMEs especially on vertical integration**
- **Competition decisions to segregate locals from international organisations**
- **Large firms has economies of scale. Economies of scale is being viewed as abuse of dominance through predatory pricing**





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# CHALLENGES

- **Language Barrier – MOU with other countries and continuous requirement/availability of interpreters during the time of need/meetings**
- **Resource availability and priorities**
- **Building Trust – During sharing of confidential data and during investigations**
- **Time difference**
- **Level off Approval Authorities/decision making – Agency, Board, Ministry, Attorney General and Ministry responsible for foreign relations on international affairs**
- **Statutory Instruments that Promote participation of SMMEs without or with delayed Regulatory Impact Assessment**



# Thank You

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