



REMARKS

BY

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CEO & SECRETARY TO THE NAMIBIAN COMPETITION COMMISSION

AT THE

SIGNING CEREMONY OF THE MOU BETWEEN THE NACC & THE CSSA

11 NOVEMBER 2015

DURBAN, SOUTH AFRICA

Remarks

- Commissioner of the Competition Commission of South Africa, Mr. Tembinkosi Bonakele
- Ladies and gentlemen

Good afternoon,

It gives me great pleasure to join you today for the eagerly anticipated signing of the Memorandum of Understanding between the Namibian Competition Commission and the Competition Commission of South Africa.

The NaCC and the CCSA have been successfully cooperating since the inception of the NaCC especially in the field of mergers and acquisition, enforcement and capacity building. This MoU seeks to formalise and establish a framework within which this already fruitful interaction between our authorities is to continue. Examples of past cooperation between our authorities include almost all the activities covered by the MoU, such as sharing experiences, rendering of technical assistance and staff exchanges.

The Namibian Competition Act came into force on the 15th of February, 2008. The Act seeks ensure the preservation of the competitive process in Namibia, to protect and promote competition in order to realise optimal efficiency and the maximisation of consumer welfare.

One of the powers of the Commission which enables it to carry out this mandate is contained in section 16(1)(b) of the Act which provides that the

Commission may liaise and exchange information, knowledge and expertise with authorities of other countries entrusted with functions similar to those of the Commission.

Given the similarities in our competition law regimes and Namibia's close economic ties to South Africa, due to our shared history, I see the cooperation with the CCSA as an essential element in effective competition law enforcement in our respective countries.

The purpose of the MoU is to promote and facilitate effective and efficient cooperation in the field of competition law enforcement and policy. This has become increasingly important as, due to globalisation, anti-competitive behaviour has taken on a global dimension. As markets become internationalised competition authorities must work together when investigating violations of our domestic competition laws.

In addition to facilitating the sharing of knowledge and expertise, the MoU seeks to enhance the cooperation in the review of mergers that may raise competitive or public interest issues and restrictive business practices that are of concern in both countries. It does so in a flexible manner and having due regard for the domestic laws of our respective countries.

This MoU is further in line with recommended practices of international bodies such as the ICN & OECD which stress the importance of competition authorities building relationships, facilitating the transfer of knowledge and moving towards greater convergence and cooperation.

The MoU signed here today will help us to work together more closely, which will allow us to reach our common goal of promoting and protecting fair competition in our respective jurisdictions. I would therefore like to express my gratitude to everyone whose dedication and efforts have contributed to the finalisation of this MoU. I would also like to emphasize that I am confident that through our efforts and commitment, we will be able to achieve more and continue to develop an even stronger relationship.

Finally, I would like to take this opportunity to assure you that the NaCC will do its best to ensure the successful implementation of this MoU. I am encouraged that this MoU will further foster and enhance the level of cooperation between our authorities.

Thank you all.