

3RD ANNUAL COMPETITION AND ECONOMIC REGULATION (ACER) WEEK SOUTHERN AFRICA

VENUE: LAICO LEDGER PLAZA BAHARI BEACH HOTEL, DAR ES SALAAM, TANZANIA

Core Principles in Competition Analysis

11 – 13 July 2017

DRAFT OUTLINE

Day 1, 11 July 2017	
0830-0845	Registration
0845-1045	Introduction to competition policy <ul style="list-style-type: none"> • The natural monopoly problem, barriers to entry and market power • Introduction to strategic behaviour/game theory • Why is there a need for competition policy? • Link between competition, industrial policy and inclusive growth
Tea break	
1100-1230	Market definition, market structure & market power <ul style="list-style-type: none"> • How to define markets, why do we need to define markets? • Tests used • Difficulties in market definition • Evaluation of market power
Lunch break	
1330-1500	Merger analysis <ul style="list-style-type: none"> • Types of mergers • Possible anti-competitive effects (economic theories of harm) • Analytical framework to assess mergers • Efficiency justifications
Tea break	
1515-1630	Exercise 1: Market definition and horizontal merger assessment
Day 2, 12 July 2017	
0830-1030	Merger analysis (continued) <ul style="list-style-type: none"> • Introduction to evaluation of vertical mergers • Public interest criteria • Case examples of vertical mergers
Tea break	
1100-1230	Coordinated conduct <ul style="list-style-type: none"> • Introduction to coordination • Factors that facilitate collusion • How to avoid detection • How to identify collusion • Penalising and prosecuting cartels • Tacit collusion • Lessons from key cases across southern Africa
Lunch break	
1330-1500	Exercise 2: Co-ordinated conduct
Tea break	
1515-1630	Presentations and discussion

Day 3, 13 July 2017	
0830-1030	Abuse of dominance (exploitative abuses) <ul style="list-style-type: none"> • Assessment of dominance/market share measurement • Barriers to entry and expansion • Categories of abuse • Price discrimination and excessive pricing
Tea break	
1100-1230	Exclusionary abuse of dominance <ul style="list-style-type: none"> • Introduction to exclusionary conduct • Undermining rivalry at different levels, and by a vertically integrated incumbent • Understanding effects • Considering where vertically integrated and not • Exclusive dealing • Loyalty rebates • Tying and bundling • Margin squeeze • Access to essential facilities
Lunch break	
1330-1500	Exercise 3: Vertical arrangements and foreclosure
Tea break	
1515-1630	Presentations and discussion
1630- 1645	Wrap up and presentation of certificates

Programme Lecturers and Facilitators

	<p>Dr. Deo John Nangela is the Director of Restrictive Trade Practices at the Fair Competition Commission of Tanzania. Prior to that, he was a lecturer at the University of Dar es Salaam's School of Law where he taught for ten years (2002-2012). Dr Nangela is an advocate of the High Court of Tanzania and his areas of practice include competition law, e-commerce law, regional integration, environmental and natural resource law. He has served in various other capacities, including as Senior State Attorney in the Attorney General's Chambers and as a Prosecutor in the Office of the Directorate of Public Prosecution. He holds a PhD degree from the University of Cape Town and an LLM (Merit) degree from the University of London School of Oriental and African Studies (SOAS).</p>
	<p>Dr Javier Tapia is a Judge at the Competition Tribunal of the Republic of Chile. He is also a Senior Researcher at Regcom, the Centre for Regulation and Competition at Universidad de Chile, Faculty of Law. Javier's previous positions include Chief Legal Counsel of the Chilean Electricity Generators Trade Association, Head of Research and Advocacy Division at the Chilean competition agency; legal adviser and policy analyst at Ofgem, the UK energy regulator; and, legal adviser for the Superintendency of Electricity and Fuels, the Chilean energy regulator. He holds a PhD from University College London (UCL) and an MSc in Regulation from the London School of Economics and Political Sciences (LSE). He has published a wide variety of articles and book chapters on both competition law and utilities regulation. In 2015 he was identified as one of the top 40 antitrust lawyers under 40 years old by the Global Competition Review.</p>
	<p>Reena das Nair is a Senior Economist at the Centre for Competition, Regulation and Economic Development (CCRED) at the University of Johannesburg. Prior to joining CCRED, Reena was Programme Manager for Industrial Policy at Trade and Industrial Policy Strategies (TIPS), a not-for-profit research organisation undertaking economic research for policy makers. Before TIPS, Reena worked as a Principal Economist in the Policy and Research division at the Competition Commission of South Africa. She has extensive experience in leading investigations and economic analysis in mergers, abuse of dominance and cartel cases. She has also undertaken research in economic regulation, particularly in the energy sector. Reena has a MCom from the University of the Witwatersrand.</p>
	<p>Thando Vilakazi is a Senior Economist at the Centre for Competition, Regulation and Economic Development (CCRED) at the University of Johannesburg. He worked as an economist in the Policy and Research Division at the Competition Commission of South Africa from 2010 to 2014. Thando has experience in undertaking investigations and conducting economic analysis of mergers, abuse of dominance and cartel cases in a wide range of sectors. He has also been involved in coordinating and facilitating training on competition issues, and contributed to the joint African Competition Forum (ACF) sugar industry research project involving competition authorities from southern and East Africa. Thando has a number of publications including in the <i>African Journal of Information & Communication</i>. Thando holds a MCom from the University of Cape Town.</p>