



CCRED CENTRE FOR COMPETITION, REGULATION AND ECONOMIC DEVELOPMENT

8th ANNUAL CAPACITY BUILDING WORKSHOP AND SYMPOSIUM ON COMPETITION LAW AND POLICY DURING THE 6th ANNUAL COMPETITION AND ECONOMIC REGULATION (ACER) WEEK (Online)

Advanced Masterclasses on Competition

20-24, 27 September 2021

COURSE OUTLINE

The Competition Authority of Kenya (CAK) and the University of Johannesburg's Centre for Competition, Regulation and Economic Development (CCRED) are honoured to host the 8th Annual Capacity Building Workshop and Symposium on Competition Law and Policy during the 6th Annual Competition and Economic Regulation (ACER) Week (ACER VI).

Approach

The series of six Masterclasses are targeted at more experienced participants on key topics, delivered by international and local presenters.

Each three-hour masterclass will focus on the latest theory and practice in contemporary advanced competition topics. These include digital platforms; market inquiries; mobile money and e-commerce; COVID-19 price gouging and competition actions; buyer power and price discrimination; developments in merger control, such as killer acquisitions and regional cooperation; and competition policy, climate change and sustainability.

Presenters will include those leading these debates internationally, with in-depth engagement on the African competition agenda, including *James Hodge* (Competition Commission of South Africa), *Amelia Fletcher* (Centre for Competition Policy), *Eleanor Fox* (Professor, New York University School of Law), *Frederic Jenny* (Chairperson of the OECD Competition Committee), and *Wang'ombe Kariuki* (Director General, Competition Authority of Kenya).









Programme

Day 1, 20 September 2021		
1300-1600 SAST/CAT	Developments in merger control including killer acquisitions and the	
1400-1700 EAT	challenges of regional cooperation on merger review	
	 Speakers: Developments in merger assessment to capture the likely effects on competition and possible killer acquisitions, Prof Massimo Motta, University Pompeu Fabra The Kenyan experience of merger assessment in dynamic markets, Mr Raphael Mburu, CAK, Kenya Merger review, regional regimes and cooperation in East and Southern Africa, Mr Thula Kaira, former CEO of Botswana and Zambia authorities 	

Day 2, 21 September 2021		
1300-1600 SAST/CAT 1400-1700 EAT	Recent developments in buyer power, price discrimination, and impacts along supply chains of supermarkets	
	 Speakers: African developments in buyer power with regard to supermarkets, discrimination and inclusion, Prof Reena das Nair, CCRED, University of Johannesburg The Retail Code of Practice in Kenya, Ms. Priscilla Njako, CAK, Kenya 	

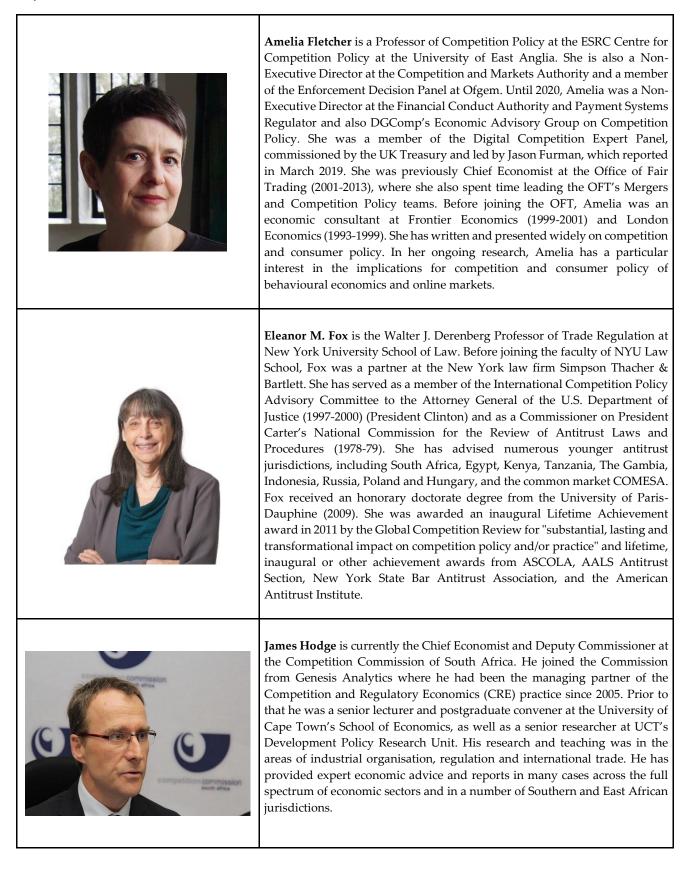
Day 3, 22 September 2021		
1300-1600 SAST/CAT	Digital Platforms	
1400-1700 EAT		
	Speakers:	
	 Regulating Digital Platforms: Analytical framework and 	
	International Developments, Prof Amelia Fletcher, CCP, UEA	
	• Evolution and Insights into East Africa in Mobile money and E-	
	commerce, Mr Wang'ombe Kariuki, DG, CAK	

Day 4, 23 September 2021		
1300-1600 SAST/CAT	Covid-19 price gouging, competition actions and recovery	
1400-1700 EAT	Speakers:	
	 Competition and Covid-19 recovery – national, regional and global challenges, Prof Frederic Jenny, OECD and ESSEC The economics of price gouging in competition cases, Mr James Hodge, Chief Economist, CCSA Price gouging cases in Kenya, Mr Gideon Mokaya, CAK, Kenya 	

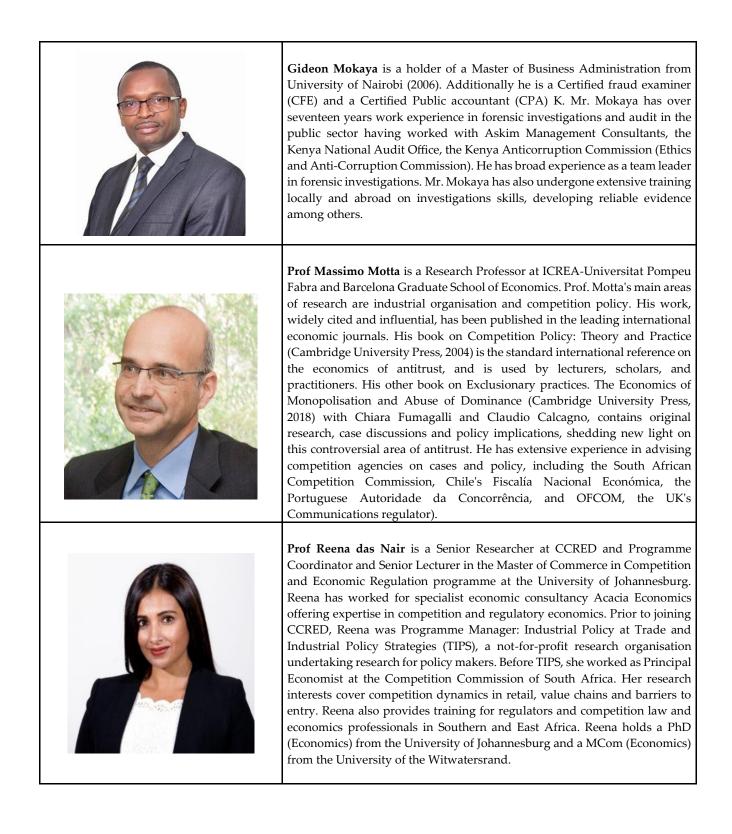
Day 5, 24 September 2021		
1300-1600 SAST/CAT	Market inquiries in Europe and Africa: key developments and implications	
1400-1700 EAT	Speakers:	
	 Market investigations in the UK and beyond, Prof Richard Whish Market inquiries in Kenya – the record and challenges, Mr Wang'ombe Kariuki, DG, CAK 	
	The lessons learned from market inquiries in South Africa, Mr Hardin Ratshisusu, Deputy Commissioner, CCSA	

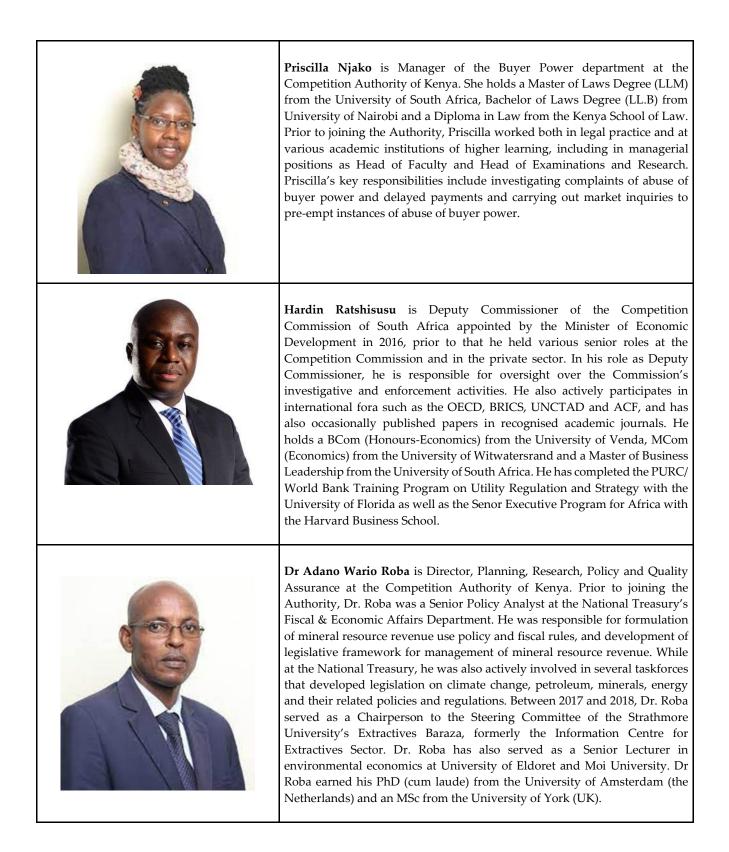
Day 6, 27 September 2021		
1300-1600 SAST/CAT	Competition policy, inequality and sustainability	
1400-1700 EAT		
	Speakers:	
	Competition and sustainability in an era of climate change, Prof	
	Simon Roberts, CCRED	
	• Competition rebooted for the 21st century – addressing the	
	inequality gap and inclusive, sustainable development, Prof	
	Eleanor Fox, New York University School of Law	

Speakers



	Frederic Jenny is professor of Economics at ESSEC Business School in Paris. He is Chairman of the OECD Competition Committee (since 1994), and Co- Director of the European Center for Law and Economics of ESSEC (since 2008).He was previously Non Executive Director of the Office of Fair Trading in the United Kingdom (2007-2014), Judge on the French Supreme Court (Cour de cassation, Economic Commercial and Financial Chamber) from 2004 to August 2012, Vice Chair of the French Competition Authority (1993- 2004) and President of the WTO Working Group on Trade and Competition (1997-2004). He was Global Professor of Antitrust in the New York University School of Law's Hauser Global Law School (2014), visiting professor at University College London Law School (2005-2012), Haifa University School of Law in Israel (2012), University of Capetown Business School in South Africa (1991), Keio University Department of economics in Japan (1984), Northwestern University Department of Economics in the United States (1978).
AUT CALERATION OF THE	Thula Kaira is a consultant in competition and regulatory policy. He has 20 years' experience in the field and has advised authorities and private parties across the African continent, as well as working with international institutions. Thula headed the Competition and Consumer Protection Commission of Zambia (where he was CEO 2007 to 2011) and the Competition Authority of Botswana (as CEO from 2011 to 2016). He thus has unparalleled experience in building institutions and the challenges of enforcement, on which he has also published a number of articles and book chapters.
	Mr. Francis Wang'ombe Kariuki has extensive experience in competition enforcement and is the first Director-General of the Competition Authority of Kenya and serving his second term. His main interests are in competition regulation and Economics of institutions' development. Mr. Kariuki holds a Master's of Science Degree in Economic Regulation and Competition from City University, London; a Bachelor of Arts degree in Economics and Business Studies from Kenyatta University; and various Certificates in Strategic Leadership and Corporate Governance.
	Raphael Mburu has advanced skills in Competition Law dealing with regulation of market structure and conduct. This has been through establishing and developing broad knowledge in the analysis of complex mergers and acquisitions, carrying out market inquiries and sector studies, investigation of policies, procedures and programmes of regulatory authorities to assess their effect on competition and consumer welfare and advising Government on competition matters. His knowledge and expertise in Competition Law has further been enhanced by training in Economics for Competition Law, EU Competition Law, quantitative methods for competition analysis, regulatory law for economic regulators, development of various competition tool kits such as Subsidiary rules and merger threshold guidelines and participation in International Workshops, conferences and Symposia that revolved around emerging issues and trends in mergers, private equity & venture capital, remedies in merger review and international merger enforcement and cooperation.





Professor Simon Roberts is a professor at the University of Johannesburg and Visiting Professor, Institute for Innovation and Public Purpose, University College London. He held the position of Executive Director of CCRED from 2013 to 2018, and Chief Economist and Manager of the Policy & Research Division at the Competition Commission from November 2006 to December 2012. Prior to joining the Competition Commission, he was Associate Professor of Economics at the University of the Witwatersrand, where he established and directed the Corporate Strategy and Industrial Development research programme examining firm decision-making and economic outcomes. In addition, Simon has consulted extensively on competition matters over the past 15 years and has been an expert witness in a number of major cases.
Dr Thando Vilakazi is Executive Director of the Centre for Competition, Regulation and Economic Development (CCRED) at the University of Johannesburg, specialising in academic research, teaching and advice on competition policy and industrial development. He currently also serves as a part-time member of the Competition Tribunal of South Africa. Thando previously worked as an economist at the Competition Commission of South Africa, and has led research and provided teaching and advisory services across various economic sectors for competition authorities, regulators, government departments, international universities and NGOs, and private enterprises in South Africa and various African countries. His research interests include barriers to entry and economic participation, regional integration, competition policy and inclusive growth, and industrial development. He holds a PhD (Economics) from the University of Johannesburg, and a Masters (Applied Economics) from the University of Cape Town.
Richard Whish is Emeritus Professor of Law at King's College London; in 2014 he was appointed QC Honoris Causa. He was a non-executive director of the Office of Fair Trading in the UK from 2003 to 2009, and a non-executive director of the Singaporean Energy Markets Authority from 2005 to 2011. Prof Whish has advised authorities and international bodies around the world. He is the co-author, with David Bailey, of the leading textbook Competition Law (OUP), with its 10th edition being published in August 2021. He is the author of many other books, articles, case-notes and book reviews on various aspects of international competition law and policy.

We recognise the following sponsors in supporting the wider extension of participation in the ACER week to staff of authorities across the continent:

BRG <u>https://www.thinkbrg.com/</u>	BRG is a leading global provider of economic and financial consulting expertise across the competition and regulatory space, including mergers and joint ventures, market inquiries and investigations, utilities and regulated industries, single-firm conduct, restrictive agreements and practices, cartel damages, and compliance advice.
COMPASS LEXECON https://www.compasslexecon.com/	Compass Lexecon is a world-leading economic consultancy advising law firms, government bodies, and corporations across all industries on complex economic and finance matters. Our economists provide cutting-edge economic insight underpinned by rigorous analysis in competition policy, litigation, international arbitration, intellectual property and regulatory matters
G: ENESIS UNLOCKING VALUE	Genesis is a leading African economics and development consultancy. Our purpose is to unlock latent value through building strong economies, markets that deliver value, and effective institutions underpinned by civic pride. Our Competition and Regulatory Economics practice provides the full spectrum of expert economic and regulatory expertise to governments, corporates, regulators, and competition authorities across Africa. We combine rigorous economic analysis with a close working relationship with our clients to find fresh solutions.
BOWMANS	With over eight offices in six African countries and over 400 lawyers, Bowmans delivers integrated legal services to clients throughout Africa. Bowmans' advice uniquely blends expertise in the law, knowledge of local markets and an understanding of clients' businesses. Our clients include corporates, multinationals, state-owned enterprises, financial institutions and governments.