



FOURTEENTH ANNUAL COMPETITION LAW, ECONOMICS & POLICY CONFERENCE

DATE: 3 – 4 November 2020 • **FORMAT:** Virtual Conference

THEME: Competition in a crisis: Competition policy, Regulation and Enforcement in unprecedented times

DRAFT PROGRAMME

DAY 1: Tuesday, 3 November 2020	
09:30 – 10:30	OPENING SESSION
09:30 – 09:50	Conference Opening Address & Welcomes: Mondo Mazwai (Competition Tribunal Chair)
09:50 – 10:20	Keynote address: TBA
10:45 – 11:45	PLENARY SESSION 1: Impact of Covid-19 on the economy and the challenge ahead
Background	<i>The impact of Covid-19 and the necessary measures to contain it have had a devastating economic impact, especially on employment, small business and the fiscus. Government, business and labour are working on a social compact around a recovery plan to stimulate growth and restore employment levels in a constrained fiscal environment. This session will set out the impact and debate the challenges ahead from the perspectives of different social partners.</i>
Speakers	<i>Moderator: Khanyisa Qobo (Competition Commission) Panellists: Dr David Masondo (Deputy Minister of Finance), Duma Gqubule (Founding director, Centre for Economic Development and Transformation), Dr Thabi Leoka (Economist)</i>
LUNCH BREAK	
12:45 – 13:45	ACADEMIC SESSION 1: Competition policy and enforcement and the economic recovery from the Covid-19 crisis
Speakers	<i>Discussant: TBA</i>
14:00 – 15:00	ACADEMIC SESSION 2: Covid-19 and competition enforcement
Speakers	<i>Discussant: Pamela Mondliwa (Berkeley Research Group)</i>

15:15 – 16:30	PLENARY SESSION 2: Competition policy prioritisation and implementation in a post-Covid period
Background	<i>Competition agencies had to respond to the Covid-19 crisis as it unfolded with the granting of exemptions to ensure coordinated responses and action against price gouging. Looking ahead to a deep global recession and devastation to sectors such as the airline and tourism industries, there are likely to be challenges around failing firms, industry restructuring and calls for cooperative arrangements in rebuilding the economy. This session will focus on where competition authorities should be focused during the post-Covid period and what approaches should they adopt in addressing these challenges.</i>
Keynote address	Andreas Mundt (President, Bundeskartellamt and ICN Chair)
Speakers	Moderator: Hardin Ratshisusu (Deputy Commissioner, Competition Commission) Panellists: Dr Thando Vilakazi (Executive Director of the Centre for Competition, Regulation and Economic Development (CCRED)); Dr Francis Kariuki (Director General, Competition Authority of Kenya); Prof Dennis Davis (Judge of the High Court of South Africa and Judge President of the Competition Appeal Court of South Africa); Norman Manoim (Acting Judge and former Chairperson of Competition Tribunal)

DAY 2: Wednesday, 4 November 2020	
09:30 – 10:00	Launch of the Commission's Digital Competition Report
Speakers	Programme director: Khanyisa Qobo (Competition Commission) Keynote address: Tembinkosi Bonakele (Commissioner, Competition Commission)
10:00 – 11:15	PLENARY SESSION 3: An appropriate digital market response for a developing economy
Background	<i>Digital markets continue to be an important topic across the globe. The Covid-19 pandemic and lockdown has increased the demand for online services and commerce, creating opportunities but also potentially entrenching market leaders more rapidly. It also raises a range of consumer issues in addition to competition issues. The focus of this session is on determining what may be a developing market approach to these issues and how this may differ to the approaches being developed in leading jurisdictions.</i>
Keynote address	Cristina Caffarra (Vice President, CRAI)
Speakers	Moderator: Thembaletu Buthelezi (Competition Commission) Panellists: Alexey Ivanov (BRICS Competition Law and Policy Centre); Prof Imraan Valodia (Competition Tribunal member and Dean of Commerce, Law and Management, Wits University); Dr Mike Walker (Chief Economic Adviser at the Competition and Markets Authority); Andile Ngcaba (Founding Partner and Chairman of Convergence Partners)
11:45 – 13:00	ACADEMIC SESSION 3: Merger control: merger thresholds and the failing firm
Speakers	Discussant: Reena das Nair (CCRED)
LUNCH BREAK	

14:00 – 15:00	PLENARY SESSION 4: Consumer protection and competition laws: a convergence? What can we learn from the Covid-19 pandemic and other recent enforcement?
Background	<i>Price gouging behaviour stemming from the pandemic and the enforcement against such conduct on the back of competition law has come in for criticism with many pointing to consumer protection laws being arguably more appropriate. Many other jurisdictions have both competition and consumer protection laws in the same Act and dealt with by the same regulator. Other consumer issues like data privacy/protection are also beginning to intersect with competition law. This session would explore these issues and the perspective of other jurisdictions where both laws are in the same Act, alongside the South African experience.</i>
Speakers	Moderator: Yasmin Carrim (Competition Tribunal) Panellists: Thezi Mabuza (Acting Commissioner of the National Consumer Commission); Amelia Fletcher (Professor of Competition Policy at Norwich Business School and Deputy Director at the Centre for Competition Policy); Sizwe Snail ka Mtuze (Member of the Information Regulator of South Africa); David Howarth (Special Counsel at K&L Gates, Australia)
15:00 – 15:15	CONFERENCE CLOSING: Tembinkosi Bonakele, Competition Commissioner