



**COMPETITION AND CONSUMER PROTECTION COMMISSION**

**TERMS OF REFERENCE  
INQUIRY INTO AUDIO-VISUAL (AV) SERVICE AGREEMENTS IN THE  
HOSPITALITY SECTOR IN ZAMBIA**

**JULY 2026**

## **INTRODUCTION**

The Competition and Consumer Protection Commission ("the Commission") intends to conduct a market inquiry into the provision of Audio-Visual (AV) Services within Zambia's hospitality and conferencing sector ("the AV Services Market Inquiry"). The inquiry will examine the market for the supply of AV services to hotels, conference centres, convention venues, and other hospitality establishments, and will encompass all relevant participants across the value chain whose activities contribute to or influence the provision of AV services in Zambia. These include, but are not limited to, hospitality establishments, conference and event venues, independent AV service providers, preferred or contracted AV suppliers, event organisers, corporate and institutional customers, government procuring entities, and any other relevant stakeholders.

The purpose of the market inquiry is to examine the structure, conduct, and performance of the AV services market and to assess whether any feature, or combination of features, of the market including contractual arrangements, commercial practices, procurement policies, or other market characteristics has the effect of preventing, restricting, or distorting competition, or gives rise to unfair trading practices in connection with the supply or acquisition of AV services within Zambia's hospitality and conferencing sector. In particular, the inquiry will examine practices such as exclusive dealing arrangements, preferred-provider agreements, venue access restrictions, accreditation requirements, revenue-sharing arrangements, venue access fees, tying or bundling of venue hire and AV services, and any other arrangements that may adversely affect market access, consumer choice, innovation, or the ability of competing AV service providers to compete effectively.

These Terms of Reference ("ToR") are issued pursuant to Regulation 5(1) and 5(2) of the Competition and Consumer Protection (General) Regulations, 2011, read together with Part V of Competition and Consumer Protection Act, as amended by the Act No. 21 of 2023 ("the Act"). Regulation 5(1) and 5(2) require the Commission to notify the public of the commencement of a market inquiry through publication of a notice on the Commission's website or in a newspaper of general circulation in Zambia. The Regulations further require that the notice specify the scope or Terms of Reference of the market inquiry and invite all interested parties to submit information, representations, and other relevant evidence to assist the Commission in undertaking the inquiry.

## **LEGAL BASIS FOR MARKET INQUIRY**

The AV Services Market Inquiry is initiated in accordance with Part V of the Act and Part III of the Competition and Consumer Protection (General) Regulations and is undertaken in furtherance of the objectives, purpose, and functions of the Competition and Consumer Protection Commission (“the Commission”) as set out in the Act. Pursuant to Regulation 4(1)(a)-(e), the Commission may initiate a market inquiry based on complaints received from enterprises, consumers, or representative bodies; studies conducted by relevant institutions regarding a particular sector; the Commission’s own research; its experience in regulating restrictive business practices and anti-competitive conduct; or representations made by Government concerning a particular sector, market, or type of agreement.

The present inquiry has been necessitated by complaints received from AV service providers, findings arising from the Commission’s investigations, and the Commission’s experience in reviewing restrictive business practices and contractual arrangements. In relation to the AV services, the Commission has observed the emergence of preferred-provider arrangements, exclusivity-linked agreements, venue access charges, and discretionary fee structures governing the provision of AV services at hotels and conference facilities. The inquiry will therefore focus on the structure and functioning of the market, the relationships between hospitality venues and AV service providers, and any arrangements that may prevent, restrict, or distort competition or adversely affect consumer welfare.

The Commission has reason to believe that certain features of the AV services market within the hospitality sector may have the effect of preventing, distorting, or restricting competition. These features may include, but are not limited to, exclusive dealing arrangements, preferred-provider agreements, venue-imposed access fees, information asymmetries, and the dependence of AV service providers on access to conference and event venues. Such arrangements may potentially foreclose competing suppliers, raise barriers to entry and expansion, limit consumer choice, and influence pricing and service quality outcomes in the market.

Section 5 of the Act mandates the Commission, among other functions, to review the operation of markets in Zambia and the conditions of competition within those markets; review trading practices pursued by enterprises doing business in Zambia; act as the primary advocate for competition and effective consumer protection; advise Government on laws and policies

affecting competition and consumer welfare; and undertake all acts necessary, incidental, or conducive to the effective discharge of its statutory mandate. Accordingly, this market inquiry constitutes a broad-based assessment of the AV services ecosystem within Zambia's hospitality sector, including its market structure, market conduct, market outcomes, and the relevant contractual, commercial, policy, and regulatory arrangements. The inquiry is not intended to constitute a narrow investigation into the conduct of any specific undertaking but rather seeks to assess whether systemic market features are adversely affecting competition and consumer welfare.

## **OBJECTIVES OF THE INQUIRY**

The primary objectives of the inquiry are to:

- i. determine whether any feature, or combination of features, of each type of agreement in the AV Services has the effect of preventing, restricting or distorting competition in connection with the supply or acquisition of the AV Services in Zambia
- ii. Determine whether any of the circumstances referred to in section 19(2) apply to the AV Services agreements on the same basis as they would have applied to any matter arising under section 16 of the Act

## **SCOPE OF THE INQUIRY**

The inquiry will cover all relevant participants involved in, or influencing, the provision of AV services within Zambia's hospitality and conferencing sector. These include hotels, conference centres, convention venues, independent AV service providers, preferred or contracted AV suppliers, event organisers, government procuring entities, corporate customers, industry associations, regulators and any other persons or entities participating in or influencing the market.

The inquiry will principally examine market developments during the period 2021 to 2025, although earlier or later information may be considered where necessary to understand market evolution, contractual arrangements or competitive dynamics. For purposes of this inquiry, AV services will include:

- Sound reinforcement systems and audio equipment;
- Projection and display technologies;
- LED screens and digital signage;
- Video conferencing and hybrid meeting technologies;
- Interpretation and translation equipment;

- Event lighting systems;
- Live streaming and recording services;
- Event production and technical support services; and
- Related equipment rental, installation, operation, and maintenance services.

The Commission may distinguish between different categories of AV services where competitive conditions differ materially across products or services. The outcome of the market inquiry will be to take certain action or make recommendations on any matter covered in this ToR, including the following:

1. In so far as practices identified by the inquiry are capable of being addressed as matters falling within section 8, sub section 1 of section 9, sub section 1 of section 10 or sub section 1 of section 16, deal with them in accordance with the provisions of the Act relating to such matters.
2. In so far as the adverse effects for competition cannot be remedied under this Act, or are the result of other applicable laws, make recommendations to the Minister for such further action, including amendments to applicable laws as is required to provide an effective remedy.

## **TECHNICAL ASPECTS**

Without limiting the scope of the inquiry, the Commission will review and assess:

### **(i) Market Structure**

The structure of the AV services market, including market definition, market participants, ownership structures, market concentration, supplier relationships and vertical integration within the hospitality sector.

### **(ii) Commercial and Contractual Arrangements**

The contractual arrangements between hospitality establishments and AV service providers, including:

- Preferred-provider agreements;
- Exclusive dealing arrangements;
- Venue access requirements;
- Venue access fees;
- Accreditation schemes;

- Procurement arrangements; and
- Other contractual mechanisms affecting competition.

### **(iii) Market Conduct**

The Commission will assess commercial practices including:

- Customer steering;
- Supplier recommendations;
- Bundling of venue hire and AV services;
- Pricing arrangements;
- Supplier selection practices;
- Information disclosure practices; and
- Procurement procedures.

### **(iv) Competition Assessment**

The inquiry will evaluate whether market practices may result in:

- Foreclosure of competing suppliers;
- Raising rivals' costs;
- Reduced consumer choice;
- Reduced innovation;
- Excessive or discriminatory pricing;
- Barriers to entry or expansion;
- Unequal treatment of suppliers; and
- Other restrictions on competition.

### **(v) Consumer Welfare**

The inquiry will assess the impact of market conduct on:

- Prices;
- Service quality;
- Innovation;
- Consumer choice;
- Transparency; and
- Overall consumer welfare.

## **GEOGRAPHICAL ASPECTS**

The inquiry shall cover the Republic of Zambia and will include major hospitality and conference facilities located in Lusaka, Livingstone, Ndola, Kitwe and other commercial centres where conference and event activities are undertaken.

## **OPERATIONAL ASPECTS**

The inquiry shall include:

- i. Desktop reviews of previous studies, Commission investigations, merger decisions, complaints, international competition cases and publicly available information relating to AV services.
- ii. Requests for Information (RFIs) issued to identified stakeholders.
- iii. Surveys of event organizers, conference clients, corporate customers and government institutions.
- iv. Interviews with hospitality establishments, AV service providers, procurement specialists, regulators and consumer representatives.
- v. Site visits to selected hotels, conference centres and event venues.
- vi. Economic, legal and competition analysis of the information collected.

Pursuant to Sections 40 and 55(4) of the Competition and Consumer Protection Act, as read together with the Competition and Consumer Protection Commission (Amendment) Act No. 21 of 2023, the Commission may exercise its statutory powers of investigation to obtain all information necessary for purposes of the inquiry.

## **MARKET INQUIRY TIMELINES AND PROCESS**

The AV services market inquiry will be conducted according to the timelines and processes indicated in the table below. It outlines the key stages, indicative timeframes, and activities involved from the public notification of the inquiry to the completion of the market assessment.

| <b>Phase</b>                       | <b>Key Activities</b>                                                                                                                                                                                                                                                                                                        | <b>Timeline</b>        | <b>Expected Output</b>                |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------------|
| Public Notification (Commencement) | <ul style="list-style-type: none"> <li>• Publish the Terms of Reference in accordance with Regulation 5(1) and (2).</li> <li>• Publish on the Commission website and/or in a newspaper of general circulation.</li> <li>• Invite submissions from interested parties.</li> <li>• Specify the scope and timelines.</li> </ul> | Week 1 of August, 2026 | Official commencement of the inquiry. |

| <b>Phase</b>                | <b>Key Activities</b>                                                                                                                                                                                                                                                                                                                                   | <b>Timeline</b>                          | <b>Expected Output</b>                        |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------------------------|
| Execution (Investigation)   | <ul style="list-style-type: none"> <li>• Issue Requests for Information (RFI).</li> <li>• Conduct interviews, surveys, site visits, focus groups, or stakeholder meetings.</li> <li>• Analyse market structure, conduct, and performance.</li> <li>• Receive written submissions.</li> </ul>                                                            | Week 2 of August, 2026 to September 2026 | Evidence gathered                             |
| Analysis and Draft Findings | <ul style="list-style-type: none"> <li>• Evaluate all evidence collected.</li> <li>• Prepare preliminary findings.</li> <li>• Where necessary, seek comments on draft findings from stakeholders.</li> </ul>                                                                                                                                            | October, 2026                            | Draft report and proposed recommendations.    |
| Conclusion of the Inquiry   | <ul style="list-style-type: none"> <li>• Report approvals by TC.</li> <li>• Make necessary changes if any.</li> </ul>                                                                                                                                                                                                                                   | November, 2026                           | Final Market Inquiry Report.                  |
| Publication of Findings     | <ul style="list-style-type: none"> <li>• Get Board approvals of Report.</li> <li>• Publish the findings in a daily newspaper of general circulation, as required by Section 41 of the Act.</li> <li>• Make the report publicly available.</li> </ul>                                                                                                    | December, 2026                           | Public notification of the inquiry outcome.   |
| Post-Inquiry Actions        | <ul style="list-style-type: none"> <li>• Where adverse effects are identified, initiate enforcement or corrective measures under the Act.</li> <li>• Where legislative gaps exist, recommend amendments to the Minister responsible for Commerce, Trade and Industry.</li> <li>• Monitor implementation of recommendations where applicable.</li> </ul> | 2027                                     | Enforcement action or policy recommendations. |

The Commission is committed to the principles of fairness, transparency and integrity and will conduct the inquiry in accordance with these principles. The Commission will allow stakeholders fair and reasonable opportunity to provide input into the inquiry process and its outcomes. For this reason, the Commission may release interim reports throughout the market inquiry for public consideration and comment at its discretion.