

A Bi-Annual publication of the Competition & Consumer Protection Commission of Zambia



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EDITORIAL TEAM



Authored by: Namukolo Kasumpa
Edited by: Brian Lingela (DCP) and Vestus Chungu (DF)

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CCPC Zambia Presidency successfully Hosts ICPEN High Level Meeting and Conference.



Delegates of the ICPEN Conference

The Competition and Consumer Protection Commission (CCPC) successfully hosted the International Consumer Protection and Enforcement Network (ICPEN) High Level Meeting and Conference which provided a platform for learning and sharing of information and experiences in resolution of cases, and advocated for harmonization and interdependence among Member States.

In 2018 Zambia, under the Competition and Consumer Protection Commission assumed the ICPEN Presidency, the first time in the network's 26 years history.

Speaking during the official opening of the High Level Meeting and Conference held under the theme, "Freedom for Consumers through Global Collaboration," Minister of Commerce, Trade and Industry (MCTI), Honorable Christopher B Yaluma, said that the theme was appropriately selected to emphasize the freedom consumers enjoy through the joint cooperation that existed among agencies among Member countries.

Honorable Yaluma noted that the meeting was the best platform for forging and embracing enforcement collaboration through increased efficiency, improved case handling and benchmarking consumer protection agencies' procedures to regional and international best practices.

Honorable Yaluma further challenged all competition and consumer protection agencies to promote consumer education and online child protection stating that children are among other consumers who are exploited in various ways through products and services offered via the internet hence the need for consumer protection agencies to restrict access to materials deemed harmful for their consumption.

"Children are enjoying increasing consumer freedom and have become more active in buying goods and services due to various factors such as peer influences and advertisements. All these technical developments provide children with opportunities to explore new frontiers.

While children are truly becoming digital citizens in an online world that has no borders, they equally need to be aware of how these digital technologies can also have a negative effect on their lives such as cyber bullying and harassment, identity theft and online abuse. These are all threats to children's well-being and a challenge that must be addressed by all stakeholders. It is important that children are made aware of both the opportunities as well as the pitfalls that come with being online," he said.

And speaking at the same event, CCPC Executive Director and ICPEN President Mr. Chilufya Sampa said that Member country collaboration with regional and various international competition and consumer protection authorities and networks such as ICPEN, African Dialogue and Organization for Economic Cooperation and Development (OECD) were important for the purposes of adopting best practices for effective consumer protection in the digital economy.

"This makes the ICPEN Conference



MCTI Minister Hon Christopher Yaluma giving his opening speech at the ICPEN Conference

an important forum for such collaboration, to deliver the ICPEN mission which is, *“to protect consumers by encouraging and facilitating practical action to prevent cross – border marketing malpractices,”* he stated.

Mr. Sampa also thanked other Member countries for their support which saw the introduction of three new projects under the Zambian Presidency in addition to the existing four that were carried over from the Turkish presidency.

In addition, the ICPEN President also highlighted on the two successful group projects that scored achievements after reaching the set targets in the year 2018 which included the Terms and Conditions in the Digital Economy Project whose aim was to promote and facilitate follow-up enforcement and compliance actions on national, bilateral and multi-lateral levels while the Joint Digital Terminology Project focused on the preparations of joint digital terminology for all enforcers in the network.

Mr. Sampa further stated that the project groups were important as they provided eight (8) glossary terminologies which were adopted in 2018 in a bid to enable ICPEN Members effectively legislate and enforce laws that would facilitate easier cooperation and enforcement actions among Member agencies.

The High Level Meeting and Conference was held from the 8th to 10th May, 2019 at the Avani Victoria Falls Resort in Livingstone, Zambia and it was attended by 114 delegates from the 65 member countries.

Zambia celebrates 2019 World Consumer Rights Day



Zambia on 15th March, 2019 took part in commemorating the World Consumer Rights Day whose theme was ***“Trusted Smart Products ensuring Financial Inclusion for a better Zambia”***. This is the day when the World takes time to recognize and appreciate the critical roles consumers play in every economy.

Prior to 15th March’s activities, the Competition and Consumer Protection Commission (CCPC) in collaboration with other sector regulators and service providers who together formed the National Organising Committee (NOC), introduced a

multimedia approach in sensitizing the public with regard to observance of this day and the ultimate benefits of using transited smart products that ensure financial inclusion accrue to the whole community.

The build up to the event was characterized by a number of activities such as Television and Radio sensitization programs on public, private and community media stations and institutional Facebook pages were also utilized to pass on information to consumers. Sensitization initiatives such as an exhibition at Cosmopolitan Mall and a road show in Mutendere Township were used to relay information on respective institutional mandates of the NOC as well as the importance of consumer rights and obligations.

The official commemoration on Friday 15th March, 2019, was characterized by colorfully raised institutional banners and a solidarity march which commenced from Main Post Office with over nineteen (19) organisations participating, inclusive of CCPC, Consumer Unity Trust Society (CUTs), Bank of Zambia (BOZ), Pensions and Insurance Authority(PIA), Zambia Metrology Agency(ZMA), Zambia Compulsory Standards Agency,(ZCSA), Zambia Medicines Regulatory Authority (ZAMRA) and Ministry of Commerce Trade and Industry(MCTI).

Other institutions were Zambia Telecommunications Limited(ZAM-

TEL), Zambia National Building Society(ZNBS),Road Traffic and Safety Agency(RTSA), Energy Regulations Board (ERB), Lusaka City Council(LCC), Patents and Companies Registration Agency (PACRA), National Water and Sanitation Council (NWASCO) to mention but a few.

In crowning the Commemoration, MCTI Minister, Honorable Christopher B. Yaluma MP, who was represented by his Director of Cooperatives Mr. Shadrech Mungalaba, said there was an increase at a global and national level in the use of smart products and digital services such as smart phones to palmtops and smart Televisions all of which were increasingly becoming connected to financial transactions either by intent or default.

Hon Yaluma disclosed that the emergence of smart technology brought with it many opportunities for consumers such as access to new services, more responsive products, greater convenience and choice. Most importantly, the availability of smart products enhanced financial inclusion by making financial transactions easier than the use of cash.

“However, the technology era comes with its own challenges and concerns which include issues of security, privacy and clarity about who is responsible when things go wrong. Therefore, this calls for strengthened collaboration among regulators.

The Minister stated that there were many benefits that could be derived from the use of smart products, which included enhanced financial inclusion, convenience and less time consumed thereby reducing the cost of doing business.

“In that regard, Government has not been left behind in the use of smart products. You may wish to note that a National Information Program for E-Government and E-Commerce has been adopted and developed that will culminate in increasing speed of public service delivery, efficiency and seamless consumer expectation management”, Hon Yaluma said .

He added that Government had continued with its drive to promote a connected country by investing in enabling infrastructure such as the National Data Centre and Mobile towers adding that this was in line with its policy pronouncements that Government must progressively implement initiatives that will contribute to attaining a SMART Zambia.

Speaking at the same event, ZCSA Acting Executive Director who was also Chairman of the NOC, Mr. Tito Kasanda implored all consumers in Zambia to demand for safe products and become ambassadors of good will by refusing to buy products that were not safe and reporting such products to the relevant authorities so that appropriate action was taken.



CCPC School Club Learners carry the WCRD touch

CCPC wins the 2019 World Bank ICN Award for its contribution to the reduction of poverty and inequality in both developing and developed countries.



CCPC Director Mergers and Monopolies, Luyamba Kapembwa receives a trophy on behalf of the Commission

The Competition and Consumer Protection Commission (CCPC) for the third time won an award from the International Competition Network (ICN) and World Bank Group that recognises the key role competition agencies play in promoting competitive markets by showcasing their enforcement success stories.

The Commission scooped its first prize in the theme dubbed *“understanding the effects of competition policy on poverty and inequality in both developing and developed countries”* through demonstrating how it managed to contribute to improving markets in the wholesale and retail bakery sub-sectors.

The success story was the Bread Cartel by six (6) bakeries on the Copperbelt Province for fixing the price of bread.

This collusion to fix prices on a daily staple food affected the poorest of the poor on the Copperbelt, as the

upward price adjustment was a significant amount when compared to their income.

Cartels by their very nature eliminate or restrict competition and consequently distort economic markets and have an adverse effect on consumers. Cartels entrench poverty with the vulnerable in our communities being affected the most.

CCPC Executive Director, Chilufya Sampa said the special recognition by ICN and World Bank served to strengthen the Commission’s resolve in ensuring that companies in all sectors of the economy abide by the competition principles.

“An assessment made by the Commission showed that the consumers collectively saved K95, 000 every day because of the Commission’s interventions. This is money that

would have been used for other critical products and services by the poorest of the poor,” Mr Sampa Said.

And Director Restrictive Business Practices, Mrs Naomi Fulaza has said that the Commission remains committed in discharging its mandate of enforcing the law against anti-competitive behaviour to ensure that the Zambian economy is open to competition and that all ordinary Zambian consumers are protected and are able to exercise their rights.

The Commission will accept this prestigious award at a ceremony that will take place at the ICN annual conference, on May 16th 2019 in Colombia.



Awarded trophy

CCPC- FTC Hosts the 10th African Consumer Protection Dialogue; Celebrating a Decade of Growth for African Cross Border Consumer Protection Collaboration: Communique



Delegates of the 10th AD Conference

The Competition and Consumer Protection Commission (CCPC) in collaboration with Federal Trade Commission (FTC) hosted the 10th African Consumer Protection Dialogue (AD) Conference under the theme “*Celebrating a Decade of Growth for African Cross Border Consumer Protection Collaboration*”, which aimed to reaffirm the African Dialogue Principles on Cooperation in Consumer Protection Enforcement; Implementing the Joint Projects on Consumer Education and Business Guidance and Complaints Sharing.

The Conference which brought together consumer protection agencies from twenty (20) African countries, along with other regional stakeholders and international consumer organizations, which included the Federal Trade Commission (FTC) of the United States of America, recognized the tremendous developments that the African Dialogue has made in the ten years

of its existence to enhance partnerships and improve collaboration among member agencies.

Officially opening the event, Permanent Secretary of Ministry of Commerce, Trade and Industry, Kayula Siame said that consumers worldwide and Africa in particular faced a number of challenges therefore consumer protection authorities had a common denominator which was to offer and deliver desired outcomes for consumers through proactive and effective enforcement of consumer laws within respective jurisdictions.

“The cooperation among consumer enforcement agencies is crucial to ensure consumer welfare is attained and cannot be underestimated. This conference will set the platform for future engagements of all parties as you strive to discuss and evaluate the effectiveness of the policies, laws and cross border protocols. The conference is a clear demonstration of the

need for stakeholders to work collaboratively in the interest of consumers.”

Mrs Siame stated that the Zambian Government appreciates that protecting consumers effectively could only be done through gatherings such as the African Dialogue where Consumer Protection Authorities pool resources and work collaboratively in sharing best practices to better serve consumers.

Speaking at the same event, FTC Consumer Protection Chief of Staff, Frank Gorman said he was honored to participate in the conference, a demonstration of the Federal Trade Commission’s longstanding partnership with the Zambia Competition & Consumer Protection Commission (CCPC). He said the FTC supported the African Dialogue’s work to foster consumer confidence in taking advantage of Ecommerce as a critical tool to the development of African economies.

“Business leaders, regulators, and policymakers have the key task of striking the right balance between protecting consumers and promoting competition and innovation. By sharing complaints, intelligence, and best practices, and collaborating on investigations and cases, the African Dialogue is developing effective international and regional cooperation on consumer protection,” he noted.

CCPC Executive Director, Chilufya Sampa, said that over the past decade the agenda for Consumer Protection Laws has become more pronounced across the world and the need for stakeholder collaboration has increasingly become important due to the increase in technological advancements, and the evolution of commerce and trade from traditional physical trading of goods and services to E-Commerce.

“I hope that during this conference we will come up with practical mechanisms to enhance cross border cooperation and to shape agency decisions or directives on mobile and e-commerce.” He stated.

And, Director and Chief Executive Officer of COMESA Competition Commission, George K Lipimile noted that this year’s theme: ‘Celebrating A Decade of Growth for African Cross-Border Consumer Protection Collaboration’ was appropriate for the gathering, and it was a topic which held particular significance for the COMESA Competition Commission because cross-border transactions entailed additional difficulties for effective enforcement of consumer rights as businesses and consumers are subjected to different, various and in most cases, conflicting laws.

“With increasing integration of markets and technological advances, the relevant markets for consumer transactions are consis-

tently extending beyond national boundaries. There is also the new restructuring of our markets at national, regional, and continental level. These reforms directly and indirectly affect the consumer in many ways,” said Lipimile.

Manager Consumer Protection at the Competition Authority of Kenya, Boniface Kamiti emphasized the need for African Consumer Protection Agencies to continue collaborating in protecting consumers against unfair and misleading practices, through joint enforcement especially on online platforms and on complaints with a cross border dimension.

Based on the discussions at the conference, the participants reaffirmed their commitment to the African Dialogue Principles on Cooperation in Consumer Protection Enforcement (“Livingstone Principles”) adopted in Zambia in 2013 and pledged to continue to implement the Livingstone Principles as recognized in a plan endorsed at the African Dialogue Conference in Malawi in 2014, and the protocols and strategies adopted at the African Dialogue Conferences in Egypt 2015; South Africa 2016 and The Gambia 2018. Specifically, participants recognized;

- ☞ The need for cross-border, regional and international collaboration for a robust, more comprehensive consumer protection regime remains crucial for consumer protection authorities, regional bodies and stakeholders;
- ☞ That e-commerce and innovative digital technologies are growing at an incredibly fast rate, and that technology and innovation have accelerated access to goods and services across national and international borders;

- ☞ The need for effective and enhanced cross border collaboration between and among the participating consumer protection agencies, law enforcement authorities and sectoral regulators, for enforcement cooperation on consumer protection matters;
- ☞ The value of dialogue on such e-commerce and mobile consumer protection issues with other government authorities and with key stakeholders, such as regional bodies, civil society, private sector, academia and others;
- ☞ That all participating countries are affected by numerous consumer protection violations across borders, and need to combat them;
- ☞ That a broad and collaborative approach to consumer protection can truly deliver meaningful impact worldwide;

Delegates at the 10th African Dialogue Conference also began implementing the Joint Projects on Consumer Education and Business Guidance and also worked on a Complaints Sharing Joint Project among agencies in the region to help deter unfair and deceptive commercial practices and further enhance cooperation on consumer protection enforcement.

The African Dialogue Conference was held from the 5th to the 8th of May, 2019 at the Protea Hotel in Livingstone, Zambia.

“Collaboration Key to Consumer Welfare, Financial Inclusion”



CCPC Executive Director, Chilufya Sampa during the MMoU Signing

The Competition and Consumer Protection Commission (CCPC) has embarked on intensifying collaboration with other sector regulators in a bid to hedge against fraudulent financial activities and facilitate the inclusion and protection of consumers in the Financial Sector.

One such partnership is the Multi-Sectoral Memorandum of Understanding (MMoU) which the Commission pledged signatory to between the Bank of Zambia (BoZ), Securities and Exchange Commission (SEC) and Pensions and Insurance Authority (PIA) in a concerted effort to promote consumer welfare in the Financial Sector.

Speaking on behalf of the Ministry of Finance, Acting Secretary to the Treasury, Dr. Emmanuel Mulenga Pamu during the signing ceremony of the MMoU held on the 14th of May, 2019 at the Cairo Protea Hotel in Lusaka, Director of Economic Management, Mrs. Ireen Habasimbi commended the multi-sectoral initiative by the four regulators stating that the move was good for effec-

tively addressing financial consumer complaints associated with the Financial Sector.

Dr. Mulenga added that the MMoU would provide an opportunity for the regulators to synergise resources and expertise in resolving any consumer complaints or concerns that would arise in the financial sector thereby growing the sector and the economy as a whole.

And speaking at the same event, CCPC Executive Director Mr. Chilufya Sampa said the MMoU was expected to enhance proper coordination with each regulator applying their respective laws in areas such as lodging of consumer complaints, investigations, remedies and penalties which are aimed at boosting consumer confidence in financial products.

“ This MMou is a demonstration by the four regulators of their commitment to create a seamless regulatory environment for competition and consumer protection in the Financial sector,”he said.

Meanwhile,during the question and answer session, Mr Sampa also said that consumers equally had a role to play in safeguarding themselves against unfair trading practices that could be exhibited by various financial service providers considering the numerous financial firms that had mushroomed in the financial sector.

Mr. Sampa further implored on all consumers to desist from engaging in financial deals in which they had limited knowledge in order to avoid loss of money and other fraudulent consequences attached to the dealings.

Representatives from BoZ,SEC and PIA pledged their continuous commitment to work with CCPC in accordance with the terms and conditions as stipulated in the MMoU documents with a primary mandate to protect consumers in Zambia.

CCPC Signs MOU with National Consumer Council of RSA



NCC Deputy Commissioner, Thezi Mabuza exchanges signed MoU with CCPC Executive Director Chilufya Sampa

The Competition and Consumer Protection Commission (CCPC) has signed a Memorandum of Understanding (MoU) with the National Consumer Council of South Africa (NCC) aimed at strengthening partnership between the two institutions in order to provide a structured platform for coordination and cooperation on consumer protection enforcement matters in the two countries.

CCPC Executive Director Chilufya Sampa, who signed on behalf of Zambia, said the MoU provided an avenue to share information and intelligence on consumer protection trends and risks as boundaries restricting trade had faded with increased digitalization.

"This collaboration comes with an objective of cementing the already existing partnership between the

two institutions with a view of providing opportunities for sharing best practice information about key consumer protection laws, enforcement powers and regulatory approaches to consumer protection while allowing either institutions to assist in taking action against businesses located in either jurisdiction that cause economic damage to consumers," Sampa said.

He said another area covered in the MoU was staff exchanges to enable members of staff from both Commissions to work in the two countries to exchange ideas and experiences.

Mr. Sampa added that the MoU was the third the Commission was signing on behalf of the Country after signing similar ones with Common Market for Eastern and Southern Africa (COMESA) and Malawi.

And NCC Deputy Commissioner Thezi Mabuza, who signed on behalf of South Africa, said there was need to harmonise laws to protect consumers in both countries from unfair trade practices and substandard goods and as such, the MoU was critical and relevant in the wake of regional trade.

"The cooperation is aimed at ensuring goods conform to standards and that agencies in the Southern Africa Development Community become a force in protecting consumers," she added.

The MoU was signed on 9th May, 2019 at Avani Victoria Falls Resort in Livingstone, Zambia.

CCPC Conducts a compliance training to CFAO Zambia Limited



Ms Kaonga during the Compliance Training

The Competition and Consumer Protection Commission (CCPC) on 15th February, 2019, conducted a compliance training to CFAO members of staff in an effort to increase awareness of the Competition and Consumer Protection Act No.24 of 2010 and keep them abreast with the tenets of the law.

Speaking during the training, CCPC Senior Investigator from the Mergers and Monopolies Department, Ms Kondwani Kaonga, gave an introduction to competition and consumer law in Zambia which dates back to 1994 when the Competition and Fair Trading Act was enacted and the subsequent passing of the Competition and Consumer Protection Policy of 2009.

She added that the Competition and Consumer Protection Policy of 2009 led to the change in the law relating to competition and consumer matters when the Competition and Fair Trading Act was repealed and replaced with the Competition and Consumer Protection Act No.24 of 2010.

Ms Kaonga explained Zambia was a free market economy, and therefore, the very reason why there was need for competition laws designed to prevent businesses from engaging in self serving behaviour that

could harm other businesses and consumers.

Specifically, she focussed on the do's and don'ts for businesses, elaborating on the negative effects of Restrictive Business Practices such as anti-competitive agreements that raise barriers for other businesses to enter and participate in a market. Other conduct highlighted included Cartels which were considered as white collar crimes as they were aimed at stealing from different segments of consumers by subjecting them to paying exorbitant prices for goods and services.

Ms Kaonga further advised CFAO to compete on merit and that their focus should be in providing superior services to customers and prices based on objective costs.

"Dominant firms such as yourselves need to be aware of abuse of dominance conduct, specifically relating to tying of products, limiting market access and how you price your products. As a dominant firm you need to restrain yourself from violating the provisions of the Act," She said. She pointed out that violations of the Act are punishable and the sanctions can be very punitive so as to deter the company from engaging in similar conduct.

Ms Kaonga also trained CFAO members of staff on consumer issues which they needed to be aware of such as false or misleading representation, display of disclaimers that purport to disclaim any liability or deny any right the consumer has, sale of defective products, supply of unsuitable goods and services, Price Display, Consumer Product Safety and Unfair contract terms, which were punishable by law either by a fine or prosecution in selected cases.

She urged CFAO to have an internal complaint resolution system that would ensure that complaints are handled expeditiously and professionally. She also added that the Commission used a number of enforcement mechanisms and tools to achieve compliance to the Act which included Administrative Resolutions, Imposition of Fines, Consent Agreements/Undertakings and Prosecution all of which were meant to deter abrogation of the Act.

The Commission was invited by Management of CFAO Zambia Limited to conduct compliance training to its members of staff on competition and consumer issues at their offices.

CCPC Engages the Ministry of Tourism

The Competition and Consumer Protection Commission (CCPC) as part of its advocacy and education programs held a meeting at the Ministry of Tourism with the aim of increasing awareness of the Competition and Consumer Protection Act No.24 of 2010 and to promote stakeholder collaboration in light of the increased competition and consumer protection issues that were existing in the Tourism Sector.

Speaking at the said meeting, CCPC Director Restrictive Business Practices, Mrs Naomi Fulaza, underscored the importance of competition in the tourism sector saying that uncontrolled monopolies, cartels and other restrictive business practices were bound to have an adverse effect on trade, industrial and economic development in Zambia.

She stated that competition was the basis upon which all individuals in

a society were given a platform to exercise their entrepreneurial ideas. She added that these individual's collective efforts became part of the productive cycle and wealth in the society.

"Such wealth creating sources need to be facilitated through fair access to finance, business advisory services, Government licensing and registration systems as well as fair dispute resolution," she said.

Mrs Fulaza further highlighted that the Commission in the recent past had undertaken some market studies and investigated some competition and consumer cases in the Tourism Sector.

"In order to enlighten the Ministry on the current issues existing in the Tourism Sector it is important that the Commission and the Ministry affords themselves an opportunity to seek clarifications and insights

on the needs, priorities and expectations of the different parties in the Tourism Sector by meeting in such a manner," Fulaza noted.

She stated that the insights they hoped to get from further engagements were critical to informing, guiding their focus on safeguarding and on-going endeavours of both the Ministry and the Commission to ensure that the sector was operating fairly.

The Commission and the Ministry agreed to work together on the issues that were identified as common interest with follow up meetings scheduled in the future. The meeting was held on 8th February, 2019 at Ministry of Tourism Offices in Lusaka.



DRBP Mrs Naomi Fulaza giving her presentation during the Meeting

CCPC Trains Stakeholders on Consumer Complaint Remediating

The Competition and Consumer Protection Commission (CCPC) in its efforts to continue being an advocate for effective consumer protection in Zambia conducted a training on good customer service and excellent complaints handling procedures for Spar Retail outlet and Bayport Financial Services in Livingstone.

Speaking during the presentations at both events, CCPC Southern Province Investigator, Mr. Chipapa Matyola, explained the importance of enhancing consumer's welfare through administration of good customer relations in dealing with consumer queries and investing in qualified manpower in order to protect their institutional images.

"The greatest asset of any business is its employees therefore, I urge you to be professional in all your trading practices by prioritising consumer needs at all times as they are a backbone of a firm's survival in today's competitive market," said Matyola .

The Provincial Investigator advised the enterprises that having an effective complaint handling system provided three key benefits to any organisation which included; resolving issues raised by a person who is dissatisfied in a timely and cost-effective way; providing information that could lead to improvements in service delivery; and improving the reputation of an organisation and strengthening public confidence in its administrative processes.

"You must take complaints as gifts which come with multiple benefits. It is unfortunate that some customers who bring complaints to traders are viewed as enemies with an objective of disturbing the business and it is even more sad that sometimes customers do not even know who to lodge their complaint with, and end up not being redressed as they are never told who is in charge of receiving complaints," said Matyola.

The Provincial Investigator reminded the enterprises on the importance of empowering their workforce with the necessary knowledge on how to interact with clients who bring complaints against the enterprise as this would ensure customer

satisfaction adding that some queries could be resolved amicably between the two parties without the Commission's intervention.

Mr Matyola later gave some customer Service tips to the participants which included "a customer is always right, even when not", and that traders should avoid confrontations even with seemingly difficult customers.

Meanwhile Spar Stores Supervisor, Mr. Michael Samwaka and Bayport Operations Assistant Manager, Mr. Stephen Mukamba commended the Commission for the step taken to educate their employees on issues that affect the enterprises adding

that the advice given will be taken into account for the two company's continuous improvement and benefit as a whole.

The Commission in Livingstone will continue to engage all stakeholders to ensure that they always value every valid consumer complaint despite how little or much money involved in the transaction as this is key to the realisation of consumer protection in Zambia

The two workshops were held on 25th February and 23rd March 2019 respectively.



Figure 1: Part of the Bayport Livingstone employees following the presentation by the Commission



Figure 2: A part of the Spar Livingstone workforce listening to the Commission's Presentation

CCPC engages enterprises in North- Western and Western Province

The Competition and Consumer Protection Commission (CCPC) through its Solwezi Office made presentations on various unfair trading practices as prescribed under Part VII of the Competition and Consumer Protection Act number 24 of 2010 to Budget Stores Limited Trading As E-Plus Trading Town and City Mall Branches on 11th and 29th March, 2019 respectively.

The presentations bordered on Competition and Consumer Protection with regard to the enterprise being a product and service provider to consumers and the members of staff being consumers themselves.

The Commission further, discussed past consumer cases involving the enterprises, how they were handled and gave advice on best practices to employ in order to avoid costly litigation.

The enterprises who had over 20 employees in attendance were given some undertakings by the Commission namely;

- (i). All goods must be inspected physically and must be tested for functionality before

leaving the sales floor.

- (ii). The stores must maintain a fully functional complaints register for every complaint.
- (iii). The staff must have good customer care skills and must employ emotional intelligence when dealing with clients.
- (iv). The staff and the Manager must try at all times to amicably resolve matters as prescribed in their policy and by law before matters reach the Commission.

And the Commission in Mongu also intensified on its outreach programs by conducting an Orientation meeting for the twenty (20) newly employed Direct Sales Agents (DSA's) of Sanlam Life Assurance in an effort to educate them about Competition and Consumer Protection Law in Zambia.

Speaking during the Orientation meeting held at Sanlam Life Insurance Office, CCPC Provincial Investigator Mr. Bravo Muchuu disclosed that it was important to hold such meetings considering that Sanlam Life Insurance Limited had em-

ployed new employees who needed to be knowledgeable about competition and consumer protection issues surrounding their market.

Mr. Muchuu also added that the Commission was delighted to be accorded the opportunity to educate employees on competition and consumer law adding that most of the consumer complaints in the Insurance Sector were as a result of the wrong marketing of insurance products and services.

Mr. Muchuu further emphasised the need for the new employed workers to fully understand all tenets relating to insurance services in order to avoid breaching the competition and consumer law and to ensure that consumers are not misled.

The meeting was conducted on 11th February, 2019 in Western Province.



North- Western Province PI, James Chalungumana poses with Budget Stores employees.

CCPC Enhances Financial Literacy among Pupils

In its determination to enhance financial education in learners, the Commission in Mongu conducted visits to Investrust Bank Plc and Good Fellow Finance Limited with

round the Finance Sector.

Speaking during the visits paid on Investrust Bank Plc and Good Fellow Finance Limited on 16th February,

clubs to understand competition issues associated with financial organisations.

Mr. Muchuu also explained that the Commission had embarked on targeting young people so as to ensure that they are aware about Financial Consumer Protection rights and other competition issues that may affect the value chain in the finance sector and as well as to supplement on Government's effort in its quest to promote the National Financial Inclusion Strategy (NFIS) for the participation of all Zambians.

Meanwhile, Investrust Bank Plc Branch Manager, Miss Lungowe Chanda and Good Fellow Finance Limited Branch Manager, Miss Inonge Sambole both thanked the Commission for its visit adding that the strategy will enable pupils to become more knowledgeable about finance related issues at a tender age.

The two Branch Managers have thus called upon the Commission to continue inculcating financial knowledge into the young generation so that the knowledge acquired may be sustainable for posterity gains of the nation's benefit.



CCPC School Club members educate consumers on their rights

Learners from CCPC School Clubs with the aim of educating pupils about competition issues that sur-

round the Finance Sector. 2019 in Mongu, CCPC Provincial Investigator, Mr. Bravo Muchuu said it was important for pupils in school



CCPC School Club learners

CCPC adopts Inclusive Communication Tactics



Western Province PI, Bravo Muchuu far left with Sefula Secondary School for the Blind pupils

The Competition and Consumer Protection Commission (CCPC) in Western Province has embarked on improving communication channels that are inclusive by transcribing some consumer rights brochures into braille in order to enhance the understanding of the Competition and Consumer Protection Law amongst visually impaired and blind consumers.

This development comes after the Commission's realisation that visually impaired consumers are mainly subjected to unfair trade practices because of their vulnerability which has necessitated a number of people to taking advantage of their consumer rights.

Speaking during a live call in program held on Lyambai radio, CCPC

Provincial Investigator Mr Bravo Muchuu together with two visually impaired consumers discussed on the need to incorporate blind people into the main-stream society so that they are not discriminated against.

And Mr Muchuu disclosed that the Commission had a mandate to safeguard consumers' welfare despite of their disability hence the need to educate the blind on Competition and Consumer Protection Laws in the bid to equip them with sufficient knowledge about their rights.

Mr. Muchuu further urged other Institutions and society at large to take a proactive role in helping educate the visually impaired people stating that they were important to the growth of the Zambian economy through their participation in

Competition.

And the Commission in Western Province opened a new Competition and Consumer Protection (CCPC) School club at Sefula Secondary School for the Blind in a bid to inculcate knowledge among pupils on competition and consumer protection issues.

Speaking during the official launch of the School Club in Mongu on 8th February, 2019, CCPC Provincial Investigator Mr. Bravo Muchuu said the Commission was delighted to share knowledge with the pupils in order to educate them about their rights.

Mr Muchuu also took time to discuss the Commission's Terms of References with School's Patrons, Matrons and with the Head Master in order to ensure that they worked in line with the Commission's mandate which aims at enhancing competition and promoting consumer welfare for the benefit of the Zambian people.

"I urge all the teachers to assist the learners improve their skills on braille literacy so that they can read CCPC books without difficulties," Muchuu said.

Meanwhile Mr Muchuu called upon other pupils in the School to join the Club in order to learn more about competition and consumer issues and how their involvement can benefit them in their daily trading practices.

CCPC Fines National Savings and Credit Bank (NATSAVE) K50, 000.00

The Board of Commissioners of the Competition and Consumer Protection Commission (CCPC) fined National Savings and Credit Bank (NATSAVE) Bank K50, 000.00 for violating Section 49(5) of the Act.

This followed a complaint which was received against NATSAVE Bank through the Commission's Chipata office where a Complainant alleged to have gotten a loan of K10, 000.00 from the NATSAVE Bank in November, 2014. The loan was fully repaid by December, 2016, but NATSAVE

Bank continued debiting his account for repayment.

During investigations, the Commission found that the loan was fully repaid by December, 2016, but that NATSAVE Bank had continued debiting the Complainant's account for 3 months for loan repayments despite the fact that the loan was fully settled.

During its deliberations, the Board determined that NATSAVE Bank violated Section 49(5) of the Act and were thus fine 0.5% of their annual

turnover.

The Commission has received myriads of cases to do with Loans; especially those with unclear or unjustifiable changes in loan tenor.

The Commission would like to warn that while some investigations reveal that actions are taken according to agreement; the Commission will not hesitate to investigate any suspicious extensions. Furthermore, the Commission will fine any such institution if it is found that the said conduct is outside the Loan agreement.

CCPC seizes goods worth K 1,800 in Kitwe



The Competition and Consumer Protection Commission (CCPC) in collaboration with the Kitwe City Council (KCC) seized assorted goods collectively worth One Thousand Eight Hundred Kwacha (**K1,800.00**), following a joint inspections conducted in two main retail trading outlets.

The seized items were defective and therefore, did not meet the mandatory product information standards set by Section 50 of the Competition and Consumer Protection Act No 24 of 2010 and the Food and Drugs Regulations under the Food and Drugs Act Cap 303 of the Laws of Zambia.

Defects on the seized items were that they had expired while others did not have expiry dates. Other seized items had insufficient labels, inappropriately packaged and some had broken seals.

The products seized included tropical fresh juices, canned baked beans, mouth wash, assorted snacks, ice cream and chicken packets.

The seizure of the goods was conducted during a routine inspection of trading premises in the Copperbelt Province with the view of ascertaining the trader's compliance levels with the Competition and Consumer Protection Act (CCPA) No 24 of 2010.

The Commission would like to warn suppliers, retailers and distributors to cease from selling unsuitable products, which have exceeded or are close to reaching their shelf life especially to rural areas.

Traders are further advised to abide by the law and desist from engaging in unfair trading practices or any conducts that erode consumer welfare.

Further the Commission would like to advise consumers countrywide to be proactive and report perpetrators of both anti-competitive business behaviour and unfair trading practices to the Commission.

The appeal of the Commission to members of the public is to be alert and check for any defects on products to avoid consuming goods that might endanger their lives.

The Commission will continue to intensify inspections in all districts on the Copperbelt.



CCPC conducts joint Fertilizer inspections with ZMA

The Competition and Consumer Protection Commission (CCPC) in collaboration with the Zambia Metrology Agency (ZMA) conducted joint inspections on fertilizer sold by the various agro-dealers in Kasama with the view of ascertaining whether traders were supplying these products in conformity with the legislations enforced by the two Agencies.

The inspection followed complaints raised from members of the public, particularly farmers, on unfair trading practices that had characterised agro-dealers and fertilizer suppliers.

Consumers had alleged that some agro-dealers and fertilizer suppliers were selling and supplying underweight fertilizer. Specifically, the Commission took interest in the exercise as the allegations appeared to be in contravention of Section 47 of the Competition and Consumer Protection Act No. 24 of 2010.

In response to the consumer complaints, the Commission conducted inspections at Robem Enterprises Ltd, Mutalisa Agro Dealers Ltd, Mumocho Enterprises Ltd, Nitrogen Chemicals of Zambia Depot, Omnia Nutriology and ETG Inputs Zambia Ltd Depot in Kasama.

Commenting on the inspections, Northern Provincial Investigator, Mwila Zambwe said the inspections were conducted by way of sampling and weighing the bags of fertilizer

found with the agro-dealers and suppliers and that the expertise of weighing and assessment on the exercise was spearheaded by ZMA's Senior Metrologist, Mwendaweli Chiwala.

Mr Zambwe said findings on the inspections revealed that most of the fertilizer sampled and weighed from different suppliers and manufacturers was compliant as it contained fertilizer weighing what was indicated on the bags, i.e, and 50kilograms. Nonetheless, there were a few variations observed on some bags, however these noted variations could not be reason to conclusively determine any unfair trading by most of the agro dealers visited.

“Evidently, the team established that most of the fertilizer that was discovered to be underweight was from one supplier. This is because it was noted that a similar trend, with regard to underweight bags, was established among agro-dealers that had fertilizer manufactured from the particular supplier.

Therefore, to rule out any possible unfair dealing by agro-dealers, the inspection team visited the fertilizer depot of the particular supplier in Kasama and it was established that indeed two types of their fertilizer in their stock was all underweight,”he said.

Arising from the findings of the investigation, ZMA recommend-



CCPC Northern Province PI, Mwila Zambwe in pink with ZMA Officers during the inspection

ed that the offending supplier be charged with the offense of falsely presenting a commodity which does not comply with the provisions of the standard or Act contrary to Section 46 (b) of the Metrology No. 6 of 2017.

The joint inspections were conducted from 25th to 27th February, 2019.

Directing or forcing parents or guardians to purchase school items from selected suppliers

The Competition and Consumer Protection Commission (CCPC) is concerned with the growing tendency by Schools to direct or force parents and guardians of pupils to purchase school items such as mattresses, uniforms and books strictly from selected suppliers or their schools.

It has come to the attention of the Commission that some boarding schools are directing parents and guardians to purchase mattresses for their school going children from selected mattress suppliers. In this regard, it is clear that schools engaged in this conduct are placing

pressure on consumers (parents and guardians) to buy these mattresses only from the school's preferred suppliers.

What schools should only provide is a general standard of the school items required without selecting where the parents/guardians should purchase from. This conduct is anti-competitive as it distorts the competition landscape among the players in the provision of such items and is detrimental to consumers as it deprives them of choices.

The Commission therefore reiterates the fact that parents and guard-

ians should be allowed to purchase school items such as mattresses, uniforms and books etc from any source of their preference and should not be directed or forced to purchase items from a single source as long as such items are fit for purpose.

This therefore serves as a timely warning to all schools that are involved in this practice that the Commission will not hesitate to impose appropriate penalties on any person who violates the provisions of the Competition and Consumer Protection Act No.24 of 2010.

CCPC collaborates with the Fair Trading Commission of Seychelles

As part of the international collaboration and information exchange and for purposes of sharing experiences and best practices in order to consistently and uniformly apply Consumer Protection Laws, the Competition and Consumer Protection Commission (CCPC) received two Officers from the Fair Trading Commission (FTC) of Seychelles.

The officers namely Ms. Debra Stravens, an Analyst in the Consumer Goods Department and Ms. Chloe Albert, the Law Secretary were attached to the Commission for a period of five days with the objectives of learning about report writing, analysis of reports in line with the Competition and Consumer Protection Act (CCPA) and complaint handling procedures.

Speaking in an interview Ms Stravens, said that the visit was beneficial to their Commission as they had appreciated the operations of CCPC in line with their objectives and hoped to implement the lessons learnt at the FTC, Seychelles.

Furthermore, she noted that the CCP Act was a well drafted legislature that was simple to follow in both interpretation and application.

"We wish to appreciate the Management and employees of CCPC for the warm welcome. The harmo-



From the left, Ms Debra Stravens and Ms Chloe Albert

nious and conducive environment the Commission accorded was truly appreciated as it provided us with a perfect platform to learn and achieve our set objectives," she said.

Ms Stravens recommended that the Commission should consider having Case Officers sign off Notifications addressed to Respondents to reduce the time spent on resolving cases and also establishing a team

to screen complaints received by the Commission prior to investigation.

The Fair Trading Commission, Seychelles is a parastatal organization established under the Fair Trading Act of 2009, the Competition Act of 2009 and the Consumer Protection Act of 2010.

Commemoration of International Women's Day (IWD) 2019

The Competition and Consumer Protection Commission (CCPC) on the 8th of March, 2019 took part in the commemoration of International Women's Day (IWD) celebrations held under the theme "Think Equal, Build Smart and Innovate for Change".

Speaking when he officiated at the event held at Civics Centre in Lusaka, his Excellency President, Edgar Chagwa Lungu said women should learn to speak out when their rights are violated as silence would hamper their quest to effectively contribute to the Nation's development agenda.

The President also added that there

was need for voluntary thinking by women in tackling gender inequality issues so as to foster equal participation in the economy and to make this year's theme a reality.

And speaking at the same event, CCPC Human Resource Officer, Elizabeth Banda disclosed that women played an important role in the growth of the Zambian economy hence the need to educate them about consumer rights as they were the majority that constituted the market.

Mrs Banda who represented the Commission, also encouraged women to report cases that infringed on

their rights to fair and equal trading to the Commission as it was mandated to ensure consumer rights are protected for the welfare of the Zambian people as a whole.

Mrs Banda further urged all business women to put the knowledge acquired into practice by being smart and innovative in their daily trading practices so in order to contribute to the smooth flow of competition in Zambia.

The Commission participated in both the Exhibitions and the March Past organised as part of the IWD Commemorations.

PHOTO FOCUS



CCPC Officers Lute Kachemba, Joseph Kaumba and Robert Musabula exhibiting during WCRD.



CCPC Officers and Delegates of the African Dialogue Conference



CCPC Officers and the Seychelles representatives pose for a picture during the ICPEN Conference



CCPC Officers wave off a consumer after a sensitization



CCPC Vice Board Chairperson Ms Chishala Kateka in blue shirt and the guest of honour Shadrech Mungalaba pose with CCPC school Club Pupils during WCRD



CCPC Vice Board Chairperson Ms Chishala Kateka in blue shirt and the guest of honour Shadrech Mungalaba share a word as Executive Director, Chilufya Sampa looks on during WCRD



CCPC Western Province PI, Bravo Muchuu gives a presentation during ICPEN



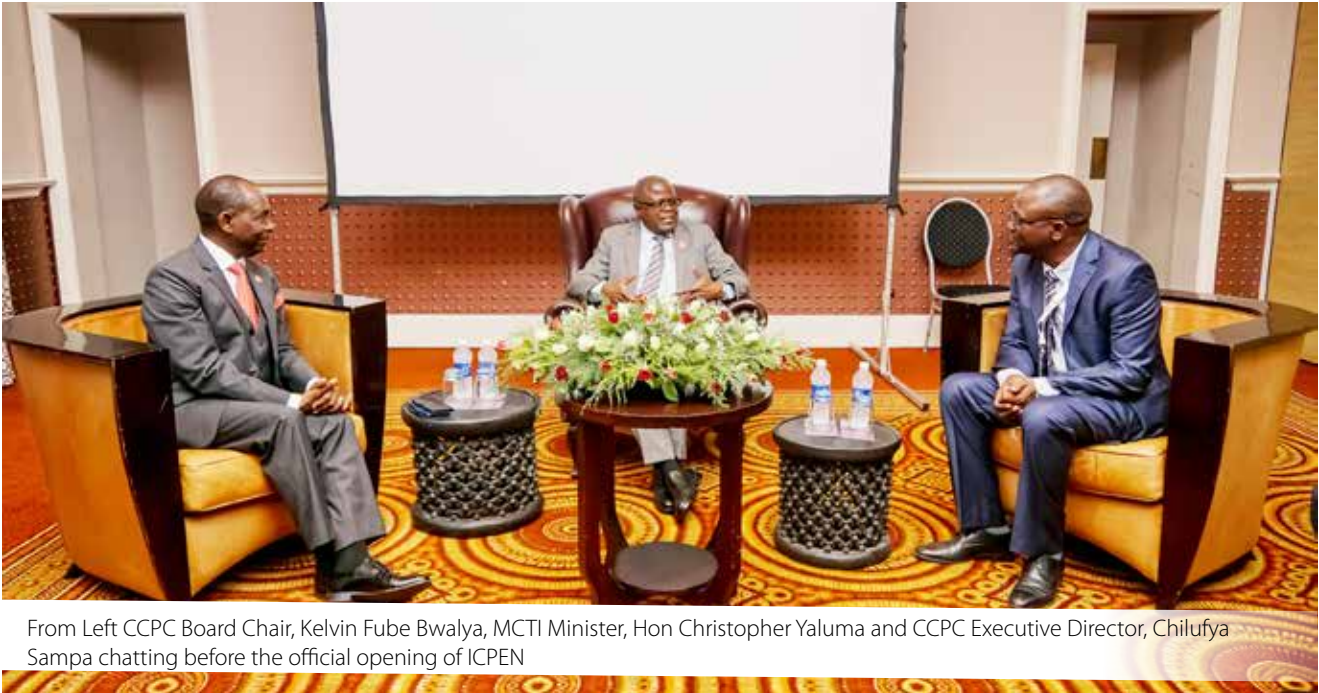
CCPC Members of staff and invited guests during WCRD commemorations



Delegates of ICPEN take a moment to pose during a social excursion



Delegates of the ICPEN Conference



From Left CCPC Board Chair, Kelvin Fube Bwalya, MCTI Minister, Hon Christopher Yaluma and CCPC Executive Director, Chilufya Sampa chatting before the official opening of ICPEN



CCPC Board Chair, Kelvin Fube Bwalya during the ICPEN Conference



CCPC Director Mergers and Monopolies, Luyamba Kapembwa far right poses with other winners after receiving ICN award



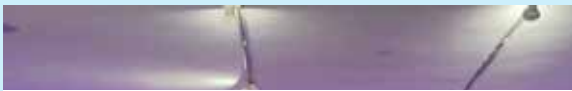
CCPC Officer, Nkonge Sanga third from left receiving an award at the ZIPS Conference



NCC Deputy Commissioner, Thezi Mabuza exchanges signed MoU with CCPC Executive Director Chilufya Sampa



MCTI Minister Hon Christopher Yaluma (second from left) and CCPC Board Members, Executive Director and ICPEN Secretariat singing the National Anthem during the Conference



CCPC Executive Director giving a presentation at an FTC Conference



CCPC Consumer Protection Director, Brian Lingela gives an interview during WCRD



Guest of honour third from the left and facilitators of African Dialogue Conference

HOW TO OBTAIN FURTHER INFORMATION ABOUT CCPC?

Further information about CCPC can be obtained by visiting the Commission offices.
You can also call or write to:

The Executive Director

Competition & Consumer Protection Commission,
4th Floor Main Post Office, Cairo Road,
P. O Box 34919, Lusaka
Tel: +260-211-222787
Tel: +260-211-232657
Fax: +260-211-22789
Email: zcomp@ccpc.org.zm

Kitwe Office

Ground Floor Revenue House
(Former Nchanga House)
P.O. Box 20158, Kitwe, Zambia
Tel: +260 212 221115
Fax: +260 211 221067
Email: ccpckitwe@zamnet.zm

Mongu Office

NAPSA Building, Room 219-220
P. O Box 910421, Mongu
Tel: +260-217-222375

Chipata Office

2nd Floor Natsave/Zesco Building
Cnr Jonathan & Perirenyatwa Roads
P.O. Box 510007 Chipata, Zambia
Tel: 06-222696
Fax: 06-222684

Livingstone Office

4th Floor NAPSA Building
Room 425
Mosi-o-Tunya Road
Telefax: +260 213 324483

Chinsali office

Stand No. 2071 along Nambuluma Road
P.O Box 480177 Chinsali, Zambia
Tel: +260-214-565175

Kabwe Office

3rd Floor 309 Mukuni House
Independence Way
P.O. Box 80407
Kabwe, Zambia
Tel: 215-224451

Kasama Office

Compensation House,
Room 204-205 Zambia Road
P. O Box 410349
Kasama, Zambia
Tel: 04-221129

Solwezi Office

NAPSA Building,
2nd Floor, Room 208-209
Independence Avenue
P. O Box 110131
Solwezi, Zambia
Tel: +260-218-821051

Mansa Office

Ground Floor NAPSA Building
Room 1407-8
Chitimukulu Road
P.O. Box 710486,
Mansa, Zambia
Tel: +260 212 821889

You can also visit our website on www.ccpc.org.zm or Call us on the Toll Free Line 5678 on all networks.