

THE COMPETITION AND CONSUMER PROTECTION (GENERAL REGULATIONS) 2024

No.	Narration	Provision	Justification
PART I PRELIMINARY			
	Title	These Regulations may be cited as the Competition and Consumer Protection (General)	
	Interpretation	<p>In these Regulations unless the context otherwise requires-</p> <p>“Act” means the Competition and Consumer Protection Act No. 24 of 2010 as amended by Act No. 21 of 2023;</p> <p>“agreement” has the meaning assigned to it in the Act;</p> <p>“Board” means the Board of the Commission constituted in accordance with the First Schedule to the Act;</p> <p>“Commission” means the Competition and Consumer Protection Commission established under section 4 of the Act;</p> <p>“Committee” means a committee constituted in the First Schedule of the Act;</p>	

		<p>“conduct” means an agreement, act, a practice coordinated behaviour, expressly or by implication, under the Act;</p> <p>“consent agreement” means an agreement entered into between the Commission and an enterprise pursuant to section 57 of the Act;</p> <p>“consumer” has the meaning assigned to it in the Act;</p> <p>“core assets” has the meaning assigned to it in the Act;</p> <p>“enterprise” has the meaning assigned to it in the Act;</p> <p>“Executive Director” means the person appointed as Executive Director under section 6 of the Act;</p> <p>“horizontal agreement” has the meaning assigned to it in the Act;</p> <p>“inspector” means a person appointed as such under the Act;</p> <p>“inquiry manager” means a person appointed as such under these Regulations;</p> <p>“merger” has the meaning assigned to it in the Act;</p> <p>“merging parties” means the Target, Acquirer and Seller;</p>	<p>This is based on the FNB Tribunal Judgment and the same will be amplified in the Merger Guidelines.</p>
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		<p>“negative clearance” has the meaning assigned to it in the Act;</p> <p>“product” is as defined in the Act;</p> <p>“Tribunal” means the Competition and Consumer Protection Tribunal as established by the Competition and Consumer Protection Act.</p> <p>“undertaking” has the meaning assigned to it in the Act;</p>	<p>This will make the current relevant market definition and process applicable to online and digital products.</p>
PART II- RELEVANT MARKET			
	Determination of relevant market	<p>3(1) The Commission shall in determining the relevant market take into account the relevant product market and the relevant geographical market within which the share of supply or acquisition thresholds are to be met.</p> <p>(i) The Commission shall in determining the relevant product market identify-</p> <p>a) The peculiar appearance, use, taste, price-range, quality characteristics, uniqueness and any other features or characteristic of the product that sufficiently distinguishes it from other products to the extent that it affects</p>	<p>Conform to the manner in which a market in competition is defined which is comprised of the relevant product market and relevant geographical market</p>

		<p>any other constraining factor, another product could be used or substituted by the consumers for the same use;-</p> <p>c) Whether competitors have failed or are likely to fail to supply a similar product.</p> <p>d) The uniqueness of the production process of the product and the ease with which a different production process can be altered to produce the product;</p> <p>(ii) The Commission shall in determining the relevant geographic market identify the geographical extent based on the geographical location within Zambia in which the bulk of sales or supply of the product takes place.</p> <p>3(2) Notwithstanding sub-regulation (1), the Commission, in determining the relevant market, may use any relevant research findings of third parties, conduct public inquiries, consider or adopt international best practice determinations of market definition, insofar as they are consistent with the Act and these Regulations and are practical to the Zambian situation, as it may determine.</p>	
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PART III MARKET INQUIRY

	Market Inquiry	<p>1) The Commission may initiate a market inquiry based on-</p> <ul style="list-style-type: none">(a) Complaints made to it by enterprises, consumers or representative bodies;(b) Studies conducted by any relevant bodies on a particular sector(c) Its own research;(d) Its experience in regulating restrictive business practices; or(e) Representations made to it by the Government regarding a particular sector or type of agreement. <p>2) The Commission shall, where it receives a complaint from a consumer under paragraph (a) of sub-regulation (1), before instituting a market inquiry, have reasonable grounds to believe that consumers are being treated unfairly by enterprises doing business in that sector with them.</p>	<p>For clear distinction in defining the functions of the Board and Secretariat.</p>
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		<p>3) The Executive Director shall take the decision to institute a market inquiry.</p> <p>4) The Commission shall institute a market inquiry by testing any relevant information in its possession with, among others-</p> <ul style="list-style-type: none"> (a) Market experts; (b) Competitors; (c) Consumers; (d) Industry players; (e) Trade associations; (f) Professional associations; (g) Government ministries and agencies; or (h) Secondary sources. 	
	Market Inquiry Process	<p>1) The Commission shall, where it decides to institute a market inquiry, inform the general public about the market inquiry by placing a notice on its website or in a daily newspaper of general circulation in Zambia</p>	<p>There is need to be clear on how the powers of investigation in a market inquiry are to be operationalized as provided for under Section 40 of the principal Act. Section 55 under investigation and determination uses the word “notice” as an</p>

		<p>or, in the case of a body corporate, by a director or member or other competent officer, employee or agent of the body corporate, within the time and in the manner specified in the notice, any information pertaining to any matter specified in the notice which the Commission considers relevant to the inquiry;</p> <p>b) produce to the Commission, or to a person specified in the notice any document or article, as specified in the notice, which relates to any matter which the Commission considers relevant to the inquiry; or</p> <p>c) appear before the Commission, or before a person specified in the notice, at a time and place specified in the notice, to give information or to produce any document or article specified in the notice.</p>	<p>Introduction of new forms that were previously not included and can be used for both a market inquiry and an investigation.</p>
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		<p>6) The Commission may hold meetings with the parties referred to in sub regulation (4), so as to obtain further information or discuss points raised in any submissions received by it.</p> <p>7) The Commission shall, where it receives adverse third party concerns against an enterprise that it considers to be involved in the matters covered by a market inquiry, provide the enterprise with the full details of the adverse concerns for confirmation.</p> <p>8) An enterprise may, at its request or at the request of the Commission appear before the Commission to make any submissions relevant to a market inquiry, before the Commission makes its final determination on the market inquiry.</p>	
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	Findings of Market Inquiry	Where the Commission is required, as a result of the findings of an inquiry, to deal with matters capable being addressed under sections 8, 9, 10 and 16, the Commission shall:	
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		<p>1) Clearly document the specific practices identified by the inquiry that are deemed to have adverse effects on competition,</p> <p>2) Ensure that the documentation includes all relevant information while maintaining the confidentiality of submitted data,</p> <p>3) Institute investigations of those matters as provided for in the Act under these regulations.</p>	
PART IV RESTRICTIVE BUSINESS PRACTICES			

	Application for authorization of horizontal or vertical agreement	An application for authorization of a horizontal or vertical agreement shall be made in Form II as set out in the First Schedule	
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	Application for exemption	<p>1) An application for exemption from a prohibition under part III of the Act shall be in Form III as set out in the First Schedule.</p> <p>2) An exemption granted pursuant to an application under sub-regulation (1), shall be in Form III set out in the First Schedule</p>	
	Assessment of notified agreements	In considering applications for authorization, and exemptions of agreements, the Commission shall undertake an assessment of the application in accordance with the provisions of the Act.	To provide clarity in the assessment of agreements and applications for exemptions.
	Determination of dominance	<p>In determining whether an enterprise is in a dominant position, as stipulated under section 15 of the Act, consideration may include, but not limited to the following:</p> <ul style="list-style-type: none"> a) Production capacity; b) Sales volume/ revenue; c) Assets 	
PART V RELOCATION OF CORE ASSETS			

	Application for authorization of relocation of core assets	An application for authorization to relocate core assets shall be made in Form IV as set out in the First Schedule.	In compliance with Section 23B of Act No.21 of 2023
	Consideration of relocation of core assets	<p>The Commission may, in considering an application for relocation of core assets take into account any factor which bears upon the relocation, including but not limited to the following:</p> <ul style="list-style-type: none"> a) Phase/Classification of the relocation; b) Compliance to other relevant Laws; c) Competition or Public Interest considerations. 	
	Approval of Relocation	A relocation authorized pursuant to subregulation (1), shall be in Form V as set out in the First Schedule	
PART VI MERGERS			

	Threshold for authorization of proposed merger	<p>1) A merger transaction shall require authorization by the Commission where the combined turnover or assets, whichever is higher, in Zambia of the merging parties, is at least one hundred million fee units in their latest full financial year, for which figures are available.</p> <p>2) for purposes of this part and the calculation of merger fees, the books of accounts for the merging parties shall be in the legal tender of the Republic of Zambia</p> <p>3) An application for authorization under sub-regulation (1), shall be made in Form II set out in the First Schedule.</p>	In compliance with SI 106 of 2022.
	Calculation of merger fees	<p>(1) The Commission, in calculating the merger notification fees, shall consider the turnover or assets of the merging Parties, whichever is higher.</p> <p>(2) for purposes of calculating the merger notification fees,</p>	

		<p>a) Annual turnover shall comprise the amounts derived by the parties to a merger in the latest audited full financial year from the sale of products and the provision of services falling within the ordinary activities of the enterprise.</p> <p>b) The asset value of an enterprise shall be the total value of an enterprise assets as recorded in the audited financial statements of the enterprise for the end of the financial period.</p> <p>(3) in calculation of the notification fee, the Commission will consider the financials of the merging parties and all entities controlled by them.</p> <p>(4) Notwithstanding subsection (3), in the determination of the merger notification fees, where a merging party does not have latest audited financial statements attributable to it, the following shall apply:</p>	
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		<p>a) the Commission will rely on the financial statements of that merging parties' parent company.</p> <p>b) If the parent company does not have latest audited financial statements attributable to it, the Commission will rely on the financials of the merging parties' affiliates, related entities or otherwise as defined by the concept of a single economic entity, pertaining to their operations in Zambia.</p>	
	Application for negative clearance	<p>1) An application for negative clearance as to whether a proposed merger requires the authorization of the Commission shall be made in Form II set out in the First Schedule</p> <p>2) A negative clearance granted pursuant to an application under sub-regulation (1), shall be in Form VI set out in the First Schedule.</p>	
	Revocation of a merger	<p>1) A revocation of a merger shall be effected by issuance to the parties to</p>	In compliance with Section 35 of Act No. 21 of 2023

		<p>a merger transaction with a Notice of Revocation of a Merger in Form VI set out in the first schedule.</p> <p>2) The Commission may publish the Notice of Revocation of a merger in a daily newspaper or other media of general circulation in Zambia.</p>	
<p style="text-align: center;">PART VII INVESTIGATIONS</p>			
	Authorisation of Investigation	<p>1) An officer of the Commission who intends to undertake an investigation under the Act shall apply to the Executive Director for authorization of the investigation using Form VIII as set out in the First Schedule.</p> <p>2) For purposes of sub-regulation (1) the Executive Director's written instruction to an officer or inspector of the Commission to undertake an</p>	

		investigation shall constitute an authorization to investigate.	
20	Notice of Investigation	Upon authorization of the investigation pursuant to Regulation 12, a Notice of Investigation shall be issued as soon as practicable in Form IX set out in the First Schedule.	
21	Investigation statements	The Commission may require any person giving a statement to the Commission for purposes of an investigation or market inquiry to complete Form X as set out in the First Schedule.	
22	Production of documents	The Commission may require a person specified in Form XI set out in the First Schedule to produce any document or article which is relevant to its investigation or market inquiry.	
23	Appearance before the Commission	The Commission may, by Form XII set out in the First Schedule, require any person to appear and give evidence or produce any document or article.	

24	Unannounced raid on premises	The Commission may apply to the court for a warrant authorizing it to undertake an unannounced raid on the premises of an enterprise that it reasonably believes is contravening or has contravened the provisions of the Act and is likely to hide or destroy information when it knows that it is under investigation.	
25	Form of consent agreement	A consent agreement shall be in the form as is ordinarily submitted to the court.	
26	Undertakings	<p>1. The Commission shall accept an undertaking-</p> <p>(a) that addresses the issues of concern raised by the Commission in the most practicable manner in a relevant market in Zambia; and</p> <p>(b) that is self-regulatory and does not rely on continuous monitoring by the Commission.</p> <p>2. Subject to sub-regulation (1), the format of undertakings shall be that</p>	

		of a Board Decision and shall have the same effect as a Board Decision.	
27	Enforcement at request of foreign authority	Where the Commission receives a request to investigate a person or an enterprise that is or is suspected to be carrying on a conduct or unfair trading practice that is the subject of investigation by a foreign competition authority, the manner of investigation shall be in accordance with the provisions of the Act, these Regulations and any guidelines issued by the Commission.	
28	Recordings	The Commission may record telephone communication, meeting, and interview proceedings with persons that are subject or party to investigations; and shall: 1) disclose at the start of the telephone conversation, Meeting, and interview proceedings that they are being recorded; 2) use the recordings for purposes of its investigations and may reference them in its decisions including proceedings before the Tribunal and the Courts of Law.	

29	Lodging a complaint	<p>A complainant or informant who alleges that a person or an enterprise is engaged in any practice prohibited in the Act, may lodge a complaint with the Commission-</p> <ul style="list-style-type: none"> a) Verbally; b) In writing; c) Through any other means of communication as may be understood by the Commission 	
PART VIII GENERAL PROVISIONS			
30	Service of documents on Commission	<ul style="list-style-type: none"> 1) A document may be given to, lodged with, or served on the Commission by delivering it, or causing it to be delivered, whether, electronically, by post or otherwise, at any registered address of the Commission 2) A document referred to in sub-regulation (1), may include- <ul style="list-style-type: none"> (a) An application to the Commission made under the Act or these Regulations; (b) a notice given or lodged with the Commission under the Act or these Regulations; or 	<p>Addition of “electronically” and substitution of “office” with “address” to provide for electronic correspondence in keeping with the changing times</p>

		<p>(c) any other document to be given to, lodged with or served on the Commission.</p> <p>3) A person who lodges a document with the Commission which includes an address for service may, at any time, lodge with the Commission a notice, in writing, stating a new address for service.</p> <p>4) A reference in these Regulations to an address for service shall, in relation to a person who has notified two or more addresses for service, be read as a reference to the latter or latest of those addresses.</p>	
31	Service of documents on person other than Commission	<p>Subject to these Regulations, a document or notice that is required or permitted by or under, the Act or these Regulations to be served on, or given to, a person in connection with any proceedings or matter before the Commission may be served on or given to, that person-</p> <p>a) Where the person has included an address for service in a document or notice lodged with the Commission by delivering the document to the</p>	See above at No. 30

		<p>person personally or by sending the document electronically, or by registered post addressed to that person, at that address;</p> <p>b) Where the person is a body corporate, by delivering the document personally to the manager, director or secretary of the body corporate or by leaving it at its registered office, or by sending it electronically, or by registered post addressed to the body corporate at the registered office;</p> <p>c) Where the person is not a body corporate, by delivering the document to the person at the last known address of that person.</p>	
32	Service of notice by Commission	<p>A notice by the Commission shall be sent to a person electronically or by pre-paid post-</p> <p>a) Where the person has included an address for service in a document or notice lodged with the Commission at that address;</p> <p>b) Where the person is a body corporate which does not have a registered office in Zambia but has a place of</p>	See above

		<p>business in Zambia, at that place of business; or</p> <p>c) Where the person is not a body corporate, at the last known address of that person.</p>	
33	Recovery of Unpaid Penalties	<p>1) Unpaid penalties are a debt owed to the state and will be recovered as a civil debt, by summary procedure used for non-contentious matters before courts of law.</p> <p>2) The proceedings referred to in sub-regulation (1), will be restricted only to the consideration of payment of the penalty. .</p>	
34	Inspectors	The Board shall provide an inspector with a certificate of appointment in Form XIII set out in the First Schedule.	
35	Fees	The fees prescribed in the Second Schedule shall be payable in respect of the matters stated therein.	

FIRST SCHEDULE
(Regulations 5(4), 7, 8(2), 9, 10, 11, 12(1), 13, 14, 15, 16, 17, and 23)
PRESCRIBED FORMS



Form I
(Regulation 5(4))
(To be completed in triplicate)

THE COMPETITION AND CONSUMER PROTECTION COMMISSION

The Competition and Consumer Protection Act, 2010
(Act No. 24 of
2010)

The Competition and Consumer Protection (General) Regulations, 2011
NOTICE OF INQUIRY

(1) Here state the
name of
person
of interest to the
inquiry

To:

.....
...

(2) Here insert
address of
person of
interest
to the inquiry

Address:

.....
.....
.....

**TAKE NOTICE that the Competition and Consumer Protection Commission has officially commenced
an inquiry in the Agreement/Sector:**

(3) Here insert
the Scope and
nature of the
inquiry and the
required
information

.....
.....
.....
.....

(4) here insert
the number of
days
required for a
response

You are hereby requested to respond to this Notice within of receipt thereof.

DATED this.....day of..... 20

**Executive
Director**

APPLICATION FOR AUTHORISATION OF HORIZONTAL AGREEMENT ()
 VERTICAL AGREEMENT () MERGER () EXEMPTION () NEGATIVE CLEARANCE ()

(tick as appropriate)

	Shaded fields for official use only	Application Number: Date/Time	
<i>Information Required</i>	<i>Information Provided</i>		
1.	Name of Person/Company lodging Application		
2.	Business address:		Physical
			Postal
	Tel:		
	Email		
3.	Parties to conduct (if more than two, attach list)		Company 1
			Company 2
			Name:
			Registration No.
			TPIN No.
			Address:
			Tel:
			Cell:
			Email:
4.	Description of Transaction		
5.	Consideration/price paid for transaction and jurisdiction to which payment is to be made		
6.	List products/services offered or supplied in Zambia to which the conduct applies or affects		
7.	For each of the main products/services/products or service groups covered by conduct, indicate any close substitutes or complementary products available on the market in Zambia and which ones are supplied by parties to the conduct		

8.	Indicate geographical extent of sales of products/ services in Zambia covered by the application		
9.	Indicate whether consumers or target beneficiaries are concentrated in a certain geographical location in Zambia, regionally or globally		
10.	Indicate the benefits of conduct to parties/ consumer(s)/other members of the public		
11.	Indicate any horizontal overlaps (<i>do the parties to the conduct produce/supply any competing products/service?</i>)		
12.	Indicate any vertical overlaps (<i>does any party use the product of another party as an input for their own products or services?</i>)		
13.	Indicate the value chain of the industry (Raw material → Manufacturer → Distribution and Retail)		
14.	Describe distribution channels that operate in relevant markets (<i>e.g. presence of small independent distributors, use of agents or distributors, direct sales, etc.</i>)		
15.	Indicate latest estimated market shares for each of the parties in each of the main products or services or product or service groups supplied in Zambia		
16.	Indicate latest estimated market shares of competitors of the parties in each of the main products or services or product or service groups supplied in Zambia		
17.	Indicate the basis for calculating market shares provided (<i>example turnover, asset, production capacity, etc.</i>)		
18.	Indicate estimates of imports into Zambia, if any, in each of the products or services		
19.	List the five largest consumers for each party to the conduct		

20.	State the name, address, email, telephone numbers of the contact person for each of the consumers indicated above		
21.	For mergers and negative clearance only		
	(a) List names and addresses of the current and past (two years) Directors of each party to the application or attach a company's registry print out showing all directors and shareholders of participating parties		
	(b) List names and addresses of current and past (two years) shareholders of each of the parties to conduct		
	(c) List enterprises or persons controlling parties to conduct, directly or indirectly (e.g. holding entities, if applicable). (d) Indicate the current shareholding structures of the Parties to conduct up to the natural persons. (where a listed entity, indicate the top five (5) shareholders)		
	(d) List all enterprises or persons active on any affected market that are controlled, directly or indirectly (e.g. subsidiaries), by any of the participating entities		
	(e) Provide details on post-merger shareholding structure of the merging entity.		
	(f) Provide the current organogram(s) of the merging entities showing full staff complement clearly indicating if local or foreign and their respective positions		
	(g) Provide the proposed staffing levels and positions post		

	transaction clearly showing if local and foreign		
	(h) Provide an estimate of the proposed investment into Zambia post transaction.		
	(i) Where a foreign party is involved, indicate any future plans for the Zambian business and their relationships		
22.	Provide any further factual analysis or argument to show-		
	(a) how conduct will not prevent, restrict or distort competition		
	(b) why conduct should be authorised or exempted in view of any of the following:		
	(i) extent to which conduct is likely to result in a benefit to the public which would outweigh any detriment attributable to a substantial lessening of competition;		
	(ii) extent to which conduct would, or is likely to, promote technical or economic progress and transfer of skills, or otherwise improve production or distribution of goods or provision of services in Zambia;		
	(iii) saving of a failing firm;		
	(iv) extent to which conduct shall maintain or promote exports from Zambia or employment in Zambia		
	(v) extent to which conduct may enhance the competitiveness, or advance or protect the interests, of micro and small business enterprises in Zambia:		

	(vi) extent to which conduct may affect ability of national industries to compete in international markets:		
	(vii) Clearly state the initiatives post transaction other than job creation, that will be put in place to benefit Zambians	Clearly state the benefits post transaction other than job creation, that will be put in place to benefit the Zambians	
	(viii) Provide any other justification to public interest for the proposed conduct		
23.	Provide additional information relating to the following:		
	a) A description of existing barrier to the market (<i>e.g., regulatory requirements, capital requirements, sunk costs, structural etc.</i>);		
	b) An estimate of the time it will take potential competitor(s) to enter the market;		
	c) The name and contact details of each entrant to the market during the last three (3) years;		
	d) An estimate of the capital expenditure required to enter the market on a scale necessary to gain a significant market share (<i>say five (5) percent or more</i>), both as a new entrant and as a Company which already has the necessary technology and expertise;		
	e) A description of the existing differences if any, in terms of quality of products and other characteristics of the products provided by the merging parties in comparison to other players on the market;		
	f) Describe the effect on customers' purchasing decisions in case of a 5-10% increase in price of products/services under consideration	Effect on purchase decision of products/services provided to customers in the event of slight change of price (5-10%)	

	g) An assessment of how the merging parties will ensure job retention post transaction and procedure:		
	h) The motive of the transaction for the acquiring and target entity		
	i) An assessment of any effects the merger may have at national level. <i>(Describe the nature of national competition and give details of any localities where competition may be reduced as a result of the merger); and</i>		
	j) A brief assessment of any features of the market that the Commission should take into account in considering the effect of the merger <i>(such as recent developments in the market, dynamic characteristics of the market, consumer behaviors, technology etc).</i>		
21.	<p>Have you been convicted of an offence under the Competition and Consumer Protection Act, No. 24 2010 as read together with Act No. 10 of 2023, or any other law within or outside Zambia?</p> <p>If yes, specify details:</p> <p>Nature of offence:</p> <p>Date of conviction:</p> <p>Sentence:</p>		
Application fee receipt number			
<p>Name of applicant (individual or authorised representative):</p> <p>Signature: Date:</p>			
<p>FOR OFFICIAL USE ONLY</p> <p>Received by: Date: (Name)</p> <p>Approved:</p>			

Not approved for the following reasons:

.....

Signature:

OFFICIAL

DECLARATION

I/We the undersigned declare that, to the best of my/our knowledge and belief, the information given in this application is true, correct and complete, that complete copies of documents required by this Form have been supplied, and that all estimates are identified as such and are their best estimates of the underlying facts and that all the opinions expressed are sincere.

Dated at..... this..... day of..... 20.....

Names(s):

.....

Signature(s):

I/We attach the following relevant documents:

- ☐ Letter of power of attorney, where applicable
- ☐ Two copies of latest annual report and audited accounts, including balance sheet
- ☐ Copy of Agreement or other documents relating to the transaction
- ☐ Press release or other Shareholders, Board or management statement on the transaction
- ☐ Other market or industry study reports that support the transaction
- Strategic plans, minutes of Board on the transaction

NOTE:

1. The Commission prefers a single application made jointly by all the parties to an agreement, though parties may submit separate notifications if they wish, particularly if they wish to include information which they do not want to be given to the other parties. Either way, it is essential that the application(s) include authorised signatures given on behalf of each of the parties separately.
2. Experience has shown that pre-application meetings are extremely valuable to both the applying party(ies) and the Commission in determining the precise amount of information required in a notification and, in the large majority of cases, will result in a significant reduction of the information required. Accordingly, applying parties are encouraged to consult the Commission regarding the possibility of dispensing with the obligation to provide certain information.
3. If the information required by this Form is not available to you in part or whole, the Commission will accept that the application is complete and thus valid notwithstanding the failure to provide such information, provided that you give reasons for the unavailability of the said information, and provide your best estimates for the missing data together with the sources for the estimate. Where possible, indications as to where any of the requested information that is available to you could be, should be provided.

- 4 The Commission only requests the submission of information relevant and necessary to its inquiry into the notified agreement.
- Incorrect or misleading information in the application will be considered to be incomplete information. The notification will only become effective on the date on which the complete and accurate information is received by the Commission. There are consequences for providing misleading or incorrect information.
- 5 The notification must be completed in English and type-written or printed. The information requested by this Form is to be set out using the sections and paragraph numbers of the Form. The supporting or requested documents may be originals or certified copies of the originals.
- 6 **CONFIDENTIALITY:** If you believe that your interests would be harmed if any of the information you are asked to supply were to be published or otherwise divulged to other parties, submit this information separately with each page clearly marked "Business Secrets". You should also give reasons why this information should not be divulged or published.
- 7 The notification should be delivered during normal Commission working hours at the Commission's address of service.
- .

Supplementary Information request to Form II

	Investments into Zambia	
	Provide an estimate of the proposed investment into Zambia post transaction.	
	What is the consideration/price to be paid for this transaction and which jurisdiction is likely to receive this payment	
	Staffing levels	
	Provide the current organogram(s) of the parties operating in Zambia showing full staff compliment clearly indicating positions and nationalities	
	Provide the proposed staffing levels and positions post transaction clearly showing positions and nationalities	
	Public Interest Considerations	
11.	Clearly state the programs that will be put in place that will benefit the Zambians besides jobs post-transaction	
12.	Provide any other public interest justification for the proposed transaction	

DECLARATION

I/We the undersigned declare that, to the best of my/our knowledge and belief, the information given in this application is true, correct and complete, that complete copies of documents required by this Form have been supplied, and that all estimates are identified as such and are their best estimates of the underlying facts and that all the opinions expressed are sincere.

Dated at..... this..... day of..... 20.....

Names(s):

.....

Signature(s):



THE COMPETITION AND CONSUMER PROTECTION COMMISSION

**The Competition and Consumer Protection Act, 2010
(Act No. 24 of 2010 as amended)**

The Competition and Consumer Protection (General) Regulations, 2011

**CERTIFICATE OF CLEARANCE ON RELOCATION OF ENTERPRISE CORE
ASSETS**

(1) Here state full name of Enterprise) a
name of Enterprise) a
inspection follows.....(3):

The relocation concerns the following assets:

- (2) Here insert address of Inspection
1. [Specify Asset 1]
2. [Specify Asset 2]
3. [Specify Asset 3]

The relocation was initiated in response to an application to the Competition and Consumer Protection Commission to relocate assets by Enterprise XX dated XX

(3) He state of Month Year to relocate Enterprise core assets to Country/Enterprise XX
re period inspection You are hereby informed that the Competition and Consumer Protection Commission has granted you authorisation to relocate the assets applied.

D
A
T
E
D

t X Month Year
h
i
s
X

Executive Director



THE COMPETITION AND CONSUMER PROTECTION COMMISSION

The Competition and Consumer Protection Act, 2010
(Act No. 24 of 2010)

The Competition and Consumer Protection (General) Regulations, 2011

CERTIFICATE NO.

CERTIFICATE OF NEGATIVE CLEARANCE

Holder's name

Address

Registered Address:

Zambian Address:

The certificate holder is hereby granted negative clearance in respect of the following conduct:

(.....)

a
)

(.....
b
)

(.....
c
)

The conditions of grant of the certificate are as shown in the Annexure attached hereto.

Issued atthis day of 20.....

Executive Director

Conditions of Grant of Certificate of Negative Clearance

This certificate of negative clearance is granted on the following conditions:

(That the parties shall not engage in any anti-competitive conduct as a result of this negative clearance....

1) That if new information becomes available to the Commission suggesting that the transaction should have been notifiable, the provisions

(of the Act would then be applied....

2)

.....

(

3

)

(

4

)

(To be completed in triplicate)



THE COMPETITION AND CONSUMER PROTECTION COMMISSION

The Competition and Consumer Protection Act
(Act No. 24 of 2010, Act No. 21 of 2023)

The Competition and Consumer Protection (General) Regulations 2024

NOTICE OF REVOCATION OF MERGER

(1) Here state the
Name(s) of
person(s)
who are party to
the revoked
merger

To(1):

...

...

(2) Here insert
address of
person(s) who are
party to the
revoked merger

Address(2):

...

(3) Here insert
the grounds on
which

TAKE NOTICE that the Competition and Consumer Protection Commission has officially revoked the merger
transaction involving.....on the
following ground(s) (3):

the merger is
revoked

(a)

(b)

(c)

....

(4) Here insert the

....

date and time
for submission

This revocation is with immediate effect. The merger revocation process is in line with Section 35 of the Competition and Consumer Protection Act, No. 24 of 2010 as amended by No. 21 of 2023 ("the Act") (4).

DATED this.....day of..... 20

Board Chairperson



THE COMPETITION AND CONSUMER PROTECTION COMMISSION

**The Competition and Consumer Protection Act, 2010
(as amended by Act No. 21 of 2023)**

The Competition and Consumer Protection (General) Regulations, 20...

APPLICATION FOR AUTHORISATION OF INVESTIGATION

Case File No:

**Complainant's/informer's
Details**

NRC:

Address:

Tel:
Occupation
:

Cell:
Ema
il:

Complaint Method:

Defendant's details

Tel:

Address:

Cell:

PART A

[illegible]

[illegible]

Complainant:

Signature:

Date:

PART B

The alleged offence appears to be a contravention of Sectionof the Act.

Officer:**Signature:****Position:**.....

PART C

EXECUTIVE DIRECTOR'S AUTHORITY

In terms of the Competition and Consumer Protection Act, 2010, and facts as summarized in Part A of this authorization in relation to the identified contravention under sectionof the Act -

*

☐ Investigation authorized and Unit dealing with case is.....

☐ Investigation not authorized and action taken as follows.....

*(tick as appropriate)

Dated this day of 20

Executive Director



THE COMPETITION AND CONSUMER PROTECTION COMMISSION

**The Competition and Consumer Protection Act, 2010
(Act No. 24 of 2010, Act No. 21 of 2023)**

The Competition and Consumer Protection (General) Regulations 2024

NOTICE OF INVESTIGATION

(1) Here
state
name of

To:

person
under
investigation

Address:

(2) Here
insert
address of
person

TAKE NOTICE that the Competition and Consumer Protection Commission has officially commenced investigations against [Respondent Name] on the following allegations.....(3)

(3) Here
state
allegations,
indicating
the section
of the Act
allegedly
contravened

Allegations:

You are hereby requested to respond to this Notice within days of receipt thereof. I wish to draw your attention to the fact that failure to respond to this notice which is issued pursuant to Section 55(4) of the Act will attract a penalty payable to the Commission.

DATED this _____ day of _____ 20____

Executive Director

**The Competition and Consumer Protection Act, 2010
(Act No. 24 of 2010, Act No. 21 of 2023)**

Statement Form

Time:[illegible]

Signature:

(1)Here

state the name of



Form XI

(Regulation 16)

(To be completed in triplicate)

THE COMPETITION AND CONSUMER PROTECTION COMMISSION

The Competition and Consumer Protection Act
(Act No. 24 of 2010, Act No. 10 of 2023)
The Competition and Consumer Protection (General) Regulations [indicate year]
NOTICE TO PRODUCE

To (1):

person of
interested to ...
produce the
documents or Articles

Address(2):
.....
...

(2) Here insert address of person of interest to produce the documents or Articles

TAKE NOTICE that you are required to produce the following documents/articles to the Competition and Consumer Protection Commission

1. _____
2. _____
3. _____
4. _____
- _____
- _____

(3) Here insert the scope and nature of the documents or Articles to be produced

(4) Here insert the date and time for submission

You are hereby required to submit these documents/articles to the Commission within 14 days from the date this notice is

DATED this.....day of..... 20

Failure to adhere to this notice will attract a penalty not exceeding one hundred thousand penalty units in the case of a p as amended by No. 21 of 2023 (“the Act”)

—
Executive Director



THE COMPETITION AND CONSUMER PROTECTION COMMISSION

The Competition and Consumer Protection Act
(Act No. 24 of 2010, Act No. 10 of 2023)

The Competition and Consumer Protection (General) Regulations [indicate year]
NOTICE TO APPEAR

1) Here state name of person to make appearance To(1):
.....
...
.....

2) Here insert address of person Address(2):
.....
...
.....

TAKE NOTICE that you have been summoned to appear before the Competition and Consumer Protection Commission to provide testimony regarding (3):

(3) Here insert reason of appearance
.....
...
.....
.....
.....

) Here insert the date, place and time of appearance
.....
.....
(4) You are hereby required to appear before the Commission onat athrs.

Failure to adhere to this notice attracts a penalty not exceeding one hundred thousand penalty units in the case of a person or ten percent of annual turnover in the case of an enterprise pursuant to Section 55 (5) of the Competition and Consumer Protection Commission Act, No. 24 of 2010 as amended by Act No.21 of 2023.

DATED this.....day of..... 20

Executive Director



THE COMPETITION AND CONSUMER PROTECTION COMMISSION

The Competition and Consumer Protection Act, 2010

(Act No. 24 of 2010)

The Competition and Consumer Protection (General) Regulations, 20..

CERTIFICATE OF APPOINTMENT AS INSPECTOR

TAKE NOTICE that (1) of (2) has been appointed as an inspector by the Competition and Consumer Protection Commission for a term of and has authority to perform the following functions as directed by the Commission:

a) To perform the functions under the Act as directed by the Commission

(b)**N/A**.....

c).....**N/A**.....
).....

d)**N/A**.....

Dated thisday of20.....

Executive Director