
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF ECONOMIC DEVELOPMENT
NOTICE 504 OF 2018



*competition***commission**
south africa

**AMENDED TERMS OF REFERENCE FOR THE DATA
SERVICES MARKET INQUIRY**

August 2018

1. BACKGROUND

The Competition Commission (“the Commission”) initiated a market inquiry into Data Services in South Africa in terms of Chapter 4A of the Competition Act, No. 89 of 1998 (as amended) (“the Act”) because it has reason to believe that there are features of the sector that prevent, distort or restrict competition, and/or to achieve the purposes of the Act.

The Commission gave notice in the Government Gazette on 18 August 2017¹ announcing the establishment of the Data Services Market Inquiry (“the Inquiry”) in terms of Section 43B(2) of the Act. In terms of the notice, the Inquiry was expected to be completed by 31 August 2018.

2. AMENDMENT OF THE TERMS OF REFERENCE

In terms of section 43B(5) of the Act, the Commission may, by way of an amendment to the Terms of Reference, amend the scope of the Inquiry, or the time within which the Inquiry is expected to be completed, by further notice in the Gazette.

Having regard to the comments, submissions and information gathered by the Inquiry to date, the scope of the Inquiry remains unchanged. However, the Commission has decided to amend the completion date to allow for further analysis of evidence gathered by the Inquiry, further consultations with key stakeholders, public hearings, and to finalise a report of its investigation. In terms of the amendment, the Inquiry will be completed by 31 March 2019.

Further details regarding key activities during the final phase of the Inquiry will be communicated by the Commission.

¹ Gazette No. 41054