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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 1374

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***competition*commission**
south africa

**AMENDED TERMS OF REFERENCE FOR THE LAND
BASED PUBLIC PASSENGER TRANSPORT MARKET
INQUIRY**

December 2020

1. BACKGROUND

On 10 May 2017, the Competition Commission (“the Commission”), in the exercise of its powers under Chapter 4A of the Competition Act 89 of 1998, published a notice in the Government Gazette (No. 40837) that it would conduct a Market Inquiry into the land-based public passenger transport (“Market Inquiry”). The Commission initiated the Market Inquiry because it has reason to believe that there are features of the sector that prevent, distort or restrict competition.

The Commission set out its Terms of Reference (“ToR”) and timeframes for the inquiry in the Government Gazette. The Market inquiry officially commenced on 7 June 2017 and it was expected to be completed by December 2020.

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 ToR, 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, in light of the disruptions caused by the declaration of the state of natural disaster, the Commission has decided to amend the completion date to allow for sufficient time for engagement on proposed recommendations. In terms of the amendment, the Inquiry will be completed on **31 March 2021**.

Further details regarding key activities during the final phase of the Inquiry will be communicated on the Commission’s website.