

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE COMPETITION COMMISSION OF MAURITIUS
AND
THE COMPETITION COMMISSION OF INDIA

The Competition Commission of Mauritius and the Competition Commission of India (hereinafter referred to as "the Participants"),

Desiring to enhance the effective enforcement of their competition laws by creating a framework that provides for enforcement cooperation between the Mauritius and Indian competition authorities;

Recognizing the benefit of technical cooperation between the Mauritius and Indian competition authorities in order to enhance an environment in which the sound and effective enforcement of competition law and policy supports the efficient operation of markets and economic welfare of the citizens of their respective nations;

Recognizing that the development of a well-functioning system for effectively implementing competition law and policy would involve the Mauritius and Indian competition authorities, and also other government agencies, and the legal, business, and academic sectors; and

Recognizing that establishing good communications between the Mauritius and Indian competition authorities on competition law and policy will contribute to improving and strengthening the relationship between the Mauritius and India,

HAVE REACHED THE FOLLOWING UNDERSTANDINGS:



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I. COOPERATION

1. The Participants intend to share and to keep each other informed of significant developments in competition policy and enforcement developments in their respective jurisdictions, with an opportunity to comment on these developments.
2. The Participants recognise that it is in their common interest to work together in technical cooperation activities related to competition law enforcement and policy. Subject to reasonably available resources, they may jointly engage in appropriate activities in furtherance of that interest, such as, *inter alia*: (a) participating in training courses on competition law and policy organised or sponsored by one another; and (b) assistance, where appropriate, in promoting the understanding of sound competition policy among government agencies, business communities, bar associations, academic institutions and other important supporting institutions.
3. The Participants recognise that, when they are investigating related competition matters, it may be in their common interest to cooperate in appropriate cases, consistent with their respective enforcement interests, legal constraints, and available resources.
4. The Participants plan to evaluate the effectiveness of the cooperation under this Memorandum on a regular basis to ensure that their expectations and needs are being met.

II. WORKPLAN

The Participants intend to develop a work plan of cooperation activities, which may be revised by mutual consent. The need for a work plan will be reviewed after three years.

III. COMMUNICATIONS

1. The Participants may request advice and communications from one another regarding matters of competition law enforcement and policy, provided however, that communications relating to case investigations are only made to and within the relevant Mauritius and Indian competition authorities involved in the matter.

2. The Participants plan to each appoint a liaison officer for the purpose of facilitating contact in furtherance of this Memorandum. Communications may be carried out by telephone, electronic mail, video conference, or in person, as appropriate.
3. Officials of the Participants may meet, as appropriate, to exchange information on their current and contemplated policy and enforcement efforts and priorities.

IV. CONFIDENTIALITY

1. It is understood that the Participants do not intend to communicate information to the other if such communication is prohibited by the laws governing the agency possessing the information or would be incompatible with that agency's interest.
2. Insofar as information is communicated, the recipient should, to the extent consistent with its laws, maintain the confidentiality of any such information communicated to it.

V. DISPUTE RESOLUTION

Any dispute arising out of this Memorandum shall be resolved amicably between the Participants.

VI. EFFECTIVE DATE

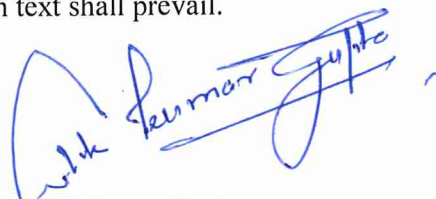
1. The present Memorandum comes into effect from the date of its signature and cooperation under this Memorandum is intended to continue until the Participants wish to discontinue such cooperation in which case the relevant Participant should endeavour to provide 'three months' notice of its intention to discontinue cooperation to the other.
2. Termination of the present Memorandum is not intended to affect the implementation of the projects that are already in progress under the present Memorandum.
3. This Memorandum shall not be considered as an international treaty and does not establish any rights or obligations for the Parties, which are regulated by international law.
4. The Participants may amend this Memorandum at any time by mutual written consent.



Signed on 23 February, 2022 in two originals, each in English and Hindi languages, both texts being equally authentic. In case of divergence English text shall prevail.

A stylized signature in black ink, consisting of a horizontal line with a small loop at the end and a long, sweeping underline.

Mahmad Aleem Bocus
Chairperson
For the Competition Commission of Mauritius

A stylized signature in blue ink, featuring a large, circular loop at the beginning and a long, sweeping underline.

Ashok Kumar Gupta
Chairperson
For the Competition Commission of India