

Marketing and sales within the boundaries of competition law

*Wednesday 9th October 2019
InterContinental Hotel, Balaclava, Mauritius*

Objectives

Marketing & sales is one of the main areas of businesses which interacts with customers and affects market competition; and as such been subject to the scrutiny of the Competition Commission. Using the 4 Ps concept of the marketing mix, this workshop, designed for managers and professionals dealing with marketing and sales decision aims to inform against commercial decisions which may be anticompetitive and thus, promoting compliance.

09 00 – 09 30	<i>Registration</i>
09 30 – 09 45	Welcome address: Mr Deshmuk Kowlessur , Executive Director, Competition Commission
09 45 – 10 30	<p><i>Where distribution and product mix strategies are contrary to competition law</i></p> <p>This session explains how distribution and product mix strategies relate to competition law. The following anticompetitive conducts that may relate to distribution and product mix decisions are explained:</p> <ul style="list-style-type: none"> • Exclusionary abuses of monopoly situation <ul style="list-style-type: none"> ○ Exclusive dealing ○ Tying & bundling ○ Refusal to supply • Market sharing • Dealing with monopsony abuse <p>Speaker: Ms. Anne Riley, Independent Anti-trust Compliance Consultant</p>
10 30 – 10 50	<i>Tea Break (including a voluntary mini survey)</i>
10 50 – 11 40	<p><i>Where price and promotion become anticompetitive</i></p> <p>This session covers two important marketing mix decisions namely price and promotion. It explains scenarios where pricing and promotional offers can be contrary to competition law. It covers the following anticompetitive conducts:</p> <ul style="list-style-type: none"> • Exclusionary abuses of monopoly situation <ul style="list-style-type: none"> ○ Rebates ○ Predatory pricing ○ Margin squeeze ○ Price Discrimination • Price fixing & bid rigging • Resale Price maintenance <p>Speaker: Mr. John Davies, Executive Vice President, Compass Lexecon; Former Executive Director Competition Commission of Mauritius.</p>

11 40 - 12 50	<p>Panel discussion on: <i>Marketing & sales strategy – Challenges in ensuring competition compliance</i></p> <p>In this session, different stakeholders will share their experience and perspectives on challenges to complying with competition law, and what can be done to foster compliance. Challenges of ensuring compliance in a small economy will be discussed. A mini survey will be conducted earlier, the findings of which will be shared and discussed.</p> <p>Moderator: Ms. Anne Riley, Independent Anti-trust Compliance Consultant</p> <p>Panelists:</p> <ol style="list-style-type: none"> 1. Mr. Hardin Ratshisusu, Deputy Commissioner, Competition Commission South Africa 2. Dr. Thanika D Juwaheer, Associate Professor, University of Mauritius 3. Me. Nitish Hurnaum, Partner, Eversheds Sutherland 4. Mr. Azeem Salehmohamed, Economist/Industry Specialist, Mauritius Chamber of Commerce & Industry
12 50 – 13 00	<i>Closing Notes</i>
13 00 – 14 00	<i>Lunch</i>