

MEDIA RELEASE

20 May 2026

The Competition Commission launches the “Trade Association and Cooperatives Amnesty Programme” (TACAP)

Following Cabinet approval of 17 April 2026, the [Competition Commission \(Trade Association and Cooperatives Amnesty Programme\) Regulations 2026 \(“TACAP Regulations”\)](#) were signed by the Minister of Commerce and Consumer Protection on 06 May 2026 and will come into operation on 25 May 2026. TACAP Regulations empower the Competition Commission to administer TACAP as a one-off, time-bound amnesty programme which will be open for trade associations (including professional bodies), cooperatives and their members.

While trade associations and cooperatives perform legitimate activities for the benefit of their members and their respective industries, experience around the world shows that discussions among members – who are competitors to one another – can stray into illegality and facilitate practices that fall foul of competition rules and harm the process of competition in the market where the association/cooperative members operate. The most harmful practices involve horizontal cartels and bid rigging which may happen when members use the platform of a trade association or cooperative to align business strategies instead of competing independently. Even informal discussions or seemingly harmless exchanges of information among members can create opportunities for cartel conduct or bid rigging. Members of trade associations / cooperatives that engage in such practices can be **fined up to 10% of their turnover for each year of infringement up to a maximum period of 5 years.**

Through TACAP, trade associations and cooperatives are being offered the opportunity to voluntarily report suspected horizontal cartels and bid rigging within the association or cooperative setting in exchange for **immunity from financial penalties.** TACAP extends amnesty to cartel/bid rigging conduct that is still ongoing at the time of TACAP (ongoing conduct), conduct that has stopped (past conduct), conduct that was never implemented (unimplemented conduct), as well as conduct that is intended to be implemented (future conduct) so long as such conduct qualifies as **horizontal cartel** (section 41) **or bid rigging** (section 42) under the Act and either stems from or is facilitated by trade associations or cooperatives and involves their members.

TACAP Regulations provide that the amnesty will be valid for an initial period of 6 months **starting 25th May 2026 and ending 25th November 2026.** Once closed, applications will not be accepted and amnesty will be denied. Trade associations and cooperatives wishing to benefit from TACAP will need

to apply for TACAP on the **Commission-approved TACAP Application Form** and **fulfill all the conditions prescribed in the TACAP Regulations** to maximise chances of successful application.

This initiative aligns strongly with the Competition Commission’s mission to uncover and fight against collusive horizontal agreements and bid rigging schemes. The Competition Commission will be publishing the **Commission-approved TACAP Application Form** as well as a series of guidance documents to help businesses understand TACAP better and guide their decisions regarding applications:

- FAQ sheet,
- TACAP Guidance Note,
- Template Undertakings for TACAP Applicants

Businesses wishing to obtain further information on TACAP may visit the Competition Commission’s website, or contact the Competition Commission team via phone, WhatsApp, or email (as mentioned below), or may visit our offices (on appointment):

- Telephone: **211 2005**,
- WhatsApp: **5 255 4759**,
- Email: info@competitioncommission.mu (with email subject-line clearly indicating “TACAP”)

Statement of the Executive Director

Mr. Vipin Naugah, Executive Director of the Competition Commission, stated:

“Competitive markets are essential for a strong economy, business confidence and consumer trust. Yet cartel arrangements and bid rigging continue to operate behind closed doors, harming businesses, inflating prices and undermining fair opportunities in the marketplace. The Competition Commission (“CC”) is therefore launching TACAP — a one-off, time-limited amnesty programme for trade associations, cooperatives and their members to voluntarily disclose qualifying collusive conduct and take corrective measures to sanitise their activities without facing fines, subject to fulfilling the conditions of the programme.

This is a unique opportunity for such entities to come clean, strengthen their compliance culture and move forward with confidence. The CC has previously taken enforcement action and imposed fines against trade associations and cooperatives involved in cartel conduct. TACAP should therefore be seen as a timely and strategic opportunity for trade associations and cooperatives to carefully review their internal rules, decisions, recommendations, discussions, communications and activities, identify any problematic conduct, and take corrective action.

Over the coming weeks, CC’s team will actively engage with stakeholders across different sectors to explain the features and benefits of TACAP and encourage greater awareness of competition compliance. We want the business community to understand that this programme is not only about enforcement — it is also about giving businesses a practical chance to reset, improve compliance and contribute to a competitive environment in Mauritius.

I strongly encourage all eligible trade associations, cooperatives and their members to seriously consider TACAP as an avenue for strengthening governance and compliance frameworks and demonstrating a genuine commitment to lawful competition. Businesses that take proactive steps towards compliance contribute not only to their own long-term sustainability and reputation, but also to a healthier, more competitive and dynamic Mauritian economy.”

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Note to Editors:

Overview of Sections 41 and 42 of the Competition Act 2007

Section 41 of the Act prohibits horizontal collusive agreements and concertation among rival businesses (competitors) whereas section 42 of the Act prohibits any form of bid rigging that is not disclosed to the procuring entity. Both forms of collusion are considered to be among the most harmful businesses practices with little to no benefit to consumers and markets.

Horizontal collusion occurs when competing enterprises operating in the same market agree to either fix the price of goods or services, share the market or restrict output. Bid rigging, on the other hand, occurs when bidders agree in advance on the terms and conditions of their bid submissions and/or on who will participate (or not) in the bid. Bid rigging can take many forms, such as bid suppression, cover bidding, bid rotation or subcontracting.

The following examples illustrate non-exhaustively some of the ways in which trade associations / cooperatives / professional bodies can engage in illegal conduct prohibited under sections 41 or 42 of the Act:

- Members openly or indirectly agreeing on prices or future price increases, setting minimum fees, limiting discounts or agreeing to restrict production, stock levels, or services,
- Members discussing which particular geographical regions or customers they will serve or for which lots they will bid in a tender exercise,
- Committees or governing bodies within associations/cooperatives making collective decisions that affect how members should conduct business on the market,
- Adoption of rules, constitutions, resolutions, codes of conduct, or membership conditions that restrict independent competition between members,
- Pricing schedules, “guidelines,” or recommended practices, even if voluntary, may still raise competition concerns if they influence members to align their commercial behaviour,
- Exchanging sensitive business information — such as future pricing plans, production volumes, costs, customer lists, business strategies, or intended bids,
- Formal meetings, industry conferences, messaging groups, or email exchanges can be used to signal planned price increases, market strategies, or bidding intentions, making it easier for competitors to align their conduct.