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competition commission

shaping markets, furthering progress

COMPETITION NEWS

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Executive Director's Note

It is my greatest pleasure to address you in this latest edition of the Competition Competition's Newsletter, which continues to serve as an important instrument to share insights, developments and perspectives on competition matters within and across borders.

Since assuming office as Executive Director in August 2025, my focus has been on strengthening the Competition Commission's role in promoting fair, dynamic, and inclusive markets that work for the benefit of consumers, businesses, and the Mauritian economy. I took on this responsibility fully aware of the challenging economic context in which we are operating and the expectations of our stakeholders. I strongly believe that effective enforcement of the law and a sound competition policy are essential to improve market outcomes and contribute to economic welfare of our people.

In this regard, the Competition Commission has continued with its rigorous enforcement of the law against potential anti-competitive practices. Through its recent investigations, it has restored competition in markets related to the financial, pay-tv and energy sectors. At the same time, the Competition Commission pursued its advocacy mandate to promote a culture of competition across the economy. Amongst other initiatives, it continued with the training programme on bid rigging for public procurers and organized a symposium on competition law for university students.

The Competition Commission has also adopted a proactive approach in dealing with potential competition issues. It is currently monitoring the evolution of prices of essential commodities to strengthen its enforcement actions against potential abuse of market power.

The recent launch of the Trade Association and Cooperatives Amnesty Programme (TACAP) is another example. TACAP offers the opportunity to voluntarily report suspected cartel cases within the association or cooperative setting in exchange for immunity from financial penalties. This initiative aligns strongly with the Competition Commission's mission to uncover and fight against collusive horizontal agreements and bid rigging schemes.

Within the international competition community, the Competition Commission continues to contribute actively to building capacity of peers for effective enforcement of competition law at national levels. In this regard, the Competition Commission, which served as Co-Chair of the International Competition Network (ICN) Merger Working Group (MWG) until recently, hosted the ICN Merger Workshop from 15 to 17 October 2025. The workshop provided insights into several competition issues, including navigating the increasing complexities of merger control.

With these few words, I warmly invite you to explore the articles featured in this edition and look forward to continued collaboration with all our stakeholders as we work together to strengthen a culture of competition that drives growth, fosters healthy rivalry, encourages innovation, and enhances consumer welfare across our economy.

Promoting Competition, Protecting Choice

Promoting competition is essential as it expands consumer choice and pushes businesses to compete more actively for customers. When consumers can choose between different sellers, businesses are more motivated to offer better prices, improve quality, enhance customer service, and introduce innovative products.

For example, when several supermarkets compete in the same market, each must work harder to attract and retain customers. This can result in lower prices, special promotions, wider product range, and better overall shopping experience. One supermarket may offer locally sourced organic products, another may focus on low prices, while another competes through online delivery services. Consumers benefit by being able to choose the supermarket that best matches their preferences, budget, and lifestyle.

Competition therefore helps keep markets dynamic, responsive, and focused on consumers. Competition is, however, not self-sustaining. It can be weakened through coordination between firms, by the conduct of dominant players, or even when businesses combine in ways that reduce the number of independent competitors in a market through mergers and acquisitions. This is why the role of the Competition Commission is critical in detecting, deterring, and addressing anti-competitive behaviour when it arises.

In this sense, *"Promoting Competition, Protecting Choice"* is not only a theme—it reflects the real impact of competition enforcement. Every decision that protects competition ultimately strengthens consumer choice, improves market outcomes, and supports a more dynamic economy where businesses succeed by competing, rather than engaging in anti-competitive practices.

Cartels replace competition with coordination. The result? Consumers may pay more while seeing fewer meaningful choices in the marketplace.

The Competition Commission's work directly translates into tangible benefits for consumers, particularly through the expansion of choice in the marketplace. This can be seen in a number of cases handled by the Competition Commission across everyday markets where anti-competitive conduct was found to restrict competition and, by extension, reduce consumer options. While the Competition Commission has intervened across various sectors, the following examples illustrate three such interventions in the housing loan, cement, and chicken markets.

The Competition Commission's intervention in the 'Housing Loan' segment (Bundling of Insurance Products and Credit in the Banking sector) counts among its earlier investigations. It was found that borrowers were being steered towards specific insurance providers when taking home loan products from their banks, limiting their ability to compare alternatives.

Promoting Competition, Protecting Choice

A Housing loan is a key gateway to home ownership for many families, where even small differences in insurance costs and coverage can have a significant long-term financial impact. The Competition Commission's intervention removed these constraints, restoring freedom of choice and requiring banks to provide borrowers with a choice of at least three different insurance providers, enabling them to benefit from better prices, broader coverage, and more suitable insurance products.

Competition keeps businesses responsive. Abuse of monopoly power can reduce consumer choice by making it harder for rivals to enter, grow, or compete.

Building on this focus of preserving consumer choice in essential financial services, the Competition Commission has also intervened in markets where structural changes could reduce the number of available suppliers. This was the case with the merger between Holcim Ltd and Lafarge SA (Merger of Holcim Ltd and Lafarge SA), which raised concerns that consolidation could reduce competition in an essential market. Cement is a critical input in construction and infrastructure development, with direct implications for housing, public works, and overall economic development. To preserve competitive pressure, the Competition Commission required the divestment of one of the parties' cement operations in Mauritius to an independent market operator. This ensured that multiple independent suppliers remained in the market, thereby protecting choice for construction firms and end consumers.

The Competition Commission's intervention in essential food markets reflects the same concern for consumer choice. In its investigation into the supply of chicken (Resale Price Maintenance in relation to 'Chantecler' branded chickens), it was found that a major supplier of fresh and frozen chicken products had colluded with its resellers on the retail prices to be applied by the latter, resulting in uniform retail pricing and limiting price competition for consumers.

Following the Competition Commission's intervention, the supplier was fined some Rs 4.08 million and was directed to cease this practice with the view to restoring price competition at retail level for the benefit of consumers.

Healthy markets need competing voices. Mergers that substantially lessen competition can narrow the range of products, prices, and services available to consumers.

The above examples highlight a common thread: when competition is protected, choice is not a privilege for a few - it becomes a reality for all. Every market that remains open, every barrier that is removed, and every anti-competitive practice that is addressed, brings us closer to an economy where consumers are able to choose with confidence, and businesses succeed on merit.

Guided by its statutory mandate, the Competition Commission remains steadfast in its mission to safeguard the competitive process through enforcement, advocacy, and continued market oversight. In doing so, it reaffirms its commitment to ensuring that consumers can choose with confidence, and that businesses succeed through merit, innovation, and healthy rivalry in the marketplace.

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TACAP

TRADE ASSOCIATION AND COOPERATIVES AMNESTY PROGRAMME

Your Shield of Compliance

TACAP: Turning Disclosure into Opportunity

What happens when competitors secretly agree on prices, divide customers among themselves, or coordinate bids? Consumers pay more, businesses lose opportunities to compete on merit, and markets become distorted.

To help address these harmful practices, the Competition Commission has launched the "Trade Association and Cooperatives Amnesty Programme (TACAP)", a one-off opportunity for trade associations, professional bodies, cooperatives, and their members to come forward and regularise anti-competitive conduct.

Trade associations and cooperatives support businesses and industries — but they can also become a space where competitors cross the line from collaboration into collusion.
Operational since 25 May 2026 and running until 25 November 2026, TACAP allows eligible applicants to voluntarily disclose cartel practices — including price-fixing, market sharing, output restriction, and bid rigging — in exchange for immunity from financial penalties, subject to specified conditions.

Why does this matter? Cartel conduct remains one of the most serious breaches of competition law worldwide. Such practices distort markets, reduce consumer choice, and disadvantage businesses seeking to compete independently. Increasingly, collusive arrangements are becoming more sophisticated, making detection and enforcement more challenging.

Under the Competition Act 2007 (the "Act"), businesses involved in such conduct may face financial penalties of up to 10% of turnover per year of infringement, for a maximum period of five years. TACAP therefore provides a valuable opportunity for businesses to review their practices, address potential risks, and strengthen compliance.

The Programme is also about promoting a stronger culture of compliance, transparency, and competitive markets in Mauritius. Through TACAP, the Competition Commission aims not only to detect anti-competitive conduct, but also to encourage trade associations, cooperatives, professional bodies and their members to make informed choices that support open and competitive market outcomes.
Because when businesses choose compliance over collusion, consumers benefit from more competitive prices, better choices, and stronger markets — **so don't risk the penalty, apply for amnesty!**

For general queries regarding TACAP

2112 005 52 52 4005

info@competitioncommission.mu (with email subject-line clearly indicating 'TACAP')

To apply for TACAP, send your application to:
TACAP@competitioncommission.mu

The Competition Commission's First Market Inquiry into Private Healthcare Services

The Competition Commission has launched its first market inquiry into the supply of private healthcare services in Mauritius.

The inquiry has been initiated pursuant to section 51B of the Act, a recently introduced provision that empowers the Executive Director to conduct market inquiries where there are reasonable grounds to suspect that certain features of a market may be adversely affecting competition. This new power enables the Competition Commission to examine broader market dynamics and identify competition concerns that may not be linked to the conduct of a specific undertaking.

The private healthcare sector was selected for the Competition Commission's inaugural market inquiry following concerns regarding certain market features, including high levels of concentration across the healthcare supply chain, imbalances in bargaining power, limited transparency on prices, referral practices, and preferred-provider arrangements between insurers and healthcare providers.

It is worth noting that private healthcare services have increased considerably over the last decade, with an annual expenditure estimated at around Rs 19 billion. The inquiry will assess the structure and functioning of the private healthcare market, including pricing behaviour and commercial arrangements among market participants. Its objective is to determine whether any market feature is restricting competition and, where necessary, develop policy recommendations and/or enforcement actions to address identified concerns, aimed at enhancing competition, transparency and consumer welfare in the healthcare sector.

Stakeholders have also been invited to submit their views and relevant information to assist in the conduct of the inquiry.

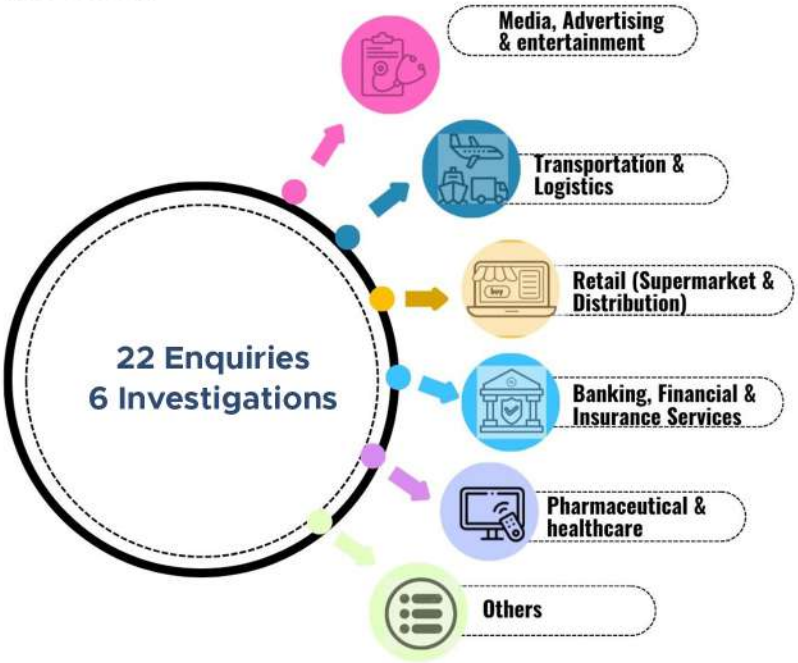
Overview of Enforcement activities for the financial year 2025/26

Sectoral Breakdown of Complaints Received and Issues Identified

As at June 2026, 133 complaints and issues have been received and identified as described sector-wise

Overview of enforcement activities – by sector

The figure below gives an overview of the cases completed by the Competition Commission as at June 2026.

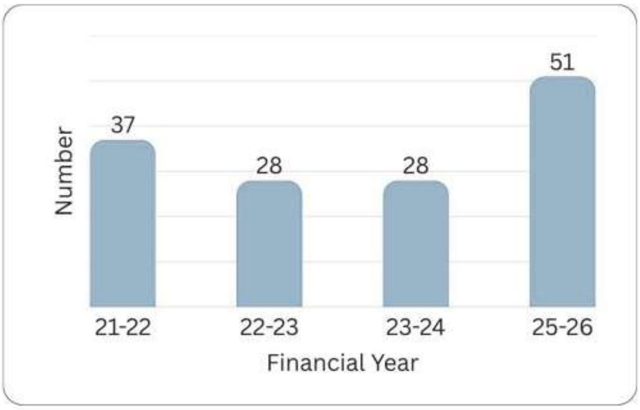


Overview of Enforcement activities for the financial year 2025/26

Mergers Reviewed in the COMESA region

Under the Common Market for Eastern and Southern Africa (COMESA) Competition Regulations, the COMESA Competition and Consumer Commission ("CCCC") is responsible for overseeing mergers and acquisitions that have cross-border effects within the COMESA region. As Mauritius is a Member State of the COMESA, the Competition Commission works closely with the CCCC to review mergers with a regional dimension that may affect local markets.

In recent years, the CCCC's presence and activities across the region have grown steadily. The diagram below highlights the number of merger cases in which the Competition Commission has collaborated with the CCCC. It is to be noted that the figures for 2025–2026 cover the period up to June 2026, with further growth expected as the financial year progresses.



Decisions of the Board of Commissioners

The Competition Commission continues to fulfil its mandate through the review and determination of matters across various sectors, ensuring that market practices support fair competition and protect consumer welfare.

Stockbroking sector

The Competition Commission approved the merger between Swan Securities Ltd and Capital Markets Brokers Ltd, subject to behavioural undertakings addressing pricing, client terms and service quality, thereby safeguarding competitive outcomes. The undertakings allowed existing clients of these companies to transfer their portfolio from the merged entity to another broker if they wish and to preserve the most favourable terms and conditions. The undertakings also provide that there will be no increase in pricing for existing clients unless it is required by law or justified by higher costs. The undertakings also ensures that no employees will lose their jobs because of the merger.

Decisions of the Board of Commissioners

Investigation into Payment cards

In 2019, the Commission issued a decision regarding an investigation into payment cards. The investigation involved Visa International Service Association ('Visa') and MasterCard International Incorporated ('MasterCard') as major parties. It was found that the Issuer Interchange Fees (IIF) set by Visa and MasterCard for certain categories of debit and credit cards used at point of sale ('POS') terminals in Mauritius, had the effect of restricting competition in the local payment card market. As such, the 2019 Commission' s decision concluded that these fees contributed to higher costs for merchants and consumers and issued directions aimed at enhancing competition and efficiency in the sector, including a reduction in the applicable interchange fee.

However, the 2019 Commission's decision was subsequently challenged before the Supreme Court, which quashed the decision in 2024 and referred the matter back to the Commission for reconsideration.

Upon review in 2026, the Commissioners concluded that, due to the passage of time, the information on which the investigation had been based was already outdated. They therefore decided to close the matter and leave it to the Executive Director to determine the way forward regarding any potential new investigation.

Petroleum sector

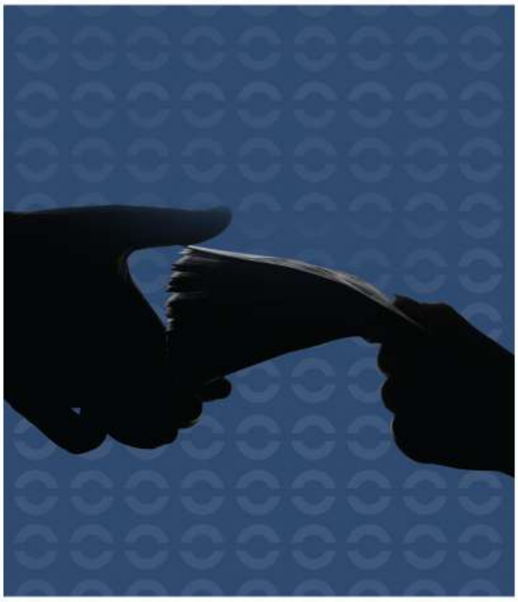
The Competition Commission also approved the acquisition of Engen Limited by Beta Oil Terminal Ltd. It must be noted that the divestment of Engen Petroleum (Mauritius) Limited followed an undertaking by Vitol Group to the Competition Commission, to divest of Engen Petroleum (Mauritius) Limited as a condition for the approval of its acquisition of Engen Limited. The acquisition of Engen Petroleum (Mauritius) Limited by Vitol Group would have reduced the number of players in the market from 4 to 3. Therefore, the Competition Commission required the divestment of Engen Petroleum (Mauritius) Limited to an independent player.

Vitol Group proposed to divest Engen Petroleum (Mauritius) Limited to Beta Oil Terminal Ltd. However, following assessment, the Competition Commission found that it was important for Beta Oil Terminal Ltd to give certain assurance to the Competition Commission with respect to its management and operation of Engen Petroleum (Mauritius) Limited, assurance which were given in the form of a binding undertakings by Beta Oil Terminal Ltd. This has ensured that there remain 4 players in the market, thereby ensuring that consumer choice and competition are preserved.

Advocacy activities

Tackling Bid Rigging Through Training

In collaboration with the Ministry of Finance, the Competition Commission has been delivering training sessions to public procurement officers to help prevent bid rigging in public tenders.
The sessions focus on raising awareness about the prohibition of bid rigging, identifying warning signs of collusion, and promoting best practices to safeguard public funds.
Between October 2025 and February 2026, four sessions were conducted by our Legal and Cartel Department, reaching 90 officers across 66 Ministries, Departments and public institutions.



Recognising Excellence in Economics and Law

The Competition Commission proudly sponsored a prize for the best final-year student in the BSc (Hons) Economics and Law programme at the University of Mauritius. The award was presented during the Faculty of Social Studies and Humanities' Prize-Giving Ceremony.

During the event, Mr Vipin Naugah, Executive Director of the Competition Commission, congratulated all awardees, encouraged academic excellence, and highlighted the importance of competition law enforcement. He also emphasised the ongoing collaboration between the Competition Commission and the university in developing expertise in competition economics and law and supporting evidence-based, pro-competitive policymaking.

This year's Prize was awarded to Ms Shaïstah Liyah Imambaccus, with the Competition Commission reaffirming its commitment to supporting students pursuing advanced studies in economics and law.

ICN Merger Workshop 2025: Mauritius Hosts Global Competition Experts

From 15–17 October 2025, the Competition Commission of Mauritius hosted the International Competition Network (ICN) Merger Workshop 2025 at the Caudan Arts Centre in Port Louis. The event brought together over 100 competition experts from 41 countries to discuss key themes in merger control, including cross-border cooperation, remedies, digital market challenges, and future enforcement trends.

The workshop opened with remarks from the Honourable John Michaël Tzoun Sao YEUNG SIK YUEN, Minister of Commerce and Consumer Protection, who highlighted the importance of dynamic competition policy for sustainable development. In his closing remarks, Mr Vipin Naugah, Executive Director of the Competition Commission, thanked the participants and emphasised that the insights gained will help strengthen merger review practices in Mauritius and beyond.
The Competition Commission also extended its gratitude to the ICN Merger Working Group, speakers, panellists, and delegates for making the event a success.

Symposium on 10 February 2026

On 10 February 2026, the Competition Commission hosted a half-day Symposium on "Comparative Approach to Competition Law in the EU, COMESA and Mauritius" in a hybrid format, in collaboration with Université Paris 2, Université Paris Nanterre/CEDCACE, and Cabinet Advant Altana (France).

The event focused on recent changes to the COMESA Competition and Consumer Regulations 2025, exploring similarities and differences between the COMESA, EU, and Mauritian competition frameworks.

Experts participated in panel sessions on competition law objectives, antitrust law, and merger control. The Symposium brought together law students, academics, practitioners, and competition enforcers.

Symposium on 10 February 2026

In his keynote, Mr Vipin Naugah, Executive Director of the Competition Commission and Chairperson of the COMESA Competition and Consumer Commission, highlighted the value of comparative dialogue and noted that the new COMESA regulations balance alignment with EU merger control principles and adaptations to regional contexts.
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Strengthening collaboration in public procurement

On 5 March 2026, the Competition Commission hosted the first meeting of the Tripartite Technical Committee (TTC) for the year, bringing together representatives from the Competition Commission and the Central Procurement Board (CPB), while also welcoming the CPB's new leadership.

Established in 2018, the TTC provides a platform for collaboration between the Competition Commission, the CPB, and the Procurement Policy Office (PPO), fostering coordination on issues linking competition policy and public procurement.

The meeting highlighted key achievements and reaffirmed the TTC's role in promoting competitive and transparent procurement, and reinforced commitment to continued collaboration.

School Essay Contest for Secondary and tertiary Students

As part of its advocacy initiatives, the Competition Commission has organised an essay contest for secondary and tertiary students with the objectives of raising awareness on competition law enforcement and the benefits of market competition. The contest was opened to Grade 12 students of secondary schools, and tertiary students enrolled in an undergraduate programme. Some 450 students participated in the competition, and the winners were announced during an award ceremony that took place on 18 June 2026 at the Paul Octave Wiehe Auditorium, University of Mauritius.

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