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ECONOMIC DEVELOPMENT DEPARTMENT

NO. 1001

26 SEPTEMBER 2018



***competition*commission**  
***south africa***

**AMENDED TERMS OF REFERENCE FOR THE GROCERY  
RETAIL SECTOR MARKET INQUIRY**

**September 2018**

## 1. BACKGROUND

The Competition Commission (“the Commission”) initiated a market inquiry into the grocery retail sector in South Africa in terms of Chapter 4A of the Competition Act, No. 89 of 1998 (as amended) (“the Act”) because it has reason to believe that there are features of the sector that prevent, distort or restrict competition.

The Commission gave notice in the Government Gazette<sup>1</sup> on 30 October 2015 announcing the establishment of the Grocery Retail Sector Market Inquiry (“the Inquiry”) in terms of Section 43B(2) of the Act. In terms of the Notice, the Inquiry was expected to be completed by 29 May 2017. On 26 May 2017 the Commission gave notice in the Government Gazette<sup>2</sup> amending the timeline for completion of the Inquiry to 31 March 2018. Again on 23 March 2018, the Commission gave notice in the Government Gazette<sup>3</sup> to amend the timeline for the Inquiry to 28 September 2018.

## 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 Terms of Reference, 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, the Commission has decided to amend the completion date, in light of submissions received, to allow for further consultations with key stakeholders and to finalise and publish a provisional report of its investigation. In terms of the amendment, the Inquiry will be completed by **30 September 2019**.

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

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<sup>1</sup> Gazette No. 39347

<sup>2</sup> Gazette No. 40860

<sup>3</sup> Gazette No. 41512