

**Intergovernmental Group of Experts on Competition Law and
Policy, Fifteenth Session**

Geneva, 19-21 October 2016

Round Table on:

***"Strengthening private sector capacity for competition
compliance"***

Contribution

By

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IGE ON Competition law and Policy
15th Session
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“Strengthening Private Sector Capacities for Competition Compliance”

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"A Kenyan economy with globally efficient markets and enhanced consumer welfare for shared Prosperity"

A. The Staircase

1st Step:-

- **Build Agency's internal capacity** (regulatory capacity, credibility, skills and numbers)
- **Prioritize** the sector/identify the problem;
- **Identify the key stakeholders** (Corporates, In-house Counsels, Legal Firms, Trade Associations, media, among others);

2nd Step

- **Identify:** **Resources** required (human & Capital);
Mode of delivery (advisory opinions; include Workshops/symposiums, Press releases, brochures, training, road shows, special windows-'leniency');
Whether group/association or each stakeholder/individual **approach.**

A. The Staircase

3rd Step

- **Create buy-in** among the Stakeholders (through meetings; press releases; presentations from both internal and external (international) speakers)

B. The Strategies

1. Annual Training for Stakeholders

- 3 years old – trained a total of 180 persons from ____ stakeholders
- Focuses on theory and real cases (national, regional and international)
- The number of legal firms interacting with the Authority has increased from 5 (four years ago) to 24 currently (500% increase)

2. Annual Symposium

- Review/Audit of the Authority's activities/cases
- Discussion of the topical competition issues

Strategies Cont'd

3. Pro-bono Advisory Opinions

- Pre-notification meetings
- Advise on intended agreements

4. Publication of guidelines and procedures

5. Celebration of the World Competition Day

- Relating Competition policy with the Country's Economic Agenda
- Showcasing the Impact of the Authority's decision (especially to the poor);
- Expounding on the Authority's procedures, issued guidelines and any other publications released

6. Media Training

- 112 journalists from 21 media houses trained – period 3 years
- Media counts have increased by 334% with the period
- Appreciation of the Competition policy and law deepened in the media houses

Strategies cont'd;



7. Special Compliance Process

- Targeting trade associations
- Prioritized Sectors (agriculture & Financial)
- Development, implementation and monitoring of Corporates internal competition compliance frameworks

8. Workshops/seminars

- Tailor made (legal firms; corporates; trade associations)

9. Interaction with the Universities

- Curriculum Development
- Motivation to research
- Ensures sustainability

C. Challenges

- ▶ Resource constraints compared to the demand from the stakeholders;
- ▶ Low competition culture
- ▶ The underdevelopment of the law
- ▶ Lack of buy-in