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Major Changes Proposed to the Competition Act 1988 in South Africa

The Minister of Economic Development of South Africa, Ebrahim Patel published the long-awaited Competition Amendment Bill (the Draft Bill), 2017 for public comments on 1 December 2017. The Competition Authorities are not able to address the issues created by the large number of highly concentrated markets in South Africa as per the current provisions of the Competition Act 1998.

The Draft Bill focuses on scrutiny of market concentration and seeks to empower the Competition Authorities to increase more opportunities for advancing transformation of ownership of the South African economy.

The changes proposed will have a significant impact on all businesses operating in South Africa and will enhance the complexity associated with complying with the Competition Act. If the proposed amendments in the Competition Bill are implemented, it will be beneficial to radically change the prohibited practices and in investigation and prosecution by the Competition Authorities in case of mergers.

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Amendments Made in the Alternative Dispute Resolution Regulations in the Electronic and Transactions Act 2002 in South Africa

The Minister of Telecommunications and Postal Services of South Africa, Dr Siyabonga Cyprian Cwele on 10 November 2017, officially amended the Regulations in respect of Alternative Dispute Resolution (ADR) in the Electronic Communications and Transactions Act 2002. These amendments have been significantly influenced by the United Kingdom Dispute Resolution System (UK DRS). Following are some of the important amendments:

- Mandatory informal mediation to be run by the government domain name authority ZADNA is introduced under the amended regulations. If settlement between the parties is reached, no complaint fees shall be payable;
- Earlier rebuttable the Act included the provision of presumption of an abusive registration if the registrant has been found to have made an abusive registration in three or more disputes in the previous 12 months. Under the amendment of Regulations this time of previous 12 months has now been extended to the

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