

Institutional Mechanisms (IMs) for successful competition policy design and implementation in developing countries.

Ogundele, Oluwatobi and Naidoo, Melissa.

ABSTRACT

Earlier studies have revealed that there are 4 requisite institutional mechanisms that serve as mediators for the implementation of competition policy and for the achievement of competition policy objectives in developing economies. They are market system initial situational analysis, competition authority autonomy, competition advocacy/awareness/education and resource availability (human and financial). The proper implementation of competition policy objectives in developing countries is hinged on the effective consideration of these mechanisms. The study sort to operationalise the identified IMs from literature, identifying the significance of these mechanisms in developing countries and providing a significant step towards designing and implementing a country specific competition policy. A qualitative review of the Global Competition Review report was carried out to evaluate these major IMs in developing economies. Five countries, namely Brazil, Colombia, Chile, Pakistan and South Africa, were selected for the review.

An evaluation of identifiable IMs, in these countries, was carried out, using data obtained from the Global Competition Review report. Our review of these countries revealed that situational analysis as a mechanism should encompass a careful assessment of country specific conditions that provide an understanding of the quality of institutions in a country. Also, for an independent competition authority, the separation of functions and operational independence of the authority is necessary. Furthermore, competition advocacy and awareness in developing economies, through civil society education, with an emphasis on increased consumer involvement in competition advocacy, is required. Lastly, the need for adequate financial and human resources cannot be overemphasized for the proper running of a competition authority.

INTRODUCTION

Competition policy is a combination of policies within a country, as stated by the government, which would potentially influence competition levels in markets (Sengupta & Dube, 2008; Godfrey, 2008; Gomaa, 2014). Market players would thus need an enabling environment, where institutional mechanisms exist, based on properly implemented policies, which are favourable to the conduct of business and compliance with competition law and policy.

The paper is an extension of an earlier paper (Enigbokan and Ogundele, 2015) on institutional mechanisms (IMs) and their importance in competition policy enforcement and sustainability. The proper implementation of competition policy objectives in developing countries is hinged on the effective consideration of IMs domicile in these countries (Enigbokan and Ogundele, 2015). The major

IMs identified by (Enigbokan and Ogundele, 2015) serve as mediators for the implementation of competition policy and for the achievement of competition policy objectives in developing economies. The top 4 IMS are under consideration in this paper. They are:

- Situation analysis and market monitoring mechanisms,
- Autonomy of competition authority,
- Competition advocacy, awareness and education and
- Resource availability and use (human and financial).

Situational analysis as an institutional mechanism, encompasses a careful assessment of country specific conditions that provide an understanding of the quality of institutions in a country. For an independent competition authority, the separation of functions and the operational independence of the authority is necessary.

Sabova (2012) adds that advocacy activities are necessary in environments where competition policy is still new and developing. This is based on the notion that advocacy can be used as a mechanism to educate, promote and maintain competition in a market (Evenett, 2006). Advocacy can be broadly defined as encompassing various activities through which competition authorities aim to encourage and promote competition in markets (Evenett, 2006). These activities include performing reviews of existing and proposed laws and regulation, providing advice on state matters that might create competition concerns, educating the public through seminars, workshops, publication of newsletters or through media and also undertaking studies of actual and potential competition matters that influence market outcomes. It can also be used as a complementary tool for enforcement action by educating stakeholders about competition matters, such as abuse of dominance, the behaviour of cartels and the use of leniency programs. Advocacy can positively influence enforcement action by providing an effective method to restrict or prevent abuse of dominance and collusion in markets. Thus, advocacy is necessary to promote a competition culture in society.

Resource availability and use (human, administrative e.g. IT networks and finance) is another IM factor that is essential for a proper functioning competition authority. There are two main resources that are a requisite for the successful implementation of competition policy. They are a sufficient and qualified staff and an adequate budget. It is important to have staff that possess the necessary skills, in competition law and policy, as this bolsters the independence of the competition authority. It is also important to have the necessary technology, hardware and software, to ensure that staff can successfully perform required tasks (OECD, 2016). Budget is also essential as it assists in enforcement cases, which can take a long time and require funding for technical expertise in court proceedings (The World Bank, OECD, 1998).

Competition policy, as presented in recent decades, seems to be a priority area for change and reform in many countries of the world, especially developing economies. Godfrey (2008) touches on the beneficial impact of effective competition policy on an economy, stating that a substantial number of developing countries face obstacles that render competition policy enforcement ineffectual. This results in a lack of competition in most markets in these countries.

This paper sort to operationalise the identified IMs from literature. A case study approach was adopted and an evaluation of identifiable IMs in developing countries is discussed. This provides a significant step towards designing and implementing a country specific competition policy, according to a country's local realities, legal culture, political structure, history and leadership type, behaviour and belief. This would pave the way for concrete strategies for successful competition policy adoption for developing countries. This is because successful competition policies go hand in hand with good institutions (Voigt, 2006).

METHODOLOGY

In the preceding paper by Enigbokan and Ogundele (2015), a systematic review of literature was carried out using keywords associated with institutional frameworks, institutional mechanisms and competition policy. Electronic databases were utilised for the search: Search engines used were JSTOR, Competition Policy International (CPI), Journal of Competition Law & Economics, Science Direct, Journal of International Economics, a few articles were also obtained via Google Scholar. Recurring success factors required for successful competition policy implementation were compiled and ranked on a macro level through the use of practical mapping tools (*refer to Annexure 1*).

The Institutional Mechanisms (IMs), as found in literature, were coded from IM1 to IM16. Autonomy and independence of a competition authority was cited in 59% of the articles reviewed and was the second highest in terms of frequency and importance as an IM for proper competition policy implementation in countries seeking to adopt competition law and policy. An initial situation analysis strengthened by appropriate market monitoring mechanisms (IM9) scored the highest with a percentage representativeness of 62%, revealed to be the most important factor for the successful competition policy implementation. Two other factors, from this paper, that ranked 3rd (56%) and 4th (53%), were competition advocacy, awareness and education and resource availability and use (*refer to Annexure 1 and Table 4*).

The methodology adopted in this paper is exploratory in its approach, with literature reviews and assessments, forming the backbone for the research. A case study approach is also adopted in the selection of the 5 developing countries for which the top 4 identified IMs would be operationalised. The selection is also based on the availability of data on the country's competition policies adopted and enforced. For these 5 countries, concrete strategies for successful competition policy adoption are

offered based on specific country needs, the identification and harmonisation of local realities, in line with the applicability of the top 4 IMs.

Case studies

The competition authority of five countries, Brazil, Chile, Colombia, Pakistan and South Africa, are considered in this review. Details about the competition authorities in these countries are stated below.

1. The Brazilian Administrative Council for Economic Defence (CADE) is the competition body in Brazil. CADE is responsible for investigating competition issues, as well as promoting competition in Brazil. CADE is an independent agency with jurisdiction over Brazil.
2. The Fiscalía Nacional Económica (FNE) is the national agency responsible for safeguarding fair competition in Chile. Its duty is to enforce and advocate for competition in all markets of the Chilean economy.
3. The Superintendence of Industry and Commerce (SIC) is a public authority and a technical agency attached to the Ministry of Trade, Industry and Tourism of Colombia. The SIC consists of 6 divisions, which comprises the Competition Protection division. This division investigates competition matters to ensure the free participation of enterprises in the market and to improve consumer welfare.
4. The Competition Commission of Pakistan (CCP) is an independent, quasi-regulatory, quasi-judicial body that helps ensure healthy competition between companies for the benefit of the economy.
5. The Competition Commission of South Africa (CCSA) is a statutory body constituted in terms of the Competition Act (No. 89 of 1998) (“the Act”). The CCSA is one of the three independent competition regulatory authorities in South Africa. The Competition Tribunal and the Competition Appeal Court are the other 2 competition regulatory bodies in the country. These three competition regulatory bodies function at a high level of autonomy and are relatively independent institutions. The CCSA and the Competition Tribunal are accountable to the Economic Development Department (EDD) on administrative matters.

RESULT AND DISCUSSION

This section outlines the findings from the cross country evaluations done for Chile, Brazil, Colombia, Pakistan and South Africa. It explains the state of affairs at the various competition authorities of these countries in relation to the 4 IMs under review. Autonomy indicators such as how the head of the competition authority is appointed for each country and which organ of state the authority reports to, are presented for each country. Advocacy indicators are also presented such as the percentage of the authority’s budget dedicated to advocacy and whether the competition authority has a standalone advocacy office. Resource availability indicators show the number of staff employed by the various authorities and budgetary allocation dedicated to the competition authority of each country.

Autonomy of competition authority

Table 1 below presents a review of the state of autonomy in the competition authorities of the five countries. With respect to IM1, autonomy and independence of a competition authority, each of the countries reviewed are independent competition authorities. The competition authorities have been granted the power to enforce competition law without political interference. In particular, Chile has done recent revisions to the competition law to strengthen institutions, thus, providing the competition authorities with more power to fulfil their mandate. This has led to the establishment of an autonomous and independent competition court. With these new amendments, Chilean competition authorities are able to be more involved and proactive in competition law enforcement (Sokol, 2010). The FNE now have the TDLC (competition tribunal) and the 2009 leniency introduction, to aid in their stance against anti-competitiveness (Sokol, 2010). In Chile, though competition law is for the public's interest, transitioning from a system without a strong competition policy background and clear decision-making processes, raises tensions that will require future adjustments in the country (Montt & Ferrada, 2010).

Autonomy Indicator	Brazil	Pakistan	Chile	Colombia	South Africa
Appointment of head of agency	Nominated by Brazil's president, interviewed by the Senate's Commission of Economic Affairs and approved by the Federal Senate.	Members of the commission are designated chairs by the federal government.	Selected by the president.	Colombia's president.	The Minister for Economic Development nominates the CCSA's commissioner.
Agency head reports to	CADE's president has an independent four-year mandate.	The commission is functionally independent. But the federal finance minister in matters pertaining to performance, achievements, and administrative matters.	Independent agency, but reports to the Ministry of Economics for budget and spending purposes.	No one	Independent agency, but engages with the Minister for Economic Development on high profile cases.

Table 1: Evaluation of competition authorities' autonomy for Brazil, Pakistan, Chile, Colombia and South Africa (Source¹)

¹ <http://globalcompetitionreview.com/benchmarking/rating-enforcement-2017/1144828/chiles-national-economic-prosecutor> and Competition Commission of South Africa's annual report (2015/2016).

Competition advocacy, awareness and education

Table 2 below shows the results of the review of competition advocacy, awareness and education in the five countries under study. In Chile, according to the Global Competition Review (GCR), in 2016, the head and deputy head of the agency had several interactions with government. They met with a total of 14 government officials. Topics discussed included legal reforms and their possible effects on competition, as well as possible anticompetitive actions in certain markets. The agency sent 71 formal letters to public authorities regarding ongoing investigations. These activities have in one way or the other promoted the reputation of the competition authority in Chile, in terms of advocacy.

Advocacy Indicator	Brazil	Pakistan	Chile	Colombia	South Africa
Percentage of budget dedicated to advocacy	None	10%	Not available.	Not available.	Not available.
Stand-alone advocacy office	No	Yes	The Institutional Relations unit coordinates local advocacy initiatives. The Mergers & Studies Division focuses primarily on international cooperation.	Yes	Yes (recently created).

Table 2: Evaluation of Competition Advocacy for Brazil, Pakistan, Chile, Colombia and South Africa (Source²)

In Brazil, one of the successful areas for competition advocacy has been CADE's leniency program. First-in leniency applications doubled from the previous year. This contributed to successful cartel enforcement in 2016 (GCR, 2017). In 2016, the Secretariat for Economic Monitoring (SEAE) issued 400 opinions on public hearings about regulatory rules. In addition, the SEAE assessed the effects of regulation on competition in specific markets. For example, it studied the effect of Uber and the transport regulation on competition in the individual transportation market. The findings from the study revealed that Uber and taxi drivers operate in the same market. Given this finding, the Secretariat suggested some measures to improve the regulation of the taxi service: (i) free entry; (ii) tariff deregulation; (iii) price transparency; (iv) inducement to adopt technological innovation; (v) free access to tax points and busy places. Through its opinions and studies, awareness on the competition authority increased in the country. According to the GCR, CADE made several appearances before

² <http://globalcompetitionreview.com/benchmarking/rating-enforcement-2017/1144828/chiles-national-economic-prosecutor> and Competition Commission of South Africa's annual report (2015/2016).

Congress/parliament as part of their advocacy efforts, in addition to contacts with lawmakers and government officials.

In Colombia, the superintendent of the competition authority appeared before the senate regarding the liquor monopoly bill and for the private surveillance bill, in addition to attending political control sessions of the Senate, regarding the petrol retail market. The Advocacy Working Group in Colombia, presented comments on bills regarding mobile telecommunications services, agricultural fertilisers, public procurement and hazardous substances. As part of several advocacy efforts, the Advocacy Working Group issued 53 legal opinions in 2016, regarding communications, technical regulations, water and sanitation, oil, gas and energy, trade and industry, finance and credit, culture, environment, health, housing, transportation and homeland security (GCR, 2017).

Previously, in South Africa, advocacy was a strategic function of the Office of the Commissioner of the CCSA and it was majorly premised on enhancing and encouraging the voluntary compliance of stakeholders to the Competition Act, in various sectors of the economy. Recently, a separate competition advocacy unit was created to promote meaningful relationships with international and domestic stakeholders in the public and private sector. This separation provides a stronger role for advocacy for the CCSA, which would further bolster competition enforcement efforts in the near future. The CCSA has previously engaged with willing participants to settle cases through non-enforcement avenues, coordinating various training workshops and engaging in public exhibitions to the benefit of the public. The CCSA also regularly presents related issues to the public, in association with stakeholders in the media sector.

In South Africa, the CCSA embarks on various education and awareness initiatives. Between 2015 and 2016, the CCSA held meetings and workshops with a range of stakeholders in Government and in the private sector (e.g. the Gauteng Provincial Economic Development Department, Spaza Shop Summit and the Bid Rigging Workshop for 29 auditors of the Auditor-General of South Africa (AGSA), held in 2015). These meetings and workshops usually serve the purpose of informing or training stakeholders on how competition law and policy intersects with the work they do. For example, the bid rigging workshop with auditors was to equip them with the ability to detect rigged tenders in the auditing process. Continued co-operation with sector regulators, industry associations, universities, colleges and private and state owned organisations, are being embarked upon to date.

In Pakistan, the CCP is actively involved in raising public awareness and in creating interest in competition matters among different market participants. Engagements are held with stakeholders to share the work of the CCP and to collaborate with the consumer protection associations and the standing committees of the Federation of Pakistan Chambers of Commerce. This is to promote the benefits of competitive markets in the country. There are close interactions between business and media to keep them abreast of competition matters. There are also regular press releases and TV appearances, on

business talk shows and press conferences, aimed at promoting a competition culture in the country (UNCTAD, 2013).

In 2016, the CCP sent performance reports to the National Assembly's speaker, the committee on finance and the senate's standing committee on finance. This is a regular occurrence every six months. The CCP responds to questions raised by parliamentarians and senators in full view of the public. This promotes the work of the CCP and adds to the knowledge of competition issues for public officials and the general public.

Resource availability and use

Table 3 below shows the result of the review of resource availability and use in the five countries. In Brazil, the CADE's 2017 budget currently sits at 12.9 million USD or €11 million (refer to Table 1). The total number of staff working on competition enforcement increased to 144. Table 1 shows that 53% of the 129 non-administrative staff are lawyers and 22% are economists.

Resource availability and use indicators	Brazil	Pakistan	Chile	Colombia	South Africa
Budget	€11 million	€1.9 million	€9.3 million	€11.4 million	€15 million
Amount spent on salary	€3.4 million	€1.4 million	€6.6 million	€5.5 million	€8.3 million
Overall staff	144	160	124	114	206
Technical staff	129	49	101	101	143
% lawyers in staffs	53%	27%	40%	62%	29%
% economists in staffs	22%	20%	25%	29%	32.5%
No. of staff who left in 2016/2017	25	1	13	22	15

Table 3: Evaluation of Resource Availability for Brazil, Pakistan, Chile, Colombia and South Africa (Source³)

As at 2017, the FNE in Chile had a total budget of 10.9 USD or € 9.3 million (see Table 1). A total staff strength of 124 (both administrative and non-administrative) working on competition enforcement

³ <http://globalcompetitionreview.com/benchmarking/rating-enforcement-2017/1144828/chiles-national-economic-prosecutor> and the Competition Commission of South Africa's annual report (2015/2016).

issues. The GCR shows that 40% of the 101 non-administrative staff are lawyers and 25% are economists. Reports have shown that the Chilean Authority has relatively adequate resources, both internally and externally. The staff are seen to be competent with a strong legal component.

The total budget for Colombia's competition authority sits at USD 1.33 million or €11.4 million. The total number of staff at the authority are 114, of which, 62% are lawyers and 29% are economists (Table 1). These shows a fairly stable competition authority with room for additional resources that would bolster competition enforcement.

In Pakistan, the CCP focuses on employee development and also provides incentives for employee growth. The CCP's employee development centres on three main categories: (i) monetary, (ii) training and development and (iii) study leave. There is an emphasis on providing cash rewards for excellent performance and for encouraging research work and publications. Furthermore, employees are provided with financial assistance to further their professional qualifications. These employee incentives collectively improve the efficiency of the CCP staff and contributes to the proper functioning of the institution (UNCTAD, 2013).

For Pakistan's competition authority, the total budget as at 2016/2017 was USD 2.23 million or €1.9 million. Pakistan has 160 staff working on competition enforcement activities. Twenty-seven (27%) of these are lawyers and 20% are economists, the remaining staff are administrative (GCR, 2017).

Given the improvements in the allocation of employee salaries, there has been a backlog of around 200 pending court cases. Regardless of this impediment, the CCP is still well perceived and continues to engage in enforcement matters. The CCP has been actively pursuing enforcement and cartel cases (UNCTAD, 2013).

Budget allocation, in form of government subsidies for the CCSA, stood at 17.7 million USD (€ 15 million) as at 2015/2016. In South Africa, for the same time period, the CCSA had a sizeable number of staff (206). This figure is higher than the staff numbers in the other countries' competition authorities. The CCSA embarks on an annual Graduate Development Programme. Of the 206 staff, 22 of these were fresh graduates from historically disadvantaged tertiary institutions in the country. The CCSA devotes a large percentage of financial resources on providing cash rewards for excellent performance. They also encourage staff to attend training programmes and to further their studies, providing support in this regard.

RECOMMENDATIONS

The countries reviewed have very capable and effective competition systems, but there remains room for improvement. Brazil has a strong competition law and policy framework. The country has managed to successfully implement new changes and to operate relatively efficiently. The challenge ahead is to

maintain this high level of performance and to consistently improve all areas of work. It should continue to strengthen its relationship with stakeholders and remain active in its advocacy efforts.

Staff strength in the CCSA is a very big positive as this is an important IM that can determine the quality and speed, with which competition cases are handled, in any competition authority. With the recent initiation of a standalone competition advocacy office, the CCSA is expected to perform better in its enforcement activities, in the coming years.

For Colombia, budget allocations seem fairly reasonable and the competition authority is performing relatively well in terms of advocacy and operation of the authority as a whole. They have a strong competition law and policy framework and are currently tasked, with maintaining this high level of performance and consistently improving in all areas of their work, as an independent agency.

As observed from Table 3, Brazil's CADE, Colombia's SIC and the CCSA have high staff turnover. These authorities should implement internal mechanisms that would aid staff retention to prevent loss of skilled individuals, from these competition authorities. This is because experienced and competent technical staff are vital for the effectiveness of competition enforcement.

Chile's competition law dates back to the early 1970s and was legislated to protect competition freedom. The situation on ground in Chile, in terms of the discordance between regulation and competition law, led to revisions in 2003 to the existing competition law, to enable competition law fit the situational context of the country (Montt & Ferrada, 2010). Chile is a case study in light of the changes in the economy that occurred in 2003 and the updates that have been made to their competition law system. Though, they have a sizeable amount of competition resources, the country's advocacy efforts need to be sustained and increased in the coming years.

Of the countries reviewed, Pakistan has the smallest budget in comparison to the other countries. It also has the least number of lawyers and economists. With the financial budget and staff constraints, the institution is still expected to effectively enforce competition policies and processes. The budget should be increased, to employ more staff, given the backlog of competition cases and to ensure the effective implementation of competition policy. Given that the CCP is a young institution, it should continue to strengthen its advocacy activities to raise awareness about competition policy in the country.

CONCLUSION

A robust understanding of a country's situation assists in developing a competition framework that is in line with specific country needs. Autonomy is the separation of functions and operational independence of the authority when enforcing competition law. Advocacy is a mechanism to promote and enhance the public's knowledge about competition matters and create an interest in competition culture. Resources refer to competition authorities' having an adequate budget and the necessary staff competency and qualifications to effectively implement the mandate of the competition authority.

Given the identification of the top 4 IMs, a case study approach was adopted in this paper using developing countries. This paper sought to determine if the IMs were inherently present in the competition policy's framework for Brazil, Chile, Colombia, Pakistan and South Africa and if these competition authorities have well-functioning competition institutions.

The countries reviewed are recognised as having strong and transparent institutions and are well perceived in their local contexts and in international competition networks. CADE has a strong and effective competition authority. It operates with integrity and is technically competent when investigating and assessing competition matters. Colombia's Superintendence of Industry and Commerce (SIC) has been deemed a competent competition authority. This follows the 2009 restructuring process that put Colombia ahead of many other Latin American countries, in terms of antitrust enforcement (GCR, 2017).

SIC has managed to raise substantial awareness of competition enforcement and has been able to prosecute high-profile cases. They however have not timeously kept up with several complaints and claims from the public and less popular people groups. The private sector has become a willing participant in the competition enforcement process as the system is largely becoming more transparent and accessible to market participants.

Chile is another Latin American country (LATAM) seen to be performing relatively well, alongside Brazil, Mexico, Colombia and Peru, in overcoming institutional factors that have plagued LATAM countries (Tapia, 2015). Industry or policy control at a macro-level is still a preferred option in many developing countries like Chile, among business and public officials. However, the country, overtime, has managed to continuously build an autonomous competition authority. The CCP is also well perceived in local and international competition networks. The CCSA in South Africa is gaining momentum quickly and is arguably the best performing authority in sub-Saharan Africa.

The situation in many developing countries is the intersection between competition law and regulation. As developing countries, regulatory systems, most times, do not have the forte or strength necessary for policy implementation and enforcement. This is the case for African countries, like South Africa. Despite the efficacy of the South African competition authority, several time lags occur in the treatment and prosecution of certain high profile cases within the country.

Latin America (LATAM) being a disparate region, has LATAM countries operating at different stages of antitrust effectiveness. This is largely dependent on financial resources and human capital availability. Existing eco-political and legal institutions also affect the effectiveness of competition authorities' efforts in Latin America (Sokol, 2010). Tapia (2015) states that based on antecedents, and on institutional factors, the Latin American market is very susceptible to cartel conduct. This is very true for Brazil, Chile and Colombia. Weak institutions and the limited importance placed on the need

for competition especially by the countries' leaders (as is the case with certain African countries like Nigeria), limits the effectiveness of competition authorities, if they exist at all (Montt & Ferrada, 2010).

Tapia (2015) states that for LATAM countries and other developing economies, based on the history and types of institutions that exist, the need to deal with collusive activities and conduct is evident. The emphasis should be on utilising a mix of complementary competition tools that both dissuade and protect competitiveness. IM9, which suggests that an initial situation analysis strengthened by appropriate market monitoring mechanisms is necessary for proper competition policy enforcement, would need to be applied for the countries that have been discussed above.

In general and for these countries that form part of the case study, human capital resource availability can be improved upon. The impact of this on competition enforcement, if not improved, is a weakening of the competition institution, lack of proper development of the competition agency and lack of autonomy/independence. This has been revealed in literature as important for achieving competitive outcomes.

For competition authorities', long term planning and investment in training for lawyers and economists, in the field of industrial organisation and competition law is necessary. This would avoid errors in judgement as the field of completion law and policy necessitates a situational analysis and market trend analysis, which may be complicated. The need for the agency to maintain a reputation for effectiveness, ensures discipline in the markets and faith from the public that the Authority would indeed protect the rights and interests of the citizens.

In terms of competition advocacy, competition authorities in developing countries have seen the positive impact of advocacy on the work of the authority (Marin-Tobar, 2013; Sabova, 2012). A few have thus, focused their efforts on activities such as workshops and conferences, which they have in collaboration with different stakeholders. Many of this activities are founded on the need to explain the importance and need for competition policy, as well as the special features of competition law and its enforcement.

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ANNEXURE 1

Figure 1: Macro level Mapping of Institutional Mechanisms Identified

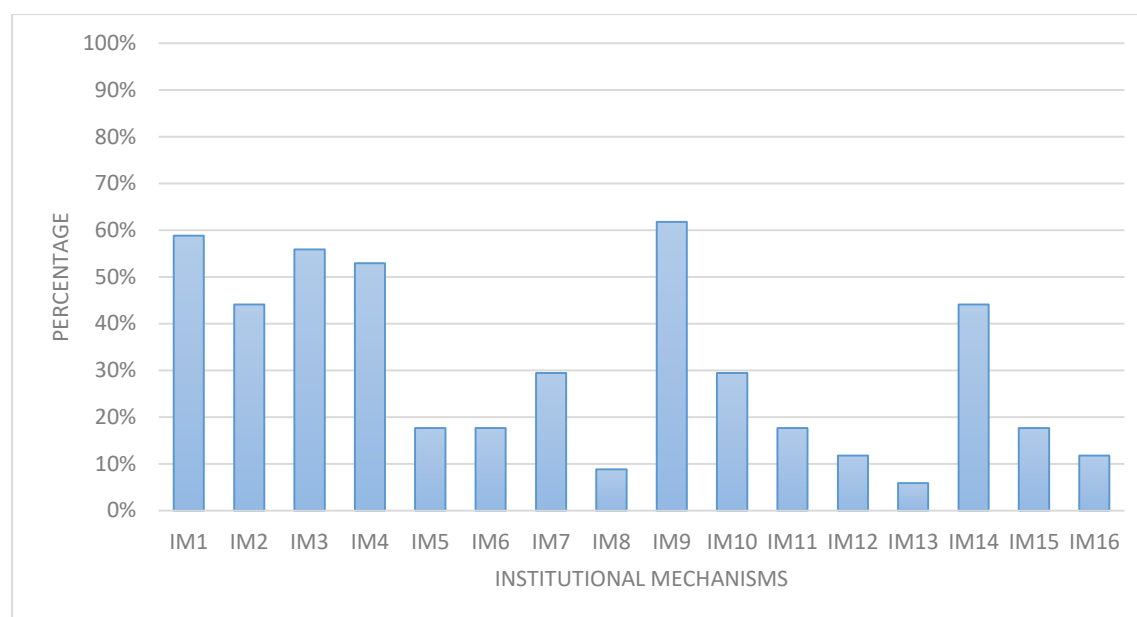


Table 4: Institutional Mechanisms for Successful Competition Policy Implementation

INSTITUTIONAL MECHANISMS (IM)	Code	Percentage Distribution for IM	Rank
Autonomy of competition authority	IM1	59%	2
Independent and effective judiciary system	IM2	44%	5
Competition advocacy, awareness and education	IM3	56%	3
Resource availability and use (human, administrative e.g. IT networks) and financial)	IM4	53%	4
Capacity competence development	IM5	18%	7
Experience and knowledge sharing mechanism (local & international)	IM6	18%	7
Coordinated interrelationship, cooperation and dependency among relevant agencies /institutions & stakeholders/ foreign enforcement agencies	IM7	29%	6
Impact of competition policy on other policies	IM8	9%	9
Situation analysis and market monitoring mechanisms	IM9	62%	1
Transparent processes and systems	IM10	29%	6
Regional collaboration of competition authorities	IM11	18%	7
Existence of effective competition policy	IM12	12%	8
Competition research development	IM13	6%	10

Effective and efficient enforcement mechanisms	IM14	44%	5
Accountability	IM15	18%	7
Role & influence of sectoral regulators	IM16	12%	8