

# MAINTENANCE AND PROMOTION OF COMPETITION AMENDMENT ACT NO. 5 OF 1986

[ASSENTED TO 4 MARCH, 1986]

[DATE OF COMMENCEMENT: 19 MARCH, 1986]  
(Unless otherwise indicated)

*(Afrikaans text signed by the State President)*

## ACT

**To amend the Maintenance and Promotion of Competition Act, 1979, so as to replace a certain obsolete designation; to define a monopoly situation; to empower the Competition Board to investigate and deal with monopoly situations; to provide that exceptions to prohibitions in connection with restrictive practices, acquisitions and monopoly situations, which at present are required to be specified in the notice in question, may be determined in some other manner; and to provide for a shorter procedure for amending such notices; and for matters connected therewith.**

1. Amends section 1 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes the definition of “Minister”; paragraph (b) inserts the definition of “monopoly situation”; and paragraph (c) substitutes paragraph (iii) of the definition of “restrictive practice”.

2. Amends section 2 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting subsection (2).

3. Amends section 10 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) adds subsection (1) (d); and paragraph (b) substitutes subsection (2).

4. Amends section 11 (1) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting paragraph (b).

5. Amends section 12 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes subsection (2); and paragraph (b) substitutes subsection (3).

6. Amends section 14 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes subsection (1); paragraph (b) substitutes subsection (5) (date of commencement 1 June, 1985); and paragraph (c) substitutes subsection (6).

### 7. Short title and commencement.—

- (1) This Act is called the Maintenance and Promotion of Competition Amendment Act, 1986.
- (2) Section 6 (b) is deemed to have come into operation on 1 June 1985.