



FAIR COMPETITION COMMISSION



**IN THE MATTER OF THE NOTIFICATION OF AN EXEMPTION
TO AN AGREEMENT BETWEEN KENYA AIRWAYS PLC (KQ),
KONINKLIJKE LUCHTVAART MAATSCHAPPIJ N.V (KLM
ROYAL DUTCH AIRLINES) AND SOCIETE AIR FRANCE**

PUBLIC NOTICE

**(Made under Section 65 (2) (g) of the Fair Competition Act Cap No. 8 of 2003 and Rules 42 (5) and
50 (7) (b) of the Fair Competition Commission Procedure Rules, 2013)**

The Fair Competition Commission (FCC) is an independent statutory body established under the Fair Competition Act No. 8 of 2003 (the FCA) with the object of enhancing the welfare of the people of Tanzania by promoting and protecting effective competition in markets and preventing unfair and misleading market conduct throughout Tanzania Mainland.

Under the same Act, the FCC has powers to investigate, *inter alia*, entry into and exit from markets. The FCC has received a notification of an exemption to an agreement between **Kenya Airways Plc (KQ), Koninklijke Luchtvaart Maatschappij N.V (KLM Royal Dutch Airlines)** and **Societe Air France** on airline business with respect to the carriage of passengers, baggage, belly and deck cargo. FCC is currently investigating the intended agreement in line with the provisions of the FCA and the Fair Competition Commission Procedure Rules, 2013 (the FCC Rules, 2013).

Pursuant to Rule 50 (7) (b) of the Fair Competition Commission Procedure Rules, 2013, parties (both legal and natural) who deem themselves as having sufficient interest in this

Agreement or if the Agreement is not objected to, it will have or is likely to have material effect on their interests, are hereby notified to register their interest (if any) or file any information that will assist the FCC in reaching a just and reasonable decision with regard to **Kenya Airways Plc (KQ), Koninklijke Luchtvaart Maatschappij N.V (KLM Royal Dutch Airlines)** and **Societe Air France's** notification of an intended Agreement. All such parties shall file and register such interest(s) or information by way of written submissions to the FCC within **FOURTEEN (14)** working days from the first day of publication of this notice. No submission filed after the said deadline will be entertained.

Registration of the said interests or objections or information should be accompanied by a duly filled Form FCC.10 (Notice of Intention to Participate found in the First Schedule of the FCC Rules, 2013). Failure to fill in Form FCC.10 will deny a party the right to make any oral submissions before the Commission and the presence of that party in the proceedings will be as an observer only.

Submissions must be submitted to the FCC at the address below.

Director General,
Fair Competition Commission,
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