Commission’s decisions and decisions emanating from regulatory authorities namely Tanzania Communications Regulatory Authority (TCRA), Tanzania Civil Aviation Authority (TCAA), Energy and Water Utilities Regulatory Authority (EWURA) and Surface and Marine Transport Regulatory Authority (SUMATRA).

The Newsletter is designed to bring to our esteemed readers key developments in competition, consumer protection, and anti-counterfeit issues in the Tanzanian, regional and global contexts.

FCC is a market support institution charged with the responsibility of ensuring existence of level playing field amongst competitors in all relevant markets within the jurisdiction of the FCA. In the same spirit, the Commission is also entrusted with the duty to combat counterfeit goods in the Tanzanian market by enforcing Merchandise Marks Act, 1963 (MMA).

The Newsletter will be published quarterly in English and Swahili; the Commission welcomes views, comments and contributions from esteemed readers about the Newsletter.

The Commission banks on the public support in its effort towards making Tanzania an exemplary market economy in the region and globally.

Ministry of Industry Gets New Leaders

FCC Commissioners Appointed

Minister: Industry and Trade

THE Ministry of Industry and Trade got new leaders following appointments made by the President of the United Republic of Tanzania, H.E. Jakaya Mrisho Kikwete in the last quarter of 2010. Hon. Dr. Cyril Chami (MP) was appointed to the post of Minister and Hon. Lazaro Nyalandu (MP) as Deputy Minister. Hon. Chami had previously served as a Deputy Minister in the same Ministry, whereas Hon. Nyalandu has been a Parliamentarian since 2000.

In another development, the Minister for Industry and Trade, Hon. Dr. Cyril Chami (MP) has appointed Advocate Blandina Selle Gogadi to the post of a commissioner of FCC for a period of five years from 1st November, 2010. Hon. Chami has also extended tenure of Commissioners Col (rtd) Abihudi Newton Nalingigwa and Itika Hilda Mafwenga for a period of five years from 1st November, 2010. The Commission is currently chaired by Mr Nikubuka P. Shimwela. Another member of the Commission is the new Director General, Dr. Geoffrey Mariki.

The new appointment and re-appointment of commissioners will strengthen Commission’s capacity to discharge its duties more effectively.

Other complaints were on beer and tobacco sectors. Complaints numbers 4 of 2008 and 2 of 2009 have been determined to the judgment stage.
FCC is a market support institution established by the Fair Competition Act No. 8 of 2003 (FCA) to promote and protect effective competition in trade and commerce, protect consumers from unfair and misleading conduct and to provide for other related matters. Based on the latter, FCC is also entrusted with implementation of the Merchandise Marks Act, 1963 (MMA) as amended in 2004 and 2007.

FCC deals with three thematic areas namely competition, consumer protection and the fight against counterfeit goods in mainland Tanzania, which is dealt with by the MMA. Functions of FCC as stipulated in the FCA and the MMA, aim at setting a level playing field for players in all market within the jurisdiction of the FCA.

FCC became operational in May 2007 following enactment of the FCA in April, 2003 and assenting of the same by the President of the United Republic of Tanzania in May, 2003. The President assigned a Minister responsible for implementation of FCA in March, 2004.

Following this milestone, the Minister for Industry and Trade appointed the 12th of November for to merge. The Director General was appointed in July, 2005; the Chairman and three Commissioners were appointed in November 2005. The Chairman, Director General and the three Commissioners constitute the Commission. The four commissioners are appointed by the Minister responsible for the commission, and the Chairman is appointed by the President. Appointment of the commissioners is done competitively through the Nomination Committee, chaired by the Permanent Secretary of the Ministry responsible for the Commission.

Structurally, FCC is an autonomous Government body, led by five Commissioners. There is also an Audit Committee, which is a sub-committee of the Commission that assists Commissioners in overseeing Commission’s operations and performance. The Committee is made up of three members. The Chairperson of the Committee is a member of the Commission.

FCC is organized into four divisions, twelve line departments and four units within the Director General’s office. The divisions are Research, Mergers and Advocacy, Compliance, Corporate Affairs and Anti Counterfeits.

Operationally, FCC is guided by strategic plans, which run for three years. The strategic plan is operationalised through annual business plans that are approved by the Commission.


FCC Procedural Rules provide procedures for initiating competition complaints, mergers and acquisitions applications as well as exemption applications. The rules also provide for the procedure to be followed during case hearing as well as initiating and conducting market studies and public inquiries.

The Fair Competition (Threshold for Notification of a Merger) Order of 2006 (Government Notice No. 17 of 2006) provides a legal requirement of the FCA that FCC notifies the public on the threshold within which the combined assets of merging firms must notify the Commission of their intention to merge.

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A Quick Glance at the FCC

2 of 2008 provide for procedures to be followed while dealing with counterfeit goods in Mainland Tanzania.

In terms of funding of FCC activities, the first three years 2007 – 2010 Strategic Plan was mostly funded by the World Bank project called Privatisation and Private Sector Development Programme (PPSDP). The programme ended on the 30th September 2009. Following the end of the PPSDP, FCC reverted to Government financing through Parliamentary allocations as its main source of finance. The Minister responsible for the Commission has also endorsed funding regulations known as the Fair Competition (Commission and Tribunal) Funding Regulations, 2010 to provide for procedure to access funds from the sector regulators.

In the competition jurisdiction of Tanzania, FCC is the tribunal of first instance. The Commission decides on all competition matters; decisions are by quorum (a minimum of three Commissioners make a quorum) as provided in the FCA. All decisions of the Commission are appealable to the appellant body i.e. Fair Competition Tribunal (FCT) whose jurisdiction on relevant issues is equivalent to that of the High Court of Tanzania and for that matter, the FCT is chaired by a High Court Judge.

FCC has started receiving, processing and deciding on competition and consumer complaints and applications for exemptions. Between July 2007/2008 and June 2009/2010, FCC had received and worked on a total of 53 Merger and Acquisition applications, seven competition complaints, 108 consumer complaints and 1 exemption application.

FCC has been able to run awareness seminars to consumer stakeholder groups in Mwanza, Mtwara, Dodoma, Mbeya and Arusha between 2007 and 2010. FCC also conducted the same seminars to the Parliamentary Standing Committee on Industry and Trade and the entire Parliament in 2008. FCC sensitized the Justices of Appeal, Permanent Secretaries, Deputy Permanent Secretaries, Cabinet Secretariat, Business Community and Councilors of Kinondoni Municipal Council during the same period. On all the events, FCC managed to educate and sensitize the stakeholders on the functions of the FCC and benefits of competition to the consumer, the economy and the need for anti-counterfeit measures.

FCC has also undertaken competition studies on tobacco, cement, sugar and taxi-cab markets with a view to establishing competition issues in the markets and recommend both enforcement and policy measures to rectify the identified competition issues.

FCC Issues Merger Guidelines

FCC has in the beginning of February 2011, chartered out guidelines for application, analysis and approval of mergers in order to assist potential merging firms make their own preliminary assessment of their applications. The same has been done in the spirit of the Fair Competition Act No. 8 of 2003 (FCA), which is to increase efficiency in the production, distribution and supply of goods and services in the economy.

FCC is mandated by the FCA to control mergers and acquisitions that have the effects of strengthening or creating a position of dominance in a relevant market, among other duties and responsibilities.

According to the the Director of Research, Mergers and Advocacy, Mr. Allan Mlulla, the guidelines outline the procedural and analytical framework that FCC applies when reviewing mergers and acquisitions and merger exemptions under the FCA. He adds that the guidelines are intended to give stakeholders wider understanding of the goals and objectives for regulating mergers in Tanzania.

The control of mergers and acquisitions play an important role in ensuring that markets in different sectors of the economy remain competitive. It is the responsibility of the FCC to examine merger applications and exemptions with the view to establishing their likely effects to competition.

In this modern era of industrial organization, mergers can be viewed as almost essential for sustained economic expansion. “The spirit of the law is not to prevent or restrict in any way the merger transactions or business expansion in Tanzania”, reads the guidelines in part.

FCC is aware that by combination of resources through a merger; firms seek to increase efficiencies through reduced costs, strategic reorganization, adoption of new technologies and combined expertise. Similarly, mergers and acquisitions are the quickest means for firms to source capital that can transform them to become more efficient and competitive.

“The FCC’s milestone decision to develop these guidelines aim at reducing uncertainty for the merging parties and raising the standard of their merger applications; therefore the guidelines should not in any case be taken as a replacement of the FCA and the Rules thereof,” says Mr. Mlula.

Merger guidelines have been prepared in line with the relevant FCA provisions and the FCC Rules of Procedure (FRP) relevant to mergers, which include Sections 2, 5(4), 11, 13, 58 and 71 of the FCA and Parts V and VI of Fair Competition Rules of Procedure.

Other salient features of the guidelines include Definition of a Merger, Merger Notifications, Control of Mergers and Market Interpretations.

According to the guidelines, parties intending to merge ought to notify the Commission of their intent to do so if the merger involves turnover or assets above threshold amounts the Commission shall specify from time to time by an Order, in the Government Gazette, calculated in the manner prescribed in the Order. Failure to notify a merger is an offence under the FCA.

Not all mergers are likely to be approved. According to the guidelines, a merger that projects the likelihood of creating or strengthening a position of dominance in a market may be prohibited.

Similarly, some mergers may be exempted for a limited timeframe should the analysis of the transaction prove that the benefits of the anti-competitive tendency outweigh the negative elements.

The Guidelines point out that when the Commission makes a decision to approve the merger with or without conditions because it is unlikely to harm competition, it will notify the applicant and any other interested parties the Commission chooses to notify of its decision in writing, and will give a summary of the reasons for its decision as provided under Rule 51(13) (a) and (b); and Rule 51(14) of the FCC Procedure Rules, 2010.

The Commission will inform the public of its decision and its reasons for allowing the merger with due regard for commercial confidentiality (Rule 51(14)(c) FCC Procedure Rules.

According to the Guidelines situations where the Commission will not be bound to maintain the confidentiality of material are whenever the information has already been published in the public domain; or the person providing the information waives confidentiality in respect of the information.
FCC Approves 37 Merger Applications

By Salvator Chuwa, Merger Analyst

The Fair Competition Commission (FCC) has approved a total of 37 merger applications out of 43 applications to merge notified at the Commission between May, 2007 and March 2011. Of these, two merger applications were approved with conditions while 35 applications were cleared without conditions.

The Director for Research, Mergers and Advocacy Mr. Allan Syril Mlulla told the FCC Newsletter that the two merger applications approved with conditions pertain to applications between the East Africa Breweries Limited (EABL) and Serengeti Breweries Limited (SBL) as well as the acquisition of Barclays’ Custody Service by Standard Commercial Bank.

He elaborated that the objective of the conditions imposed on the transitions is to ensure the markets are kept competitive by curing the anti-competitive elements inherent in the respective transactions.

“Applications which were approved without conditions are those that, according to the technical analysis have proved to neither create nor strengthen a position of dominance in a relevant market,” said Mr. Mlulla. He elaborated further that according to the “harm-to-competition-test” to which these applications were subjected, it was revealed that there was no possibility for any of these firms to act unilaterally and harm competition in the relevant markets.

Outlining the conditions imposed on approval of EABL/SBL merger, Mr. Mlulla said that EABL were required to dispose off their holdings with TBL within the period of six months from the date of the Commission’s approval. He added that EABL had also been required to ensure the continuity and promotion of the identity of SBL.

He pointed other conditions as the requirement for EABL to ensure the continuity and promotion of the current brands of SBL for at least five years from the effective date of the merger approval.

Mr. Mlulla said that the last conditionality imposed on the merger approval was that EABL should submit to the Commission for the next five years after the effective date progress report of compliance with the investment strategy/ plan submitted during the application of this merger as well as a report on compliance with the conditions.

In the same spirit, in the Barclays/Standard Chartered Bank merger application, the condition imposed by the Commission was to remove one of the terms in their Sale and Purchase Agreement, which, according to the analysis, seemed to be anti-competitive.

Mr. Mlulla said that generally mergers have anticompetitive effects as they combine assets that would have otherwise continue to compete. However, mergers have to be reviewed on merits to establish the extent to which benefits outweigh their effects before they can be approved or rejected. “Some mergers can be advantageous to consumers and the economy where as others may not”, he elaborated.

He said that FCC has stepped up its investigation machinery on all un-notified mergers and other anti-competitive agreements and misleading conducts and thus called for firms to voluntarily comply with FCA by making sure that they notify the Commission on their intent to merge or acquire another firm, if they fall within the prescribed merger notification threshold level of Tanzania Shillings 800 million of combined assets of merging firms.

The FCA has clearly stipulated that firms failing to notify a merger or acquisition and which shall be found to fall within the merger notification threshold may face severe penalty, including paying up to 10% of their annual turnover.

Procedures for Challenging Seizure of Counterfeits Streamlined

By Magdalena Utouh, Head, Counterfeit Surveillance

In a bid to ensure due process in the fight against counterfeit goods, The Fair Competition Commission has successfully made procedural changes in challenging seizure. The Chief Inspector appointed under section 2 of the Merchandise Marks Act, 1963, as amended is charged under the said Act with the duty to control and regulate the use of marks and trade descriptions in relation to merchandise.

In 2005 the Minister for Industry, Trade and Marketing appointed the Director General of the Fair Competition Commission to be the Chief Inspector to oversee implementation of the Merchandise Marks Act, 1963, as amended, which is a legal framework for combating counterfeit goods in Tanzanian mainland market.

Accordingly, by virtue of the Merchandise Marks Act, 1963 and Merchandise Marks Regulations of 2008, the Chief Inspector among other powers bestowed upon him, is empowered to detain or seize any goods which he reasonably suspects to be counterfeit goods. According to the Merchandise Marks Regulation, importers or owners of seized or detained suspected counterfeit goods have been given one month after being served with the seizure notice to lodge a claim in writing for the restoration of goods.

The Merchandise Marks (Amendments) Regulations, 2010 provides a clear procedure for initiating a claim in lieu of restoration of goods. A party claiming restoration of goods is required to fill his/her claim in a particular form, called “Form L” prescribed in the First Schedule and submit the same to the Chief Inspector or his representative.

Upon receiving a claim, the Chief Inspector issues a notice of hearing in Form M prescribed in the First Schedule and specifies time, date and place where the hearing is to be conducted. The new regulation stipulates...
A Cross section of the general public led by the Brass band in a one km healthy procession to mark the World Consumer Rights Day in March, 2010.

By Joshua Msoma,
Consumer Protection Officer

The Fair Competition Commission, in collaboration with other consumer protection bodies in the country commemorated the World Consumer Rights Day in Dar es Salaam, through various activities between 10th and 15th March, 2010.

During this milestone endeavour, FCC enjoyed working collaboration of the National Consumer Advocacy Council (NCAC), Consumer Consultative Councils of the Regulatory Authorities namely Energy and Water (EWURA-CCC), Communications (TCRA-CCC), Surface and Marine Transport (SUMATRA-CCC), Civil Aviation (TCAA-CCC) and a private consumer movement called Tanzania Advocacy Society (TCAS). These bodies organised the celebrations under the umbrella of “Tanzania Consumer Forum”, which is an apex body for the Consumer Consultative Councils, the NCAC and FCC.

The 2010 Consumer Rights Day Theme was “Our Money Our Rights”. The theme challenged stakeholders to ensure that goods and services are offered at the price which is commensurate with the value for money paid. In a nutshell, the theme calls on the members of the business community and service providers to equate the quality of their goods and services with the amount of money the consumer pay for the same.

A press conference was held on 10th March, 2010 at FCC office premises in advance of official inauguration of the commemoration. Several Chairpersons of the Consumer Consultative Councils, Executive Secretaries of NCAC and the Consumer Advocacy Councils and the Director for Compliance at the FCC, Mr. Gregory Ndanu, participated in the Press Conference which charted out the roadmap of activities in relation to the commemoration of the major event.

The commemoration of World Consumer Rights Day was also coloured by Seminar for key stakeholders on the Annual Theme. The Seminar was held at the Starlight Hotel on 13th March, 2010. Other events included a three-day exhibition session to demonstrate consumer protection activities to the public from 13th to 15th March, and a short procession from Kidongo Chekundu to Mnazi Mmoja Grounds during the climax day on 15th March. The Deputy Permanent Secretary at the Ministry of Industry, Trade and Marketing, Dr. Shabani Mwinjaka officiated at the closing ceremony, whence he also inaugurated a “Consumer Voice” Magazine, prepared jointly by the organisers of the event.

A cross section of visitors at the pavilions expressed their keen interest in understanding various aspects of consumer protection. As one of the key consumer protection stakeholders, FCC sensitised and educated the general public who visited her pavilion.

FCC commemorated the Consumer Rights day in 2009 for the first time. The event was also coloured by similar events as the 2010 celebrations; that is a Seminar for stakeholders on dangers of selling Junk Foods to children, three days exhibitions on the activities of consumer protection bodies’ at Karimjee grounds, and a 2km procession from Mnazi Mmoja grounds to Karimjee Hall during the climax of the event.

Commemoration of World Consumer Rights Day is an opportunity for sensitising and educating consumers and the general public on consumer rights and responsibilities across the globe. The event calls for all sectors within socio-economic arena to consider, respect and protect consumer rights in order to accord consumers an opportunity to make informed choices on the purchase of goods and services.

World Consumer Rights day is commemorated on 15th day of March, every year. Consumer protection efforts dates as far back as 1962 during which the then President of the United States of America, H.E. John F. Kennedy presented the Bills of Rights to the Congress, which enshrined the basic consumer rights.

Consumer Rights which are internationally accepted and acknowledged by the United Nations include the rights: to basic needs, to security, to be informed, to choose, to be heard, to redress, to safe and sustainable environment and right to be educated. The event centers around advocating for protection of these rights.

Similarly, consumers have responsibilities. Consumer responsibilities include such issues as to be alert and ask questions on the quality and price of goods and services, to use goods and services in a manner that protects environment, to read and follow safety instructions and appropriate.
FCC Bid Farewell to Outgoing Leaders, Welcomes new DG

Fair Competition Commission bid a farewell to the outgoing Director General, Mr. Geoffrey Mkocha and Commissioner Elizabeth Nzagi, and welcomed the new Director General, Dr. Geoffrey Mariki in a colourful event held in Dar es Salaam on 5 November, 2010.

The Commission gave special prizes to the outgoing leaders during the event which is also an annual family event for FCC staff.

The Chairman of the Commission, Mr. Nikubuka Shimwela highlighted during the event that the results of the 2010 General Elections pose a challenge for the activities of FCC and the Regulatory Authorities calling for the need for these bodies to re-align their focus in accomplishing their duties to the expectation of the public, professionally, more diligently and more cautiously. He said these aspects will enable these bodies to set a level playing field for key players in trade, commerce and economy as a whole.

Prior to presenting prizes to the outgoing leaders, Mr. Shimwela pointed out that the Commission had been fortunate for being led by patriotic and dedicated leaders who are well versed in the spheres of economics, industrial dynamics, trade and development. He said such leaders deserved an accolade for the job well done.

He explained that Mr. Mkocha had demonstrated over 30 years experience in the fields of economics and trade and is amongst founders of the Tanzania’s Trade Centre in London where he served from 1980 to 1990 after having served the nation in various capacities since 1974.

Mr. Shimwela also pointed out that Mr. Mkocha had also served as a special aide to the Prime Minister and the First Vice President from 1990 to 1996, Commissioner in Charge of the Fair Competition Law at the Ministry of Industry and Trade between 1996-2005 and the Deputy Permanent Secretary in the same Ministry from January to May, 2006.

“Through the good leadership of Mr. Mkocha most of us were able to tap from his knowledge and experience on various issues pertaining to Competition Law and Policy and their respective significance to the economy,” he noted.

Mr. Shimwela further noted that the new Director General, Dr. Geoffrey Mariki was equally an experienced fellow who has brought into the Commission a wealth of more than of more than 35 years experience in industrial engineering, development dynamics, trade, economics and markets.

He pointed out that Dr. Mariki had served at various Regional and international leadership positions including Resident Advisor for United Nationals Industrial Development Organisation (UNIDO) for Ethiopia, Kenya, Uganda, Rwanda, Burundi and Eritrea; UNIDO Representative in Leadership Council Summits of UN-HABITAT, UNEP, ECA and Global Environment Facility (GEF). Mr. Shimwela noted further that Mr. Mariki had also supervised industrial development efforts in Africa, South America and Asia.

Similarly, Mr. Shimwela pointed out that the outgoing FCC Commissioner Elizabeth Nzagi is an experienced Legal Counsel at Tanzania Communications Regulatory Authority (TCRA). “Ms. Nzagi was at the forefront in spearheading establishment of the Commission Secretariat and guiding the same in the early days of its existence. She has also been a good advocate of FCC activities and has tremendously assisted the Commission in communicating with the Regulatory Body on various issues,” pointed out Mr. Shimwela. He added that he was optimistic that Ms. Nzagi will continue being a good ambassador of competition and FCC activities in her work.

“The good seed that you had planted in the Commission has germinated and continues to flourish. We shall nurture it to the point of bearing expected results,” assured Mr. Shimwela.

FCC holds an annual event for staff and their families to congratulate each other and take stock of the annual accomplishments in enforcing the Fair Competition Act and the Merchandise Marks Act.

The Commission also presented special gifts to her staff for various accomplishments during the year. The Director of Corporate Affairs, Mr. Michael Shilla, previewed the categories of staff who to receive the awards. Mr. Shilla pointed out that the first group was a special committee established with a view to Reviewing the Commission’s Scheme of Service, and the Second Group was awarded for having led well the efforts towards establishing the Commission’s Code of Conduct, FCC Rules of Procedures and FCC and FCT Financing Rules for guiding the manner and magnitude of contributions from Regulatory Authorities.

The annual event was coloured by a live Kalunde band led by Maestro Mafumu Bili Ali.
The Ambassador of the United States of America to Tanzania, H.E. Alfonso Lenhardt, called on wider public awareness on counterfeit medicines in order to enable the health sector in the country to serve the people well and save patients from greedy counterfeit medicine producers. This was expressed on his visit to the FCC’s Pavilion on 2nd July, 2010 during the 34th DIFT where anti-counterfeit awareness programme was carried out.

“Everything from educating the public about ways in which they can avoid using counterfeit and identify counterfeit products in one description or another is an important effort since they might harm Tanzanians,” stated the Ambassador.

He added that, counterfeit medicines pose health hazards and endanger people’s lives since the said products are not safe for human consumption. “Therefore, what is being done here is exactly what is needed, that is, to inform the public that they should not make mistakes that will endanger their lives”, elaborated Ambassador Lenhardt.

Ambassador Lenhardt also visited other pavilions under the Ministry of Industry and Trade and applauded the FCC and other entities noting that they have all put Tanzanian people first in their undertakings.

Ambassador Lenhardt was accompanied by the Embassy’s senior economic advisers, Ms. Emily Shaffer and Mr. Frederick Maeda.

FCC in collaboration with the American Embassy and the Tanzania Food and Drugs Authority run awareness programme on counterfeit medicines during the 34th DIFT during which counterfeit anti-malaria drugs were predominantly displayed.

The effort was a development of the East African Anti-Counterfeit Workshop held at Movenpick Royal Palm Hotel in Dar es Salaam from 10th to 12th March, 2010. The said workshop was jointly organized by FCC, the American Embassy and the American Federal Trade Commission.

American Embassy is a close partner in the enforcement of Anti-counterfeit law and capacity building on IPR related issues.
THE family of the Fair Competition Commission has grown with the recruitment of eleven new staff in the first and second quarter of 2011 due to needs emanating from the adjustments of the Commission’s Scheme of Service in the last quarter of 2010.

The newly recruited staff include one stores officer, Mr. Rwenyemamu Nyakale and one Records Management Officer, Mr. Peter Kamwaga. The Commission also recruited one personal secretary, Ms. Anipha Kabepele, two drivers and six assistant counterfeit surveillance officers.

The new drivers are Mr. Abenry Kyando and Mr. Ally Juma Ally, whereas the assistant counterfeit surveillance officers are Ms. Diana Augustine, Mr. Anderson Rwiza, Mr. Emmanuel Mgeni, Mr. Michael D. Kajembe, Mr. Mgasi Kalindimya and Mr. Emmanuel R Nyetabula.

The new recruits strengthens the Commission’s capacity to discharge its duties more effectively in implementing the Fair Competition Act (No 8 of 2003) and the Merchandise Marks Act of 1963 (as amended).

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The new recruits strengthens the Commission’s capacity to discharge its duties more effectively in implementing the Fair Competition Act (No 8 of 2003) and the Merchandise Marks Act of 1963 (as amended).

THE Fair Competition Commission has shifted its office premises from 7th floor of the CRDB Headquarters Building, along Azikiwe Street to 2nd Floor of the Ubungo Plaza, along Morogoro Road, effective 1st October, 2010. The shift aims at placing FCC in a position to serve its customers better given the fact that FCC had been compelled to adjust in response to the needs originating from institutional growth in responsibilities and thereby the corresponding workforce.

FCC has outgrown its former office premises which it used to occupy for the past four years. The shift is also geared towards reducing organisation’s overheads in such issues as running case hearings in respect of the various complaints and applications from individuals and companies. Similarly, the move pave way for inclusion of additional equipment which could not be installed in the limited space of the former premises.

FCC will continue providing our Stake holders with high quality services and promoting competition and development of the economy in Tanzania.

FCC staff and stakeholders have expressed their excitement over the shift to new office premises as it heralds a new era of growth for The Fair Competition Commission!

Complete physical and postal addresses as well as the telephone numbers and other contacts of the new office premises have been published in the website of the Commission at www.competition.or.tz.
Anti-counterfeit law enforcement agencies and experts from East African member states who met in Dar es Salaam in the first quarter of 2010 called for stepping up strategies on effective ways in waging war against the counterfeit medicines in the Region.

The call was drummed up during the regional IPR enforcement workshop christened “Combating Health and Safety Counterfeit Products in the East African Community”, which was co-organised by the US Embassy, the Tanzania Fair Competition Commission, the U.S. Department of Justice, Commerce’s Patent and Trademark Office and International Trade Administration, and the Department of Homeland Security’s Immigration and Customs Enforcement.

The regional meeting was held at Movepick Hotel in Dar es Salaam and it brought together more than one hundred government officials, private sector copyright and brand holders (local and international pharmaceutical and consumer products companies), health system practitioners, IPR NGOs and lawyers, judges and law enforcement departments including food and drugs regulators from East African member states.

The experts recommended for the need to charter out a comprehensive EAC anti-counterfeit policy, coordinate effective regional enforcement of war against, and exercise smooth information exchange. They said these aspects are essential now that a customs union is in effect and goods can travel freely within the region.

The US embassy in Dar es Salaam also hosted the EAC Secretariat hosted in Arusha to draft EAC’s new Anti-Counterfeit Policy and Bill around the same time as the EAC IPR Meeting in Dar es Salaam. The legislation is to supercede national legislation of the member states.

The Dar es Salaam IPR meeting was fruitful as it equipped anti-counterfeit enforcement officials in the region with the requisite skills to meet the challenges of the dynamics of medical counterfeits in the region. It also accorded them an opportunity to learn practical tools, and establishment of a framework for working together as a joint regional effort.

The Dar workshop sought to address weak regulatory systems, stimulate inter-agency cooperation and involve copyright holders in order to improve criminal enforcement of IP in the region. The workshop also sought to impart a proper understanding by the judiciary of the gravity of offenses involving counterfeit medicines so as to issue appropriate deterrent sentences.

The event was opened by the US Ambassador to Tanzania, H.E. Alfonso Lenhardt, and the Director of Compliance of the Tanzanian Fair Competition Commission, Advocate Gregory Ndanzu; and closed by the then Chief Justice of Tanzania, Justice Augustine Ramadhan.

FCC, EAC Stakeholders Meet on Counterfeit Medicines

By Staff Reporter

The Former Chief Justice, His Lordship Augustine Ramadhan, presenting a certificate to FCC’s Head of Investigation, Ms. Grace Freedom, during the EAC Seminar. Centre is the US Embassy Economic Officer, Ms. Emily Shaffer.

Ambassador of United States of America, H.E. Alfonso Lenhardt, officiated the event

Director of Compliance, Mr. Gregory L. Ndanzu, co-officed at the event

The event was opened by the US Ambassador to Tanzania, H.E. Alfonso Lenhardt, and the Director of Compliance of the Tanzanian Fair Competition Commission, Advocate Gregory Ndanzu; and closed by the then Chief Justice of Tanzania, Justice Augustino Ramadhan.
A cross section of FCC staff listening to a HIV/AIDS training expert, Mama Wanderage, from the Tanzania Public Service College, during a staff training on HIV/AIDS in March, 2011.

USA Ambassador to Tanzania, H.E. Alfonso Lenhardt (L), listening to FCC’s Communications and Public Relations Officer, Mr. Frank Mdimi (C), explaining to him how to differentiate counterfeit and genuine oil filters. Looking on is Embassy’s Economic Officer, Mr. Fred Maeda.

FCC Director General, Dr. Geoffrey Mariki, speaking to the Press during the inaugural of the UNCTAD Training on Competition Investigative Techniques for Eastern, Southern and Central African Countries in November, 2010.

FCC Chairman, Mr. Nikubuka P. Shimwela (C) delivering a ruling on complaint No. 2 of 2009 between TBL and SBL on alleged abuse of dominance position by TBL. The Ruling was delivered in May, 2010.

Chief Inspector of the Merchandise Marks Act (1963) as amended, also the Director General of FCC, Dr. Geoffrey Mariki, inspecting seized goods in Customs warehouses in October, 2010. He is being briefed on status of such seized goods by the Head of Anti-Counterfeit Enforcement, Mr. John Mponela (C) and an Investigation Officer, Mr. Laiton Mhesa (L).

Visitors to FCC Pavilion during Farmers Exhibitions (Nane Nane) listening to Consumer Protection Officer, Mr. Utukufu Kyando at Nzuguni grounds in Dodoma in August, 2010.