

PUBLIC NOTICE

REGULATORY IMPACT ASSESSMENT (RIA) FRAMEWORK ON COMPETITION - A GUIDE FOR POLICY MAKERS AND SECTOR REGULATORS.

The Competition Authority of Kenya (“the Authority”) is established under the Competition Act No.12 of 2010 (the Act). The Authority’s mandate is to promote and safeguard competition in the national economy to protect consumers from unfair and misleading market conduct.

Pursuant to Section 9, the Authority is mandated to advise the government, sector regulators and other government agencies on matters relating to competition and consumer welfare. Towards this end, the Authority in conjunction with the relevant stakeholders has developed a Regulatory Impact Assessment (RIA) Framework on Competition to guide policy makers and sector regulators to ensure that the proposed and existing laws and regulations do not create obstacles to the growth of market economy in Kenya.

The formulated Framework provides guidance for Sector Regulators and policy makers on how to apply a screening test to determine whether a proposed (or existing) law and / or regulation is likely to result in extinguishing of competition contrary to the provisions of the Act. We hereby urge all policy makers and the sector regulators to immediately (**from 1st August 2017**) adopt this Framework in order to create and sustain efficient markets for consumers. The Authority is willing to provide assistance to policy makers on the introduction of new regulations especially those expected to have an impact on businesses.

Policy makers can consult CAK where they are uncertain as to whether a proposed policy or regulation may affect competition in the markets. The soft copy version of the RIA Framework guide can be downloaded from our website www.cak.go.ke.