



# COMPETITION AUTHORITY OF KENYA PORTAL RTP COMPLAINT FILING INSTRUCTIONS

## A. INTRODUCTION

### 1. SCOPE

1.1 This Manual is applicable as a guide in the online filing of Restrictive Trade Practices (RTP) Complaints by stakeholders through the Public Portal.

### 2. PURPOSE

2.1 The main purpose of this Manual is to guide the Authority's stakeholders in filing of RTP Complaints using the Public Portal in its regulation of market conduct as provided for in Part III of the Competition Act, No. 12 of 2010 (the Act).

2.2 By rendering public the guidelines and instructions to be followed in online filing of RTP Complaints, the Authority expects to create awareness and provide a reference point for online filing of RTP Complaints.

2.3 The main objectives of the instructions are to:

- 2.3.1 Provide a step-by-step guidance on how to file RTP Complaints online;
- 2.3.2 Equip stakeholders with a reference point when filing RTP Complaints;
- 2.3.3 Provide valuable records on the portal thus reducing the risk of deviation from common practice;
- 2.3.4 Enable the stakeholder filing RTP Complaints to track case progress through the system; and
- 2.3.5 Lower printing, archiving and transportation costs.

### 3. TERMS, DEFINITIONS AND ABBREVIATIONS

- 3.1 **Competition Authority of Kenya** – Abbr.: CAK, also referred here-in after as ‘the Authority/CAK’ is the government agency mandated to regulate market structure and conduct in the Kenyan economy and protect consumers against unfair and misleading market conduct.
- 3.2 **Public Portal** – refers to the CAK developed online platform for submitting; complaints, cases and filings. The portal access link is: <https://competition.cak.go.ke:444/>. This address may change from time to time and shall be duly updated in the Authority’s website.
- 3.3 **Authority’s Website** – refers to the address: [www.cak.go.ke](http://www.cak.go.ke)
- 3.4 **CMS** – refers to the Case Management System, a system developed by the Authority to provide a platform for receiving cases from the portal once they are submitted by the filing parties.
- 3.5 **RTP**– Restrictive Trade Practices are agreements between undertakings, decisions by associations of undertakings, decisions by undertakings or concerted practices by undertakings which have as their object or effect the prevention, distortion or lessening of competition in trade in any goods or services in Kenya, or a part of Kenya.

### 4. DECLARATION

- 4.1 The Authority has developed these instructions without any prejudice and complainants should, therefore, ensure that they acquaint themselves with the portal as they prepare their submissions.

### 5. FILING INSTRUCTIONS

- 5.1 The filing process starts with creation of an account through the Public Portal by the Complainant.

- 5.1.1 To create an account, open your browser and key in the portal address (<https://competition.cak.go.ke:444/>). The portal address can also be accessed through the Authority's main website.
- 5.1.2 Click on register and enter the respective details as directed by the platform.
- 5.1.3 Once registered, log on to the system and click on the Menu button.
- 5.1.4 Select file a complaint and click Restrictive Trade Practices Complaint on the resultant selection panel.

## 5.2 Filling the RTP Complaint Form

- 5.2.1 The form has instructions on what should be filled based on the nature of the information needed. The user should read these instructions before proceeding to fill the RTP Complaint form.
- 5.2.2 The user should ensure that the information and attachments intended to be submitted to the Authority is verified and is in order.
- 5.2.3 The user should ONLY upload the attachments (in pdf format) once they have filled in all the other sections before clicking on 'Submit'
- 5.2.4 Upon submission, the Public Portal will auto generate a response confirming receipt of your complaint by the Authority.
- 5.2.5 The Public Portal will also enable the user to check the progress of the case from the homepage on log on.
- 5.2.6 Further to these instructions is **annexure 1** with a pictorial step by step guide on how to file RTP Complaint.

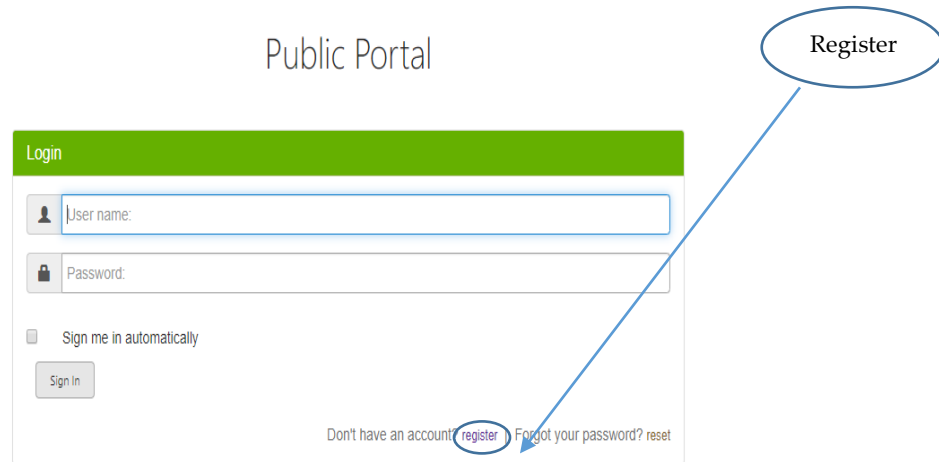
## 6 USEFUL TIPS

- 6.1 Do not share the password to your Public Portal account or the reference number with other person/parties unrelated to the Complaint.
- 6.2 Only attach relevant documents once the form is fully filled and ready for submission.
- 6.3 Regularly check the Public Portal's dashboard to track the progress of your Complaint.
- 6.4 All the documents to be uploaded should be legible and should have a clear descriptive file name. *For instance; Minutes, memo, market shares among others.*

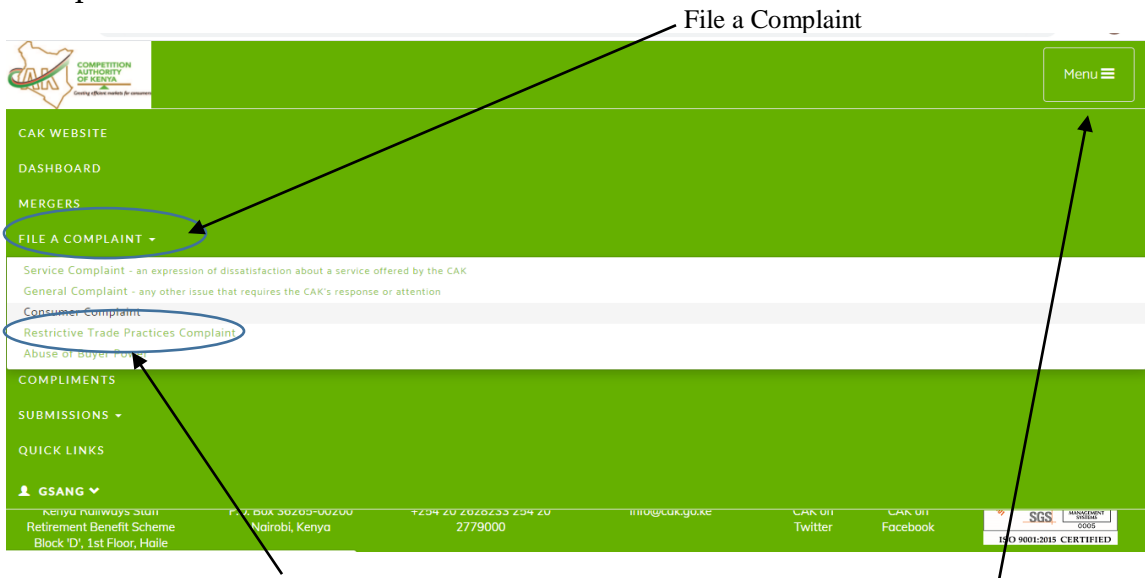
## ANNEX I

### STEP BY STEP GUIDE ON LODGING RTP COMPLAINT IN THE CAK PUBLIC PORTAL

1. Ensure your computer has a stable internet connection.
2. Visit <https://competition.cak.go.ke:444/>.
3. On the landing page, click on “register” and fill in the details to open an account.



4. Create an account by providing all the details including a username, email address and choosing a password.
5. Enter your username and password to log in.
6. On the dashboard, click on “menu”- “File a Complaint”- “Restrictive Trade Practices Complaint.”



- Click on “Restrictive Trade Practices Complaint” and fill the “Details of the complainant,” and “Details of the person/undertaking whose practice is the subject of the complaint.”

- Click on “Choose Files” to attach necessary documents i.e. company profile, market shares among others.



2. Once you submit your complaint, you will receive Auto-Response message confirming that your complaint has been received by the Authority as shown below:

