

STATUTES OF THE REPUBLIC OF SOUTH AFRICA — TRADE AND INDUSTRY

MAINTENANCE AND PROMOTION OF COMPETITION
AMENDMENT ACT
NO. 62 OF 1983

[ASSENTED TO 10 MAY, 1983]

[DATE OF COMMENCEMENT: 20 MAY, 1983]

(English text signed by the State President)

ACT

To amend the Maintenance and Promotion of Competition Act, 1979, in relation to certain definitions; so as to provide for the appointment of two more members to the Competition Board; to extend the said board's power to gather information regarding certain business agreements, to business agreements intended to be entered into by a person; to render in wider terms certain powers of the board and of the Minister of Industries, Commerce and Tourism; and to authorize the Minister to make known certain reports of the board either before or after they have been tabled in the House of Assembly; and to provide for incidental matters.

1. Amends section 1 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes in the definition of “acquisition” the words “competition directly or indirectly” for the words, “or is calculated to restrict, competition.”; paragraph (b) substitutes the definition of “Minister”; and paragraph (c) substitutes in the definition of “restrictive practice” the word “likely” for the word “calculated”.

2. Amends section 3 (2) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting the word “seven” for the word “five”.

3. Amends section 8 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting subsection (1).

4. Amends section 10 (4) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by inserting the words “in writing” after the word “representations”.

5. Amends section 12 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes subsection (2) (b); and paragraph (b) substitutes subsection (4).

6. Amends section 14 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes in subsection (1) the words preceding paragraph (a); and paragraph (b) substitutes subsection (3) (a).

7. Short title.—This Act shall be called the Maintenance and Promotion of Competition Amendment Act, 1983.

STATUTES OF THE REPUBLIC OF SOUTH AFRICA — TRADE AND INDUSTRY

MAINTENANCE AND PROMOTION OF COMPETITION
AMENDMENT ACT
NO. 12 OF 1985

[ASSENTED TO 12 MARCH, 1985]

[DATE OF COMMENCEMENT: 27 MARCH, 1985]

(English text signed by the State President)

ACT

To amend the Maintenance and Promotion of Competition Act, 1979, so as to further define the expressions "controlling interest" and "acquisition"; to make other provision for the application of the provisions of the said Act to co-operatives and financial institutions; to increase the number of members of the Competition Board and to regulate the designation of a vice-chairman; to render in wider terms a function of the said board and a power of the Minister of Trade and Industry; and to effect certain textual alterations; and to provide 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 "acquisition"; paragraph (b) substitutes the definition of "controlling interest"; and paragraph (c) deletes the definitions of "co-operative society" and of "financial institution".

2. Amends section 2 (1) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) adds the word "or" at the end of paragraph (a); paragraph (b) deletes the word "or" at the end of paragraph (b); and paragraph (c) deletes paragraph (c).

3. Amends section 3 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes subsection (2); and paragraph (b) substitutes subsection (4).

4. Amends section 5 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes subsection (1); and paragraph (b) substitutes subsection (2).

5. Amends section 6 (1) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting paragraph (b).

6. Amends section 7 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by deleting subsection (7).

7. Amends section 12 (2) (b) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting the word "interest" for the word "interests".

8. Amends section 14 (1) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes in the words preceding paragraph (a) the word "interest" for the word "interests"; and paragraph (b) substitutes paragraph (c) (ii).

STATUTES OF THE REPUBLIC OF SOUTH AFRICA — TRADE AND INDUSTRY
Maintenance and Promotion of Competition Amendment Act,
ss. 9-11 *No. 12 of 1985* ss. 9-11

9. Repeals section 16 of the Maintenance and Promotion of Competition Act, No. 96 of 1979.

10. Substitutes the long title of the Maintenance and Promotion of Competition Act, No. 96 of 1979.

11. Short title.—This Act shall be called the Maintenance and Promotion of Competition Amendment Act, 1985.

STATUTES OF THE REPUBLIC OF SOUTH AFRICA — TRADE AND INDUSTRY

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.

STATUTES OF THE REPUBLIC OF SOUTH AFRICA — TRADE AND INDUSTRY

MAINTENANCE AND PROMOTION OF COMPETITION
AMENDMENT ACT
NO. 96 OF 1987

[ASSENTED TO 13 OCTOBER, 1987] [DATE OF COMMENCEMENT: 1 JANUARY, 1987]

(Afrikaans text signed by the State President)

ACT

To amend the Maintenance and Promotion of Competition Act, 1979, so as to substitute the definition of "Minister"; and to further determine the powers of the Minister of Economic Affairs and Technology to deal with restrictive practices, acquisitions and monopoly situations; and to provide for matters connected therewith.

1. Amends section 1 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting the definition of "Minister".
 2. Amends section 14 (1) (c) of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting subparagraph (i).
 3. Short title and commencement.—This Act shall be called the Maintenance and Promotion of Competition Amendment Act, 1987, and shall be deemed to have come into operation on 1 January 1987.
-

STATUTES OF THE REPUBLIC OF SOUTH AFRICA — TRADE AND INDUSTRY

MAINTENANCE AND PROMOTION OF COMPETITION
AMENDMENT ACT
NO. 88 OF 1990

[ASSENTED TO 21 JUNE, 1990]

[DATE OF COMMENCEMENT: 4 JULY, 1990]

(English text signed by the State President)

ACT

To amend the Maintenance and Promotion of Competition Act, 1979, so as to further define a restrictive practice; to alter an obsolete designation and expression; to further regulate the functions of the Competition Board; to make further provision in connection with the power of the said Board to require returns and to make investigations; to make other provision in respect of acquisitions; and to effect certain consequential amendments arising from the regulation of monopoly situations; and to provide for incidental matters.

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”; and paragraph (b) substitutes in the definition of “restrictive practice” the words following upon paragraph (d) and preceding paragraph (i).

2. Amends section 6 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes subsection (1); paragraph (b) substitutes subsection (2) (a); and paragraph (c) deletes subsection (3).

3. Amends section 8 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, by substituting subsection (1).

4. Amends section 9 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes in subsection (2) the words preceding paragraph (a); and paragraph (b) substitutes subsection (3).

5. Substitutes section 10 of the Maintenance and Promotion of Competition Act, No. 96 of 1979.

6. Amends section 12 of the Maintenance and Promotion of Competition Act, No. 96 of 1979, as follows:—paragraph (a) substitutes subsection (2) (b); and paragraph (b) substitutes subsection (4).

7 and 8. Substitute respectively section 14 and the long title of the Maintenance and Promotion of Competition Act, No. 96 of 1979.

9. Short title.—This Act shall be called the Maintenance and Promotion of Competition Amendment Act, 1990.
