

SPEECH DELIVERED BY PS, MRS. NAFFIE BARRY.

**ROUNDTABLE WORKSHOP ON INTERPLAY BETWEEN THE GAMBIA
COMPETITION COMMISSION AND SECTOR REGULATORS.**

PROTOCOLS:

It is my pleasure once again to stand before you to deliver the opening remarks on the Roundtable workshop on interplay between the Gambia Competition Commission and Sector regulators.

I want to begin by thanking the GCC for organizing this event, and for the opportunity to chair the sessions.

Today, you are focusing on a subject that is critical to the success of the GCC - the interaction between sector regulators and the Gambia Competition Commission. I am not going to bore you with a long speech but will rather stress on why the need for this roundtable.

The first point is simple: Competition is clearly the dominant source of low prices, high quality and innovative products and services. Effective competition can and will deliver many of the objectives governments ascribe to regulations. The common desire to achieve, low prices and improve innovation is what binds the GCC and sector regulators. The two sets of regulators share a common goal of protecting and enhancing social/economic welfare.

The second point is also very simple. Just getting better regulation is not enough. Where regulations are justified, they should also be enforced, to the extent possible, in harmony with competition principles. This brings us to the main challenge and the theme of this roundtable: how can we ensure that the enforcement of the *Competition Act* and the operations of various regulatory bodies are both effective and efficient, while serving the needs of Gambians?

In short, we need to recognize and accept that some forms of regulation are inevitable and often desirable. And given that we will have to live with some degree of regulatory intervention in the marketplace, we need to look at ways for regulatory policy and competition policy to complement, rather than negate, each other. Most importantly, the existence of regulation is not

an excuse to engage in anti-competitive behavior and circumvent the *Competition Act*.

Effective competition itself can only take place in a healthy society and healthy societies are built on laws and regulations. In particular, we need to ensure that those laws that are intended to support the marketplace enhance rather than restrict competition. And we need to ensure that while pursuing other social objectives, we interfere minimally with market functioning. In short: regulation only if necessary but, if it is necessary, makes sure that it is competition friendly.

In conclusion, I wish to offer the following advice to The Gambia Competition Commission and Sector regulators when handling issues:

- First, it is vitally important to define our roles as clearly as possible, perhaps even including such clarifications in legislation.
- Second, when an issue engages both the GCC and a regulator, we need to cooperate to share information where it is needed to perform our duties concerning the issue at hand and with due regard to ensuring confidentiality.
- Third, we need to respect and use each others' areas of expertise. I don't expect GCCs personnel to become instant experts on all technical issues that arise in regulated markets; we need to draw on the expertise of the regulatory agencies and outside experts. So, too, I doubt that many regulatory agencies would develop the expertise to conduct or assess competition analyses to the standards of the Competition Commission staff. They should be willing to draw on us for that work.
- The fourth point is one of process pragmatism: no two significant cases will be the same. We need to be pragmatic and adjust our practices on a case by case basis where regulation and competition issues overlap.

Thank you for your time and I take my rightful role as Chair of the Roundtable. Ms Hilary Jennings, Head of Competition Outreach, OECD will now set the stage on how to achieve a workable framework for The Gambia.

