



Fair Trading Commission
Seychelles



2022

ANNUAL REPORT

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OUR VISION

**Be the leading
institution in the protection
of consumers and the
competition process for the
promotion of socioeconomic
welfare**

OUR MISSION

**Advocating and
enforcing consumer
rights and obligations
whilst fostering a fair
and competitive business
environment in
Seychelles**

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Activities

OVERVIEW OF ORGANISATIONAL STRUCTURE

THE MAHE OFFICE IS MADE UP OF 6 DEPARTMENTS WHICH INCLUDE CONSUMER SERVICES, CONSUMER GOODS, COMPETITION, MARKET SURVEILLANCE, LEGAL AND SUPPORT.

THE PRASLIN OFFICE TAKES ON THE ROLE OF PROVIDING THE SAME SERVICES AS THE DEPARTMENTS ON MAHE, TO THE PRASLIN AND LA DIGUE CONSUMERS AND BUSINESSES.

IN MARCH OF 2022, WITH THE ENACTMENT OF THE FAIR TRADING ACT, 2022 IT WAS FOUND IMPERATIVE TO HAVE A SPECIALISED EDUCATION & ADVOCACY UNIT. THE FAIR TRADING COMMISSION DOES NOT SOLEY FOCUS ON ENFORCEMENT OF THE LAW, EDUCATION & ADVOCACY IS A VITAL PART OF OUR OPERATIONS, AS AN EDUCATED COMMUNITY HELPS CREATE A BETTER TRADING ENVIRONMENT.

THE STAFF OF THE COMMISSION ARE EQUIPPED WITH THE RESOURCES, SKILLS AND KNOWLEDGE REQUIRED TO EFFICIENTLY DELIVER SERVICES CONSISTENT WITH THE MANDATE, UNDER THE GUIDANCE OF THE MANAGEMENT TEAM.

MEET THE MANAGEMENT TEAM



MR FRANCIS LEBON
CHIEF EXECUTIVE OFFICER
to September 2022



MRS NATALIE EDMOND
DEPUTY CHIEF EXECUTIVE OFFICER



MR NEDDY PADAYACHY
PRINCIPAL ANALYST
CONSUMER GOODS



MS PRIYANKA RAMRUCHAYA
PRINCIPAL ANALYST
LEGAL



MS ANNASHANTA CANAYA
SENIOR ANALYST
CONSUMER SERVICES



MRS FREDERIKA CONFAIT-POUSSOU
SENIOR ANALYST
MARKET SURVEILLANCE



MS NATASHA JUMAYE
SENIOR ANALYST
COMPETITION



MS SABRINA WEIDAUER
HUMAN RESOURCE & BUDGET
MANAGEMENT OFFICER

THE DEPUTY CEO'S FORWARD

It is my humble honour to pen the opening words of this annual report of the Fair Trading Commission, for the year 2022. This year has been quite an exceptional year for the Commission in many respects. Firstly, this year marks the beginning of the turnaround from the COVID 19 pandemic. As such, the disruptions from the pandemic were actively sought to be put in the past while the Commission forged forward towards the return to normality. Secondly, the Commission welcomed its new legislation, the Fair Trading Act, 2022 (FTA, 2022) which was the culmination of a number of years' worth of work, being the amalgamation of the Fair Trading Commission Act, 2009, the Fair Competition Act, 2009 (FCA,2009) and the Consumer Protection Act, 2010 (CPA,2010). The new Act would be the instrument to address the gaps and deficiencies identified in the repealed Acts. Thirdly, the Commission entered a transition period as the CEO, Mr. Francis Lebon, left the Commission to undertake a new role as Principal Secretary of Trade Department in the Ministry of Finance, National Planning and Trade while leaving the fort to be led by myself, the deputy, in accordance with Section 8 (2) of the FTA, 2022.

As the economy emerged from the aftermath of the pandemic, one matter quickly became evident and that was that the road to recovery would not be smooth. Nonetheless, the Commission being a Government entity that is resilient and focused, set out to make markets work by enforcing the competition and consumer provisions in the law. This would in turn create the necessary environment, for benefits to be reaped from efficient competition processes and for consumers to be protected from unfair trade practices from suppliers of goods and services in the market.

In essence, the Commission set out to accomplish the following main objectives during the year 2022:

- Work with the Attorney General's office to develop the necessary guidelines and regulations to give effect to the provisions of the FTA,2022;
- Improve public knowledge on practices that can cause harm to consumers/businesses through an education and advocacy programme;
- Promote greater collaboration and engagement with relevant stakeholders;



- Enhance effectiveness in investigation and prosecution of cases; and
- Maintain a high success rate before the Tribunal and Supreme Court

The above objectives were thus the compass that guided our work while simultaneously, shaping and developing our workforce towards greater efficiency and effectiveness.

At this juncture, my task is therefore to provide you with an overview of the Commission's activities and achievements through the lenses of the various department in line with the objectives laid out above.

Enforcement of the Consumer Protection provisions

In 2022 a total of 158 complaints were lodged were of which 69 cases were goods related representing 43.67% and 89 were services related representing 56.33% of the total number of cases. The relative percentages of the goods and services complaints depicts a shift towards a balance in the number of goods and services cases lodged in comparison with previous years. It is to be noted though that the screening process which is the first check point for identifying merit in a complaint, was an essential tool to effectively determine the progression of the complaints lodged.

With the introduction of the FTA, 2022, 85 cases were lodged under the new FTA, 2022 and the remaining 73 were lodged under the CPA, 2010.

Goods Department

From the 69 goods complaints lodged, only 48 cases proceeded to investigation with 19 cases investigated under the FTA, 2022 and the rest investigated pursuant to the CPA, 2010. The remainder of the 21 complaints were closed at the complaint taking stage, assigned to the Praslin office for investigation among other actions taken. Consistent with past years, Electronic items remained the most prominent category of goods for which complaints were lodged. Interestingly, the value of complaints lodged rose significantly to SCR 1,524,344.65 compared to SCR 690,408.40 in 2021. Such increase could be linked to the type of electronic items purchased, which could have possibly been more expensive. The latter word was also reflected in the value of technical reports which increased from SCR 17,100.00 in 2021 to SCR 23,675.00 in 2022.

Indeed, electronic items cases prompted a survey to be conducted, and facilitated through the consumer policy umbrella, discussions were undertaken with stakeholders in the previous year, 2021, concerning the need for regulation, especially in relation to safety of goods imported in the country. During this year, extensive work has thus been invested in the development of what can be prematurely termed as the "Product Safety Regulations" and this important regulation will have for chief aim tackling the safety aspect of products imported into the country, most notably, electronic goods.

Efficiency remained “le mot d’ordre” at the Commission and consequently the department was instrumental in the investigations of services cases as well.

Services Department

Similar to the goods department, of the 89 services complaints lodged, only 49 cases were assigned to the department for investigation following the screening process. The remaining 40 complaints were either mediated, assigned to Praslin office and the goods department among other actions taken. Yet again, the construction sector remained dominant in terms of complaints lodged. Of the 49 cases investigated by the department, 21 were investigated under the FTA, 2022.

Consequent to the number of construction cases lodged, the Quantity surveyor performed 18 site visits, producing 14 reports while 4 were in preparation for submission in the next year. Of noteworthy importance, while remaining with the theme of efficiency, 43 cases were discontinued in 2022 while only 38 were discontinued in 2021.

Market Surveillance Department

Remarkably, in the surveillance of the markets, enforcement of the consumer provisions was even more pronounced.

A significant increase in inspections was one of the pinnacles of the work done by the department, where 93 inspections were conducted in 2022 in comparison to 59 in 2021, an increase of 57.6%. 27 of the inspections were performed under the FTA, 2022 and the remaining under the CPA, 2010. Investigations conducted by the department also increased from 34 to 45 in 2022. The investigations were predominantly related to information not in one of our national languages.

Drawing from the above, enforcement became essential to ensure compliance with the then CPA, 2010 and the FTA, 2022. To this end, a total of 60 compliance notices were served in 2022. This tool proved to be critical for the breaches observed. Nonetheless, through review of the law and identification of gaps especially in enforcement, with the introduction of the FTA, 2022, a new tool, the “fixed penalties”, was also introduced, with a two-fold purpose, that is to promote deterrence and induce compliance. Under this new regime, suppliers found in breach of the FTA, 2022 can be fined up to a maximum of SCR 20,000 per breach and for the year 2022 towards the last quarter a total of SCR 151, 000 worth of fixed penalties were served of which SCR 83, 000 was collected by the end of the year in question.

Praslin Office

If on Mahe comprehensive work was done to ensure compliance with the provisions of the law, the Praslin office, despite having been met with challenges especially in terms of human resource, did its fair share to enforce the provisions of the FTA, 2022 and CPA, 2010.

For the year 2022, the office received an amount of 14 consumer complaints compared to 10 in 2021. Half of the complaints were dealt with under the FTA, 2022 and the other half under the CPA, 2010. The shift in distribution on complaints reflects a similar pattern that has begun to emerge on Mahe. To note, there was a total of 9 service complaints lodged in comparison to 5 goods complaints lodged. Previously in 2021, the majority of cases lodged were predominantly goods complaints.

An increase in both investigation and discontinuation of cases was also observed where 23 cases were investigated in 2022 compared to 15 in 2021 and 9 cases were discontinued compared to 7 in 2021.

Whilst surveilling the market, 18 inspections were conducted in contrast to 28 in 2021 and that can be attributed to a lack of human resource.

Nonetheless, 13 compliance notices were served and 5 suppliers were found to be in breach of the FTA, 2022 thus liable to a fixed penalty notice.

Enforcement of Competition Provisions

Competition enforcement remains as a crucial part of the Commission's mandate and in this vein, for the year 2022, the department investigated a total of 23 cases which is an increase from 20 cases investigated in 2021. Out of the 23 cases investigated, 22 were initiated where 10 were initiated under the FTA, 2022 and the rest under the FCA, 2009.

The most prominent cases investigated were merger cases received from the COMESA Competition Commission.

In terms of enquiries and market research conducted, 4 and 2 of each were conducted respectively. As a result of the work done by the department, 2 opinion papers were produced to provide guidance to Government especially in the tourism and aviation sector.

Prosecution, Tribunal and Regulations

Legal Department

Similar to other departments, the legal department who is tasked with the prosecution of cases, provided 24 advice for cases and vetted a number of 124 documents comprising of investigation reports, compliance notice among other documents which is a significant increase from 76 the previous year.

With the phasing out of the Board of Commissioners (BOC) and Appeal Tribunal, the FTA, 2022 made provision for a Fair Trading tribunal to be created which was yet to become operational in 2022. It must be mentioned though, that the rules for the functioning of this tribunal are in its final stages and is subject to be gazetted early in the coming year. Despite not being operational yet, but seeing that the FTA, 2022 has already provided for the tribunal, the Department has filed a total of 34 cases with the Tribunal. This includes 23 Consumer services cases, 1 Consumer Goods Case, and 10 Market Surveillance cases. This is in comparison to 17 cases filed in 2021.

It is important to highlight that despite its phasing out, there were cases outstanding with the BOC and consequently in June 2022, the BOC issued a ruling against Cable and Wireless for a sum of SCR 800, 000 which was settled without any ado.

With the assistance of other departments, the legal department in conjunction with the Attorney General's office completed the review and drafting of the Fair Trading Act, 2022. The latter came accompanied with several regulations such as the Fair Trading product labelling & trade description, corporate policy, and prescribed forms.

Stake Holder Collaborative Work and Engagement

During the year 2022, the Commission was actively engaged in collaborative work with its partners or stakeholders in various sectors and industries. While some engagement or collaboration were as a result of direct Government intervention in the market, others were outcomes of years of exchanges and relationship building. This has culminated in established partnerships that will weather through various season of the economy in favour of better functioning markets and socio-economic welfare of consumers which is of paramount importance to the Commission.

The tri-partite collaboration between the Commission, the Seychelles Licensing Authority and the Planning Authority continued its interventions in respect of recurrent respondents and other advocacy actions for better service especially in the construction industry.

Concurrently, in other areas, a taskforce established in 2020 comprising of representatives from the Seychelles Bureau of Standards, Public Health Authority, Seychelles Licensing Authority (SLA), Seychelles Revenue Commission and the Fair Trading Commission conducted 14 inspections related to the pharmaceutical industry.

On the Government level, as customary, the Commission undertook the yearly inspection with representatives from numerous Government bodies and this year the market sweep was named the VIII USALAMA operation.

The Commission also became recipient of additional responsibilities through the Control of Supplies and Services (Maximum Retail Price on Articles Purchased from Seychelles Trading Company Limited) Order, 2022 along with SLA.

Succeeding from the previous year, the Commission engaged with the Department of Trade and finalized the consultancy for experts under the EU, 11th EDF program for the development of the competition and consumer aptitudes of the officers. Through the engagement of Mr. Massimiliano Gangi and simultaneously moving forward digitally through the development of a software, the Commission will enable the officers to become more efficient while providing for increased transparency in the Commission's work in favour of the public. These projects will come to fruition in the year 2023.

The partnership sought after by the Commission was not only limited to local stakeholders but as a means of enhancing capacity building, developing better investigative techniques and exchange of expertise & experiences, the Commission concluded a Memorandum of Understanding with the Consumer and Competition Commission of Botswana in September 2022.

Advocacy & Education

The Commission regularly reaches out to an extensive variety of stakeholders which includes the general public, businesses, associations and Government to promote and

advocate the Competition and Consumer provisions of the FTA, 2022. Hence, during the year in question the Commission has published a total of 217 content on social media which is one of the platforms broadly used by the Commission. The content published the most were adverts.

The Commission has also become engaged in many other educational and advocacy activities and they entailed appearances in various TV and radio programs, outreach through presentations in various organisations, newspaper articles and also in a roadshow. The effort channeled into the advocacy and education activities were of paramount importance to the Commission as they established the very foundation upon which the various provisions of the new FTA, 2022 would be disseminated to all relevant stakeholders and the general public as well. Other regular annual programs such as the World Consumer Rights Day, World Competition Day just to name a few also remained on the Commission's agenda for the year 2022.

It is important to note that despite tools such as regulations and guidelines, education and advocacy remain the wide foot at the very base of a pyramid upon which all other actions of the Commission stand on.

In Conclusion

As I wrap up this foreword, I am inclined to extend my sincere gratitude to our Minister, Mr. Naadir Hassan and our parent Ministry for all their support and assistance during a period where the economy was on the road to recovery.

To our stakeholders, both local and international, the collaboration and synergy has been invaluable towards a good number of decisive actions that would have otherwise been close to impossible should the Commission have proceeded on its own. The Commission looks forward to another fruitful year ahead of partnerships and exchanges.

It is also only fitting to thank our EX-CEO, now Principal Secretary, Mr. Francis Lebon, for all his hard work and dedication which has brought the Commission this far. Such commitment has been instrumental at the Commission and I have no doubt it will be a motivator in your new role.

Last but not least, I would like to take this opportunity to thank all of our staff for their hard work over another challenging year. Their enthusiasm and dedication have stood out for me across the organisation and allowed us deliver real results for competition and consumer protection.

As we look forward into 2023, Result Based Management, Digitalisation and above all team work will lead the Commission and its staff to remain visionaries, goal achievers

and fostering a dynamic work place where “teamwork divides the task and doubles the success” and the economy truly bears the benefits of competition for the socio-economic welfare of all its consumers.

Fostering a dynamic work place where "teamwork divides the task and doubles the success"



HUMAN RESOURCES & ADMINISTRATION

Human Resources holds a great significance in the growth and overall development of the Commission whereas the Administration side focusses on the general financial aspects and Office Management.

With the introduction of the Fair Trading Act, 2022 in August of 2022, the team at the Commission has had to adjust and adapt to operations. The Human Resource and Administration has been present, providing support and ensuring a smooth transition.

WORKFORCE

At the end of 2022, the work force capacity of the Commission comprised of 29 employees, in seven different departments including the Praslin office.

Overall, the Commission in 2022 recorded an increase in its employee turnover rate, which stood at 30.30% compared to 3% in 2021. A total of 9 employees resigned from the Commission. Most resignations were recorded in the second half of the year from the various operations and support department, as well as at our Praslin Office. In exit interviews, reasoning for resignations included: better career opportunities and salary packages.

As per the Commission's recruitment procedure, all posts are advertised internally/externally with the aim of recruiting the right candidate that would embrace the core values and fit within the culture of the organization. This ensures continuity and maintains performance levels at a high level.

A total of 5 employees were recruited in 2022 to fill in few of the vacant posts;

- Mr. Darius Padayachy, Administrative Officer, Support Department - April, 2022.
- Ms. Hillary Pillay, Analyst, Praslin Office - June, 2022
- Ms. Sylvie Sophola, Law Secretary, Support Department - June, 2022, Replacing Ms. Sharon Andimignon, Law Secretary, promoted to Senior Law Secretary, Legal Department.
- Mr. Damien Ally, Senior Analyst, Praslin Office - December 2022.
- Ms. Christine Lucas, Legal Officer, Legal Department - December 2022.

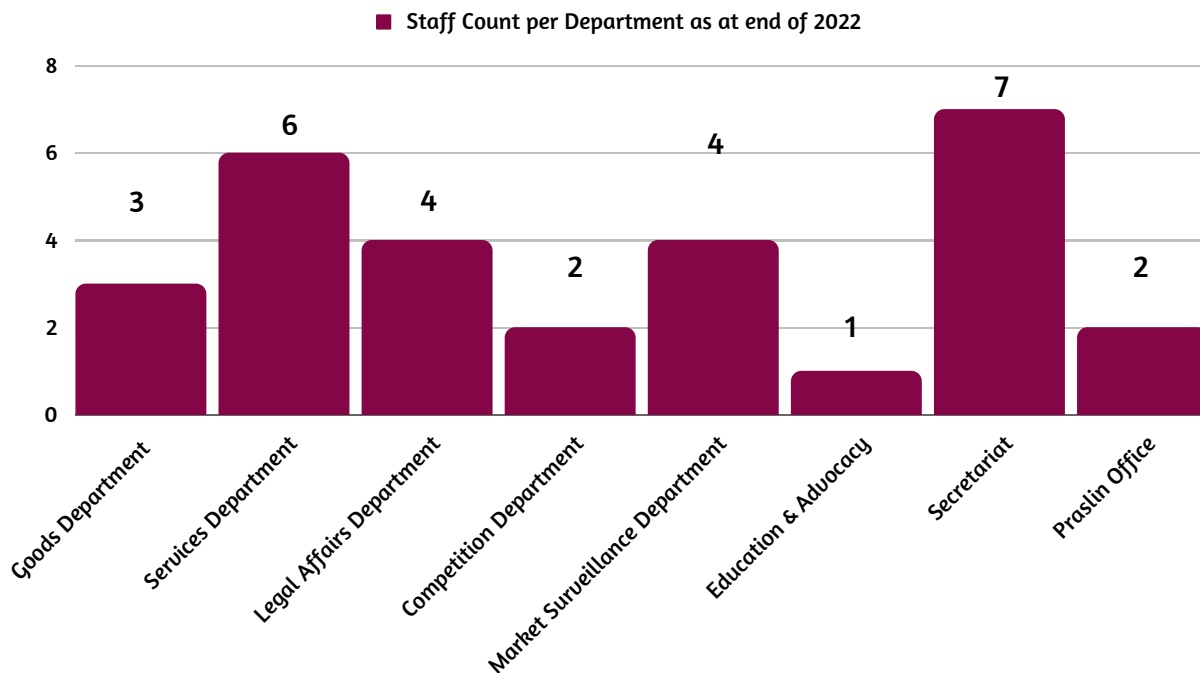
In gearing up to operate under the Fair Trading Act, 2022, the Commission made a few adjustments internally, where a new unit was created in March 2022 – The Education & Advocacy Unit comprising of an Education & Advocacy Officer, who was previously working as an Analyst in the Consumer Goods department.

In addition to the creation of the unit, a new post was created in the support department, to recruit a professional Driver. This was undertaken in April of 2022.

The Chief Executive Officer of the Commission was promoted as Principal Secretary of Trade in September 2022.

WORKFORCE

The below graph represents the breakdown of the number of employees at the end of 2022 at the Commission.



TRAINING

Capacity building can be described as the strategies or actions that an organization takes to ensure that it has the resources needed to succeed. These actions can include: resource development, financial management (diversification of funding sources), organizational learning, leadership development and other activities. In other words, capacity building is any set of actions that an organization takes to improve its ability to perform successfully in its chosen area.

This year the team at the Commission was able to undertake various trainings internationally, locally, as well as virtually.

TRAINING

OVERSEAS MISSION

The staff of the Commission were able to participate in overseas missions, virtual conferences or trainings held locally. The Commission in 2022 was able to provide nine of its employees with the opportunity to attend trainings overseas.

Overseas Trainings undertaken were as follows:

COMESA Regional Training Workshop, Ezulwini Eswatini (Former Swaziland) – June 2022

The workshop themed: Restrictive Business Practices and Merger Assessment aimed to provide our Analysts from the Competition Department with skilled knowledge and new approaches to Competition law and practices.

Internship training at the Competition and Consumer Authority in Gaborone, Botswana – August 2022.

Two staff of the Commission, Senior Analyst in the Market Surveillance Department and the Education and Advocacy Officer had the opportunity to complete a one-week internship at the Competition and consumer Authority in Gaborone, Botswana. The team was able to gather and exchange knowledge with the Communications & Stakeholder relations and Investigations & Policy Research Departments.

Internship training at the Competition and Consumer Protection Commission (CCPC), Zambia – September 2022.

Two staff, based in the Consumer Goods and Consumer services departments respectively had the opportunity to attend a one-week internship where they were attached to the Consumer Department and were able to learn the process of complaint taking, and obtain a different insight of the investigation process.

Internship training at the Competition Commission of Mauritius - September and November 2022.

A staff from the Competition department of the Commission had the opportunity to attend a one-week internship where she was attached to the unit investigating cartels. Another Staff from the Market Surveillance Department also had the opportunity to be attached to the Research Unit.

TRAINING

4th COMESA Consumer Protection Meeting, held in Nairobi Kenya – October 2022.

A staff from the Market Surveillance department of the Commission had the opportunity to attend the 4th COMESA Consumer Protection meeting, held in Nairobi, Kenya. The meeting provided a framework for enhancing, monitoring and reporting of cross border conducts against Consumers in member states.

LOCAL TRAININGS

On a yearly basis, the Commission prepares its training plan with the aim of improving employee's knowledge, skills, understanding, values, attitude, motivation and capability necessary to perform at their optimal. The performance management appraisal system to be introduced in 2023, is to reward staff based on their performance. Therefore, as means of contributing towards the boost in performance and reaping of results, the Commission, based upon recommendations made by managers and staff, has made it one of its priorities to ensure staff receives the recommended trainings.

The courses offered were as follows:

- **Course 1: Media Training Course for Corporate Leadership and Communications by Mr. Patrick Muirhead.** A media Training course was provided to senior staff of the Commission with the aim of further empowering the team in delivering a clear, concise and compelling message to the general public.
- **Course 2: Workshop course on Mindset Change for Positive Transformation at the Guy Morel Institute**
- **Course 3: Executive Leadership Development Training at the Guy Morel Institute.** With an effort to strengthen the leader's acumen and interpersonal skills to build effective teams that can successfully navigate challenges, the Commission sent 5 of its senior staff to attend the Executive Leadership Development course at 'The Guy Morel Institute'.

In addition to the courses undertaken by staff, a training session was held at the Attorney General's Office facilitated by Mr. Muhammad Saley, in preparation for the enactment of the Fair Trading Act, 2022.

TRAINING

With the same aim, several internal trainings were also provided to staff. The Commission's Legal team conducted training sessions with the Operations Departments, in addition, the EU-EDF consultant Mr. Massimiliano Gangi provided training to each department on specific provisions to be addressed/enforced by their respective departments.

VIRTUAL TRAININGS

In addition to the overseas and local trainings undertaken, the Staff of the Commission were also able to participate in various virtual trainings with organizations such as COMESA, ICPEN, African Dialogue, Office of Competition and Consumer Protection Poland (UOKIK), CUTS International and the CUTS Institute for Regulation & Competition (CIRC), Organizations for Economic Co-operation and development (OECD), European University Institute (EUI) and Overseas Development Institute (ODI).

Some of the focus of the various trainings were as follows:

- Restrictive business practices
- Competition Policy
- Merger Assessments
- Enforcement pathways
- Best practices in enforcing Pyramid Promotional Schemes.
- E-commerce
- Consumer Safety and Environmental Claims.

CHALLENGES

- Insufficient Budget for training and development.
- The scheme of service has not been revised since 2018 and is not reflective of the Labor Market Conditions.

PLAN FOR NEXT YEAR

- Preparation for Audit for 2020-2021.
- Finalization of Movement of Offices.
- One on one meetings with employees to boost employee engagement, team morale & Productivity.
- Implementation of the Result Based Management Framework as per circular issued.
- An earnest need to revise the scheme of Service to reflect the current work environment.

***“People are an
Organisations most
valuable asset and the
key to it's success.”***

— Dave Bookbinder

ACHIEVEMENTS

The Administration Unit performs administrative functions necessary to support the Commission's operations including accounting, purchasing, budgeting, procedural compliance, vehicle management, maintaining of office facilities and assets.

The unit managed to achieve its objectives for the year which included;

- Monthly reconciliations of fines and refunds.
- Monthly reconciliation of fuel.
- Fixed Asset verification.
- Management of Creditors Listing.
- Management of the stock of materials for daily operations.
- Prompt banking of fines and refunds.
- Finalization of the Fair Trading Commission Budget for the year 2023 - 2025.
- Participate in 2020 and 2021 audit.
- Procurement for Uniform for Legal Department.
- Petty Cash verification in October and December 2022.
- Finalization of the POU process for the purchase of a New vehicle to the FTC Fleet.

CHALLENGES

- Delays at the Ministry of Finance for processing payments.
- An additional staff is required to ensure continuity of process.
- The Air-conditioning unit managed by the Seychelles Pension Fund required constant maintenance which disrupted working conditions.
- Occasional errors with the Government accounting package known as TIS Application.

PLAN FOR NEXT YEAR

- Managing the credit facility with interisland ferry.
- Managing the credit facility with Air Seychelles.
- Prompt banking of fines and refunds.
- Evaluate the Furniture's condition throughout the Commission.
- Overseeing the Completion of Car Procurement process.

***“Transparency is the
new Objectivity.”***

— David Weinburger

INFORMATION TECHNOLOGY

The IT Unit is responsible for the governance of the computer network system, installation and maintenance of infrastructure and ensuring the smooth functionality of the Commission.

THE THREE MAJOR IT FUNCTIONS

Governance refers to the implementation of operational parameters for working units and individuals' use of IT systems, architecture, and networks.

Infrastructure refers to the hardware components, the network, the circuitry, and all other equipment necessary to make an IT system function according to the established needs and system "size" of FTC.

Functionality is perhaps the most apparent task performed by the IT Unit. It refers to creating and maintaining operational applications; developing, securing, and storing electronic data that belongs to FTC; and assisting in the use of software and data management to all functional areas of FTC.

ACHIEVEMENTS

As part of the task, the Unit liaise with the Department of Communication Technology from time to time on emerging IT issues.

The unit managed to achieve its objectives for the year as are detailed below;

Objectives	Evaluation
Configuration of access to WIFI in the Board room and meeting room.	The process was completed.
Provide staff with access to multiple printers to ensure continuity in the event that a printer is not functioning.	The Process was completed.
FTC Database	Market Surveillance Software is being completed, training & Testing is being undertaken.
Fixed Asset IT Register	Performed twice a year. Verification of the list will be performed in June 2023 and October 2023. New Assets being updated weekly.
Replacement of Personal Computers that were not functioning well.	Process Completed.
Installation of VPN for remote access when staff are working from home.	Process Completed.
Zoom License	Process Completed.
Installation of Cashier Module	Completed.
Purchase of Tablet for the Purpose of Complaint taking	Completed
Re-organization of Printers	To be completed, as per movement of offices.
CWS dongles to facilitate online training after working hours.	Completed.
Setting up of Database link	Completed
Kaspersky License Installation	New License Acquired, installation ongoing.
Adobe Software	Completed.

CONSTRAINTS

- The main challenge remains financial resources. A lot of the projects come at a financial cost and being a small organization, the Commission is restricted as to how many projects it can implement at one time.
- An additional staff is required to ensure continuity of process in the IT Department.

PLAN FOR NEXT YEAR

- Replacement of Computer to Laptops to allow for staff to work remotely.
- Renewal of Kaspersky License on all Devices.
- Re-Organization of Printers/Internet Access as per Office Movements.
- Ongoing Update of Fixed Asset I.T Register.
- New Database Integration.
- Backup Hard Disk/ Scanner for Market Surveillance Department.
- Access to Government Websites.
- New Server to be used.
- Re-Organization of Work Folders (server) as per Division.

LEGAL AFFAIRS DEPARTMENT

The Legal Affairs Department plays a significant role in the function of the Commission by providing legal services to the Commission to protect its interests, support its operations, promote compliance with the rule of law and ensure due process & procedural fairness. Advice provided to the Commission are both oral and written on various legal issues relating to the interpretation and application of the laws administered by the Commission.

LET US LOOK AT THE NUMBERS

**Staff
Count**



3

**Vetting
Legal
Advice**



**124
27**

**Non-
Compliance**



16

**Cases Before
the Tribunal**

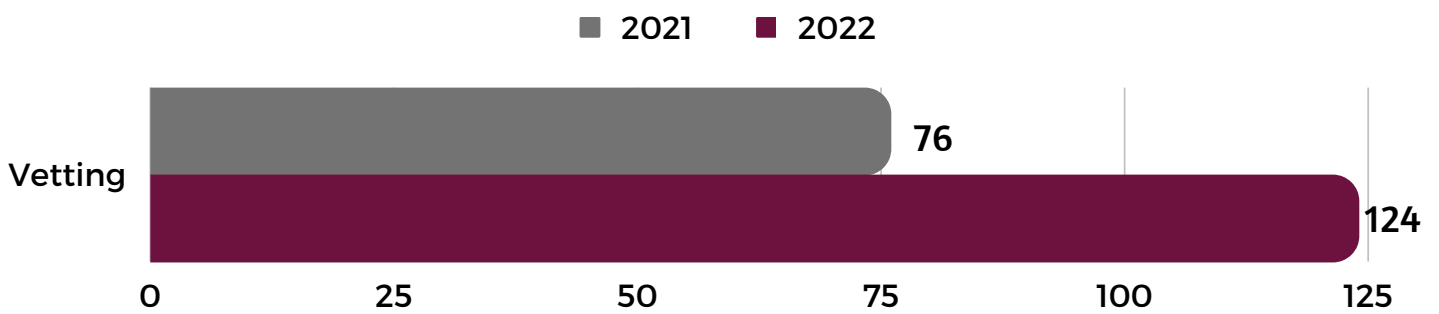


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VETTING

During the year 2022, 124 documents were vetted by the Legal Affairs Department, this includes investigation reports, compliance notices, Non-compliance statement for the Commercial Crime Unit Statements and letters. This represents a 63.2% increase from 76 documents vetted in the previous year. The increase could be attributed to the lifting of Covid- 19 restrictions where inspections and site visits were able to be conducted as per usual.

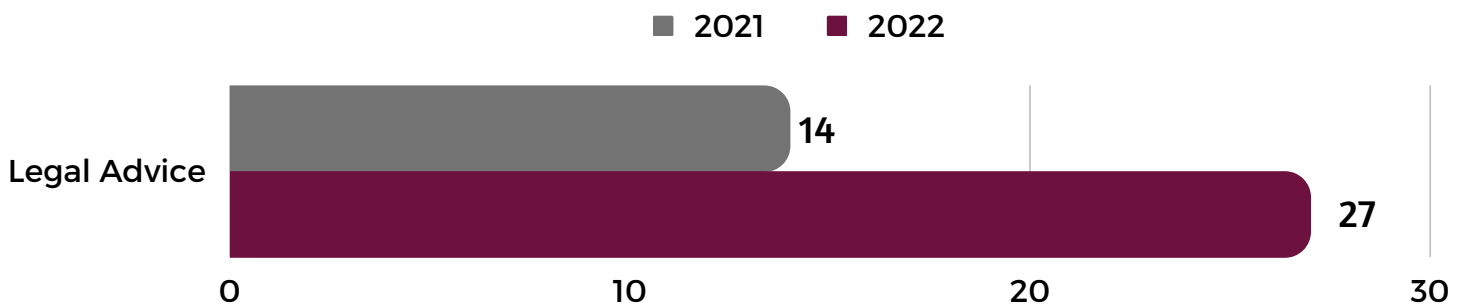
VETTING OF CASES IN 2022, IN COMPARISON TO 2021



LEGAL ADVICE

One of the Department’s main functions is to provide legal advice to the Commission on any legal issues which may arise. This is done both verbally and in writing. Legal advice provided by the Department increased by 92.9% from 14 in 2021 to 27 in 2022. The significant increase is a reflection of several request for legal advice from staff of the Commission upon the coming into force of the new Fair Trading Act, 2022, specifically in terms of application and interpretation.

LEGAL ADVICE IN 2022, IN COMPARISON TO 2021



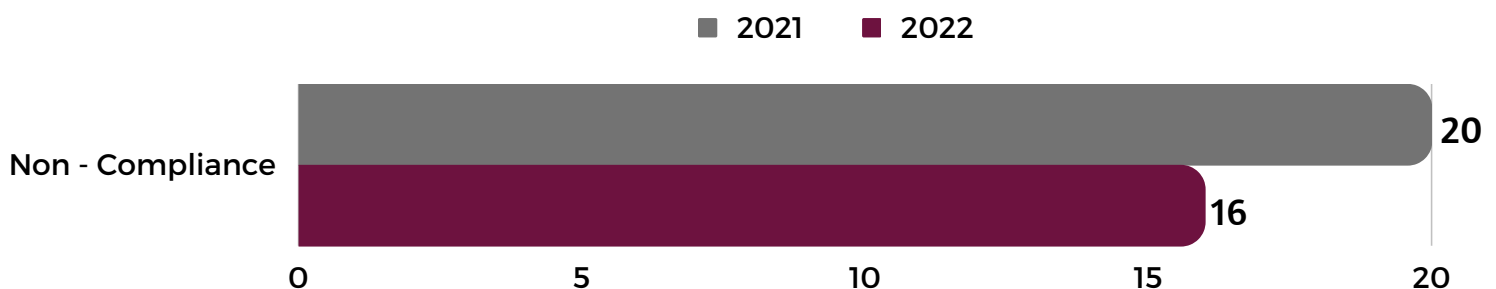
NON - COMPLIANCE

Failure to comply with an order, direction or undertaking of the Commission constitutes an offence. The department works closely with the Commercial Crime Unit and the Attorney General's Office with the aim of ensuring compliance with Compliance Notices, undertakings and orders or directions given by the Commission or Tribunal. Cases of non-compliance are submitted to the Commercial Crime Unit of the Seychelles Police for prosecution.

In the year 2022, 16 cases were forwarded to the Commercial Crime Unit for failure to comply with orders or direction given compared to 20 cases in 2021, representing a decrease of 20%. This decrease was expected, due to the new Act coming into force which constitutes new enforcement powers. For instance, Fixed Penalties are now being used as an enforcement tool to deal with Unfair trade Practices instead of compliance notices. Failure to comply with the fixed penalty notices will result in the case being prosecuted by the department for the prohibited conduct instead of forwarding the case to the Commercial Crime Unit and hereafter the Attorney General's Office as was the case with Compliance notices.

Furthermore, instead of forwarding cases of breach of order to the Commercial Crime Unit, as per the FTA, 2022 the Department may apply for enforcement of the order by following the procedure laid out under the Seychelles Code of Civil Procedure.

NON-COMPLIANCE IN 2022, IN COMPARISON TO 2021



CASES BEFORE THE TRIBUNAL

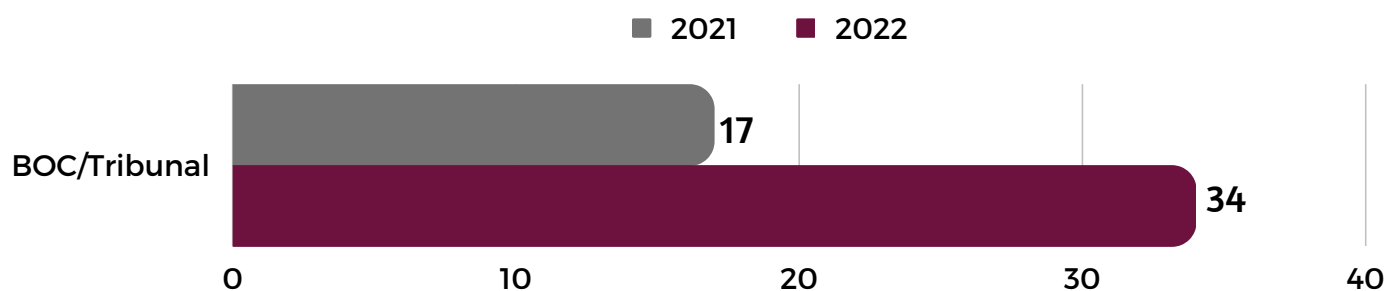
The Legal Affairs Department also undertakes prosecution of cases. This involves the preparation, filing and presentation of cases.

The Board of Commissioners, before which cases were being filed and presented prior to the enactment of the Fair Trading Act, 2022, was dissolved in November 2021. The Fair Trading Act, 2022 came into force during the second semester and with it came the establishment of the Fair Trading Tribunal. The Tribunal is independent from the Commission and falls directly under the purview of the Judiciary of Seychelles.

The Tribunal is not operational yet given that it is working on necessary procedures to ensure the smooth hearing of cases filed by the Commission. Preparation of cases to commence proceedings before the Board of Commissioners included the drafting of a Notice of Complaint. This is the equivalent of a plaint. Through the Notice of Complaint, the material facts of the case were briefly laid out, breach of the applicable section and the relief being sought. Upon filing of the case, a date for mention was set and hearing date(s) set for the case to be heard. Both parties were summoned to appear for the mention and hearings. The procedure regulating hearings before the Board of Commissioners was mostly subject to the Seychelles Code of Civil Procedure.

Nevertheless, the Department has filed a total of 34 cases with the BOC/Tribunal, this includes 23 Consumer services cases, 1 Consumer Goods Case, and 10 Market Surveillance cases. This is an increase of 100% in comparison to 17 cases filed in 2021.

CASES FILED BEFORE THE TRIBUNAL IN 2022, IN COMPARISON TO 2021



CASES BEFORE THE TRIBUNAL

Under the Fair Trading Act, 2022, the Chief Justice has the power to make rules for the purpose of regulating the practice and procedure of the Tribunal. This includes the procedures for commencing proceedings before the Tribunal. Such rules are being finalized and will bring about changes in the way cases are prepared, filed and prosecuted by the Commission. For instance, instead of the Notice of Complaint to file the case, an application shall now be prepared with an attached affidavit of facts.

TRAINING

It is the duty of the Department to ensure that the Operations Departments have a clear understanding of the FTC laws whilst interpreting and applying it. The Department therefore conducts or organize trainings when the need arises.

During the year 2022, the Department organized 1 training session with the Consumer Goods Department and another training session was organized with an external consultant, focusing on Competition.

The training session with the Consumer Goods Department focused on two areas;

1. How to differentiate a site visit report from a Goods verification report.
2. How to ensure objectivity when discussing a case during investigation to ensure that the independence of both departments during investigation and prosecution is safeguarded.

As for the Competition training, the consultant provided a presentation on the proper implementation of Competition Policy and Competition enforcement.

With the Tribunal commencing operations soon, the Legal Department believes that it will be more than able to assist the Commission with identifying specific training needs in terms of case presentation.

CHALLENGES

- The Department had filed 34 cases in the year 2022, however in addition to other cases filed, a total of 70 cases filed were all awaiting mention dates. Parties to the case, especially complainants are frustrated as they are in need of a remedy.

PLAN FOR NEXT YEAR

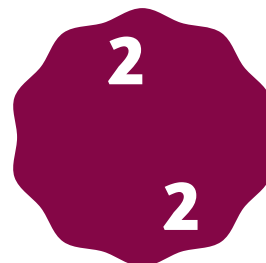
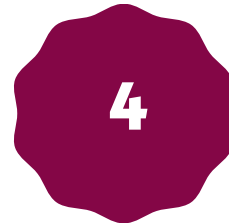
- To schedule more internal/external trainings
- The department plans to have more practice on case presentations. This will be done through moot court presentation within the department in the presence of the Legal Retainer.
- The Department shall also be archiving more files to create more room.

COMPETITION DEPARTMENT

The functions of the Competition Department are to promote competition and enforce the Fair Trading Act, 2022. They are tasked with advising the Government of the best international and adaptable local practices in the promotion of a competitive culture for the benefit of the economy and the consumers.

The Department investigates, assesses and monitors anti-competitive business practices that have the effect of prevention, restriction, and distortion of competition. They also conduct evaluation of Mergers be it locally or regionally including proposed COMESA Competition Commission Merger transactions. They conduct market research and surveys to understand the pattern of activities in the market such as pricing and other trading patterns. Furthermore, they promote competition through publication and dissemination of adverts and posters.

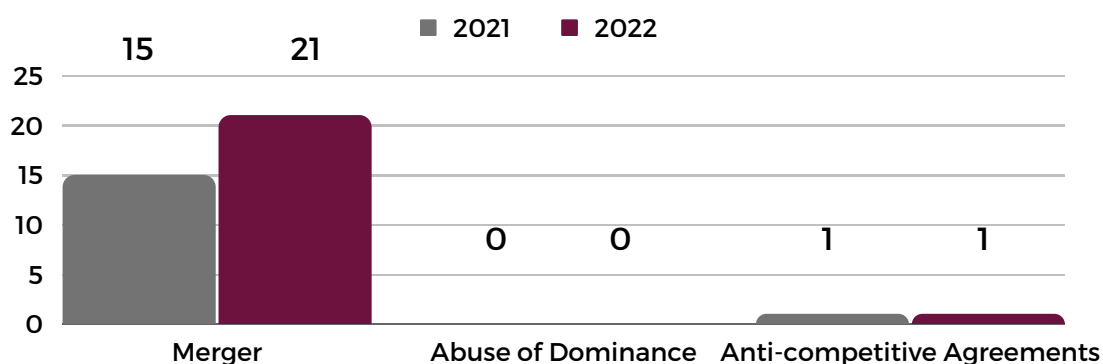
LET US LOOK AT THE NUMBERS



INVESTIGATIONS

In the year 2022, the Competition Department investigated 23 cases, the statistics show that this is a 15% increase in cases under investigation compared to 2021 whereby 20 cases were investigated. Out of the 23 cases that were investigated, 1 case was carried over from 2021 whilst 22 cases were initiated in 2022. It is to be noted that 10 of the cases investigated were lodged under the FTA, 2022. In 2021, 4 cases were brought forward from 2020, whilst 16 cases were initiated. This represents a decrease of 75% of cases brought forward in 2022 compared to 2021.

NUMBER OF INVESTIGATIONS INITIATED IN 2022 IN COMPARISON TO 2021

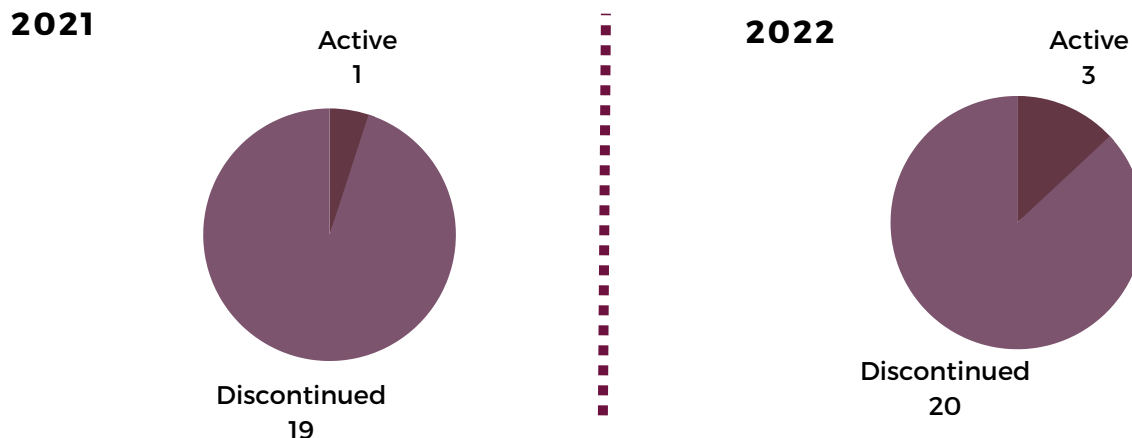


A total of 21 competition cases that were investigated were COMESA Competition Commission Merger notifications which remain the most prominent cases investigated by the Department, similar to 2021. However, compared to last year, an increase of 40% could be observed in the number of cases investigated. In 2022, similar to 2021, only one case of Anti-Competitive Agreement was recorded and that was a Retail Price Maintenance case. No case of Abuse of Dominance was investigated in 2022, this is a similar pattern to 2021. The Department still places high importance on Abuse of Dominance and monitors the market for this malpractice. At the end of the year, 3 cases remained active whereas in 2021, 1 case remained active.

On the 28th June 2022, the Board of Commissioners (“BOC”) delivered a ruling and found Cable & Wireless (Seychelles) Ltd to have contravened Section 11(1) of the Fair Competition Act 2009, in the matter involving the Fair Trading’s investigation into an alleged agreement to fix international termination rates. The BOC, according to section 46 (1) of the Act, imposed a financial penalty of SCR 800,000 on Cable & Wireless (Seychelles) Ltd.

INVESTIGATIONS

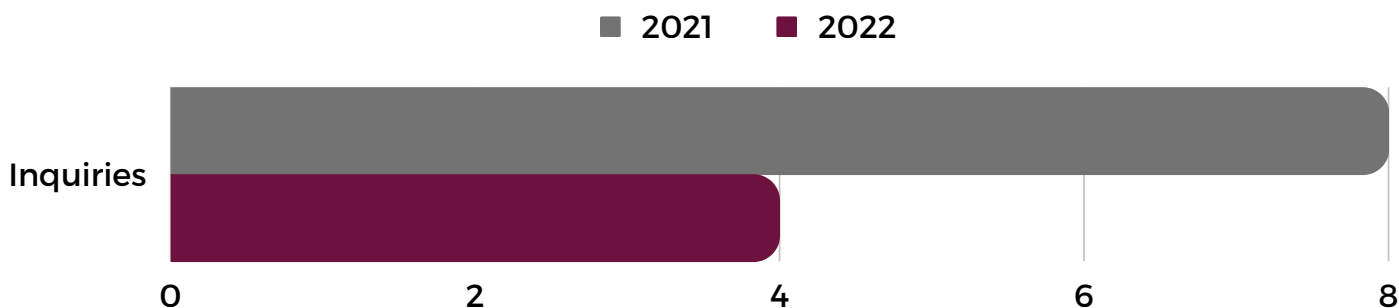
STATUS OF CASES AS AT END OF 2022 IN COMPARISON TO 2021



INQUIRIES

In 2022, the Department considered 4 inquiries in comparison to 8 in 2021, representing a 50% decrease. The inquiries were related to different sectors of the economy from Aviation, Retail, Long Line Industrial Fishing, and Ship Lining. To note, in 2022, priority was given to resolving cases initiated, so that the focus could be to take on new inquiries, by enforcing the Fair Trading Act, 2022.

NUMBER OF INQUIRIES IN 2022, IN COMPARISON TO 2021



Examples of anti-competitive business practices:

Bid rigging **Price fixing**

Exclusionary conducts **Market sharing agreements**

Limit pricing as a barrier to entry

Cartel **Group boycotts**

Trade associations agreement

FTC/AD/COM/2020/10



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MARKET RESEARCH AND SURVEY

The Competition Department continued two Market Research in 2022, the value chain analysis and resale price maintenance as detailed below;

- Value Chain Analysis - Wholesale/Retail Sector

The value chain analysis was initiated in 2021 to examine the cost, supply chain and selling prices of certain commodities. This market study focuses on the product's path from the importation stage until it reaches the shelves of retail outlets. The data collected was to be used to detect any anti-competitive issues in the sector.

The analysis which continued in the early months of 2022, where the department was liaising with the National Bureau of Statistics to obtain key information that were valuable to complete the research was unfortunately terminated in the first semester of 2022. This was in view that the Central Bank of Seychelles has conducted a similar Analysis. Therefore, resources were shifted to other priority matters.

- RPM Campaign - Meat Packaging

This year the Competition Department initiated the second phase of the RPM Campaign in conjunction with the Praslin Office to identify the Suppliers/manufacturers in the aforementioned sector that are potentially engaging in resale price maintenance. The department was concerned that these suppliers/ manufacturers, without consulting retailers, were setting the retail price of the products by supplying retailers with products that already had a printed retail price on them.

Why anti-competitive practices are bad for business?

1. Prices are kept artificially high
2. Reduces innovation and efficacy
3. Reduces quality/level of services
4. Limits choices
5. May create distrust in the market
6. Reputation of businesses suffer



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OPINION PAPER

Opinion papers usually provide an opinion on a specific matter or concern that presents arguments, reasons or viewpoints that are supported by evidence. In order to deter unfair business practices and provide guidance to the Government based on evidence in terms of data collected and analyzed, 2 opinion papers were drafted in 2022, similar to records of 2021. The two opinion papers relate to Aviation and Rental Pool Management in the tourism Sector.

- Aviation

The Competition Department submitted a paper to the Minister of Finance, National Planning and Trade on the Competition concerns identified in the sector and recommended that a feasibility study be carried out concerning the matter.

- Rental Pool Management

An enquiry was lodged in 2021 into an alleged unfair trading practice in the tourism sector concerning rental pool management. Upon completion of the investigation the Ministry of Finance, Economic Planning, and Trade was communicated the findings. It was recommended for a revision to be undertaken in the regulations relating to the licensing of rental pool management companies in view that certain ambiguities were observed relating to the licensing and operation of a rental pool management business.

Consequently, to the recommendations received, the Competition department undertook further investigation and a meeting was held with the secretary of state for Finance in April 2022 concerning the findings of the inquiry.

ADVOCACY AND EDUCATION

As part of its internal collaborative work, the Competition Department normally assists the Education & Advocacy unit with educational materials on competition and the competition provisions in the Fair Trading Act 2022. In the year 2022, the Department contributed to several competition adverts that were uploaded on the Commission's social media platforms.

STATISTICS - COMPETITION DEPARTMENT

Amongst the contributions made, the Competition Department also had the opportunity of delivering a presentation to the Seychelles Pension Fund representatives on competition provisions and bid rigging in the Procurement sector. The presentation also covered tips and guidelines for bid rigging detection.

Moreover, in commemoration of World Competition Day, the Department drafted a Press Release and provided questions for the radio games that were scheduled for December 2022. Also, as part of its annual outreach activities, a roadshow that was organized on Praslin, saw the participation of a competition analyst who provided information concerning the competition provisions in the FTA, 2022.

TRAINING AND MEETINGS

COMESA Virtual Training on Restrictive Business Practices on 25 January 2022

The training provided an overview of the techniques used to investigate competition cases and the use of search warrants, commonly referred to as dawn raids.

EPA & Trade Training on Competition Policy on the 16th March 2022.

In this training, the consultant provided a presentation on the proper implementation of competition policy and competition enforcement.

ESA5 Preparatory Meeting - before Intersession and 8th Round on the 12th May 2022

The Competition Department attended a preparatory meeting concerning the EU/ESA Competition Policy.

EU-ESA Competition Policy Intersession on the 16th May 2022.

In this session representatives in attendance reviewed the proposed texts for the Competition Policy that had been drafted.

TRAINING AND MEETINGS

Special African Competition Forum Meeting on the 18th of May 2022.

The forum focused primarily on the African Continental Free Trade Area's (AfCFTA) Competition Protocol, which is currently undergoing development.

COMESA Virtual Training on Restrictive Business Practices from the 23rd -26th May 2022

In this training, participants learned more about the different interview techniques and procedures for Dawn raids.

Arab Competition Forum in May 2022

During the forum competition authorities, government officials, experts, and academics, both from within and outside the region had to opportunity to discuss the different lessons learned to build sound competition policies given the various competition challenges faced.

COMESA workshop on Restrictive Business Practices from the 27th - 28th June 2022

The workshop focused on investigative and evidence-gathering techniques for case handlers.

COMESA workshop on Merger 29-30 June 2022

The workshop focused on the economic theories on the effects of mergers, analytical skills, and the history and development of mergers in digital markets.

ACF-AfCFTA Competition Policy Protocol in August 2022

In August 2022, the Department attended a virtual meeting concerning the Competition Policy Protocol for AfCFTA. Representatives of different States in Africa were in attendance to discuss the way forward regarding the Competition Policy Protocol as it is a central element in promoting trade, supporting industrialization, innovation, sustainable economic development and enhancing the overall welfare of the people.

TRAINING AND MEETINGS

Local Training With EU-EDF Consultant, Mr. Massimiliano Gangi, on Competition in August 2022

Mr. Gangi provided training concerning the basic concepts of competition law and policy. The Department also had the opportunity to discuss its challenges with respect to competition investigation in Seychelles.

5 Days Attachment at the Competition Commission of Mauritius in September 2022.

The Competition Commission of Mauritius (“CCM”) is a statutory body established in 2009 to enforce the Competition Act 2007.CCM. Similar to the Commission, it is mandated to investigate and assess restrictive business practices. In September 2022, the Head of the Competition Department had the opportunity to spend five days in the unit relating to cartel investigations.

Webinar Facilitated by Trade Division in collaboration with EU in October 2022.

In line with the EU-ESA Negotiations, EU representative in conjunction with the Seychelles Trade Division provided training pertaining to competition matters.

Local Training With EU-EDF Consultant , Mr. Gangi, on relevant market in October 2022.

In October 2022, Mr. Gangi provided training concerning the key element in establishing the relevant market for investigation. Mr. Gangi also provided examples from other jurisdictions.

10th Round of ESA5 - EU virtual meetings in December 2021.

In this session the representatives in attendance reviewed the proposed texts for the Competition Policy that has been drafted.

Local Training With EU-EDF Consultant, Mr. Gangi, on Restrictive Business Practices in December 2022.

In December 2022, Mr. Gangi provided training concerning restrictive business practices.

CHALLENGES

- Lack of information or response from certain stakeholders concerning matters that have been referred to them.
- Certain businesses are still unaware of the role of the Commission and the Competition Provisions stipulated under the Fair Trading Act, 2022.

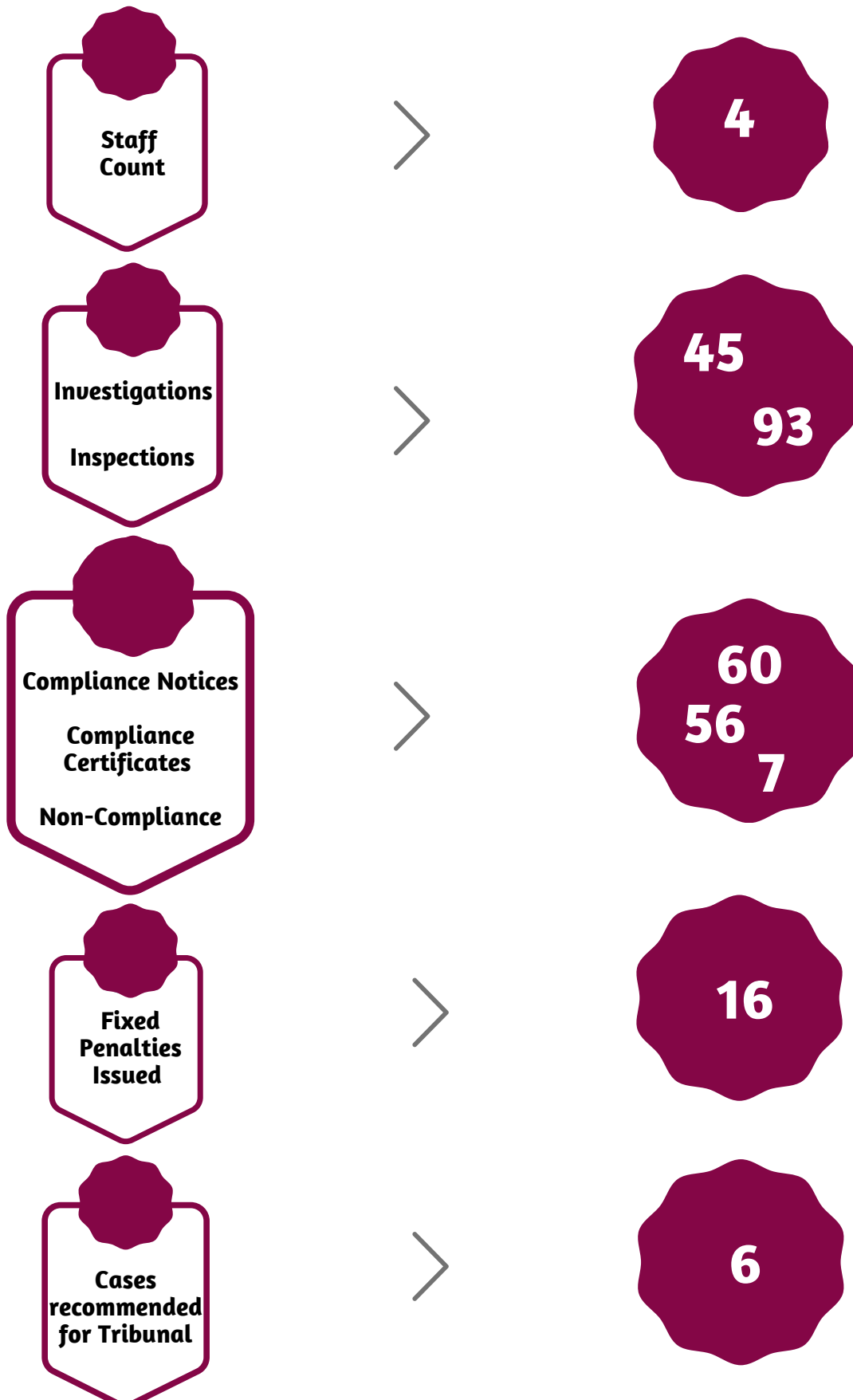
PLAN FOR NEXT YEAR

- Increase advocacy activities to promote and advance the understanding of businesses on the role of the Commission and competition.
- Liaise with relevant stakeholders to increase understanding of the new competition provisions.
- Assist the Consumer Departments with World Consumer Rights Day activities.
- Scan and archive all the case initiated under the Fair Competition Act, 2009.
- Upload website reports on the Commission's Website.
- Provide additional training for analyst on the new competition provisions.
- Scanning and archiving of case files completed in 2021.
- Initiate a market inquiry in the retail sector
- Revise the Competition Standard Operating Procedure (SOP) to account for changes in procedures.

MARKET SURVEILLANCE DEPARTMENT

The Market Surveillance Department (MS) role is to perform the Commission's mandate in monitoring the market to ensure that commercial practices that may adversely or unfairly affect consumers and businesses are prevented or terminated. As part of its duties the department monitors the market for any unfair commercial practices, conduct investigations into commercial practices that may adversely affect the interest of consumers or businesses, liaise with sectoral regulators and other relevant agencies in matters of common interest, conduct research, present findings and make recommendations to relevant bodies for the advancement of the mandate of the Commission.

LET US LOOK AT THE NUMBERS



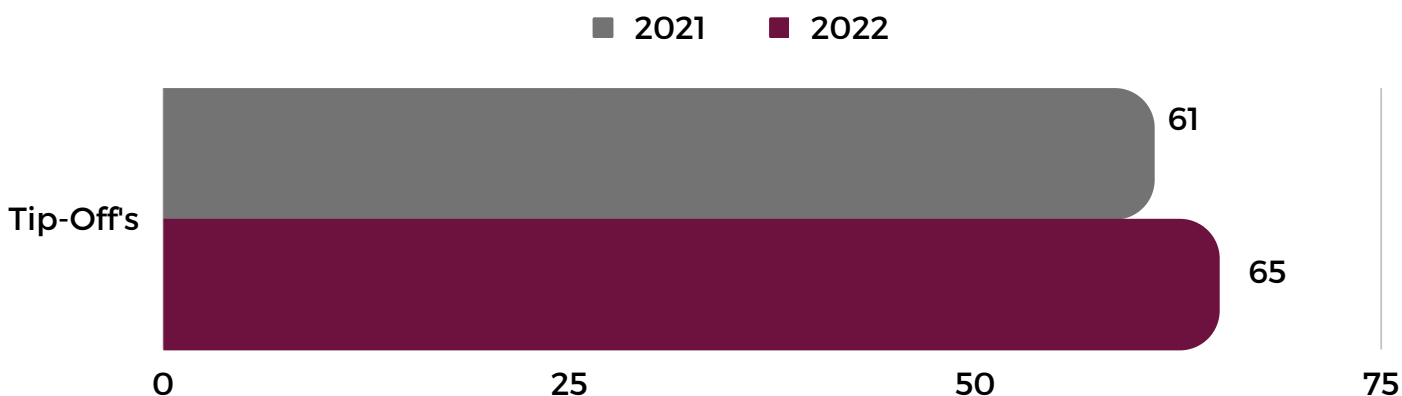
TIP- OFFS

In view of the transition from the Fair Trading Commission’s Act, (2009) and the Consumer Protection Act, 2010, (CPA, 2010) to the Fair Trading Act, 2022, (FTA, 2022), analysis provided pertains to both provisions.

The Fair Trading Commission (the Commission) is empowered under Section 6 (2) (b) of the FTA, 2022, to carry out inspections or investigations into the conduct of enterprises as it may consider necessary to detect and prevent prohibited conduct.

Investigations and Inspections may originate from Tip-off’s, may be referred to MS by other Departments or Authorities, or may be initiated by the Commission. In 2022 a total of 65 Tip offs were registered at the Commission in comparison to 61 in 2021. This represents an increase of 6.66%. Whilst the increase shows that complainants are using the available platforms to Tip-off the Commission, more education has to be done in relation to the following; where to provide Tip- offs, how to provide a Tip-off and what is required to enable the Commission to take up the matter.

COMPARISON IN NUMBER OF TIP-OFF RECORDED IN 2022 IN COMPARISON TO 2021.





Tips for sending a Tip-off

1. Read the label on goods before purchasing.
2. If the label does not contain any of the following three languages; English, French or Creole, let us know.
3. To report, remember to take a full picture of the good and its label.
4. If you have already purchased the good, snap a picture of the entire receipt.
5. Send both the pictures of evidence and receipt (when possible) to our WHATSAPP number : 2515797 or by Facebook Messenger.



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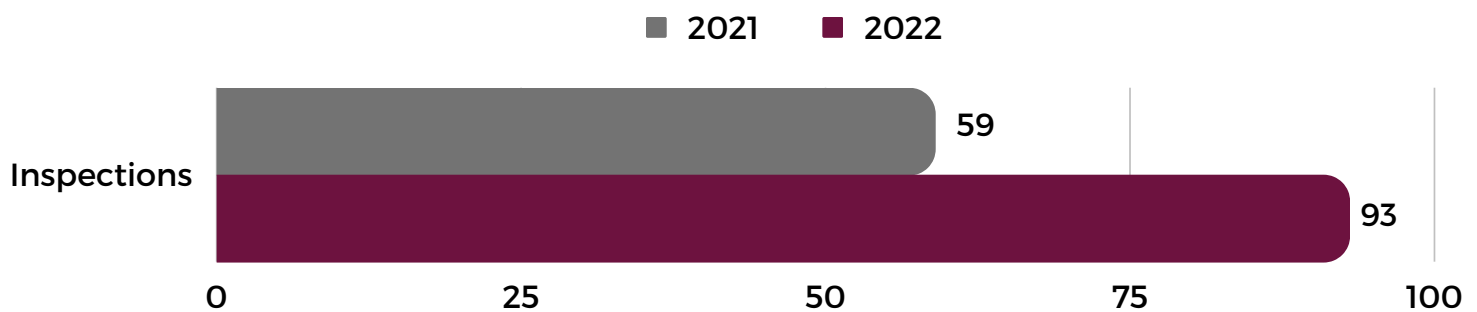


INSPECTIONS

In accordance with the FTA, 2022, Inspections are undertaken at different business premises to detect and prevent prohibited conducts.

A total of 93 inspections were conducted at various business premises (retails shops, wholesale warehouse and pharmacies) on Mahe in comparison to 59 in 2021. This represents a 57.6% increase, which is attributed to a change from conducting targeted inspections, meaning inspections that are specific to the nature of Tip Off's e.g.: verification of sales record, to general inspections where all provisions that may be covered on inspections are verified. This enables the department to make better use of resources and ensure compliance to all the provisions.

INSPECTIONS CARRIED OUT IN 2022 IN COMPARISION TO 2021.



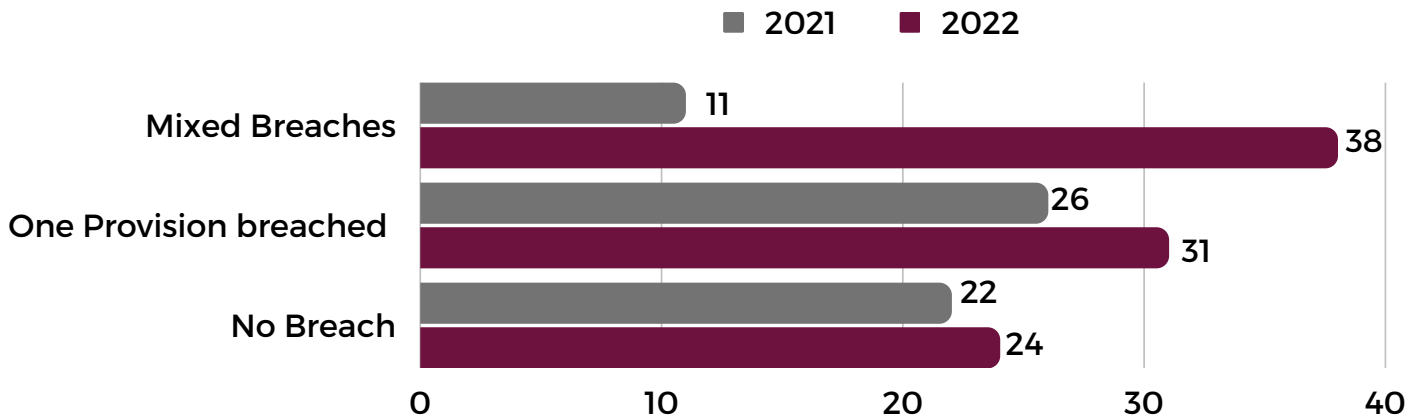
To state further, out of the 93 inspections conducted, 27 were undertaken under the FTA, 2022, whilst the remaining was undertaken under the CPA, 2010 and FTCA, 2009.

In 2022, from the 93 inspections conducted, 25.81% (24) businesses were found to be in compliance and therefore required no further investigations, whilst 74.19% (69) were found to be in breach of the CPA 2010 or the FTA, 2022. In comparison, in 2021, 37.29% (22) business required no further investigation, whilst 62.71% (37) were found to be in breach of the CPA 2010. This shows an increase of 86.5% in the businesses found to not be in compliance of the CPA 2010 or the FTA, 2022.

Of the amount in 2022, of cases found to be in breach of the CPA 2010 or FTA,2022, 44.93% (31) businesses inspected were found to be in breach of at least one provision, in comparison to 70.27% (26) in 2021. The remaining 55.07% (38) were found to be in breach of several provisions, in comparison to 29.72% (11) in 2021.

INSPECTIONS

BREACH PATTERNS IN 2022 IN COMPARISON TO 2021

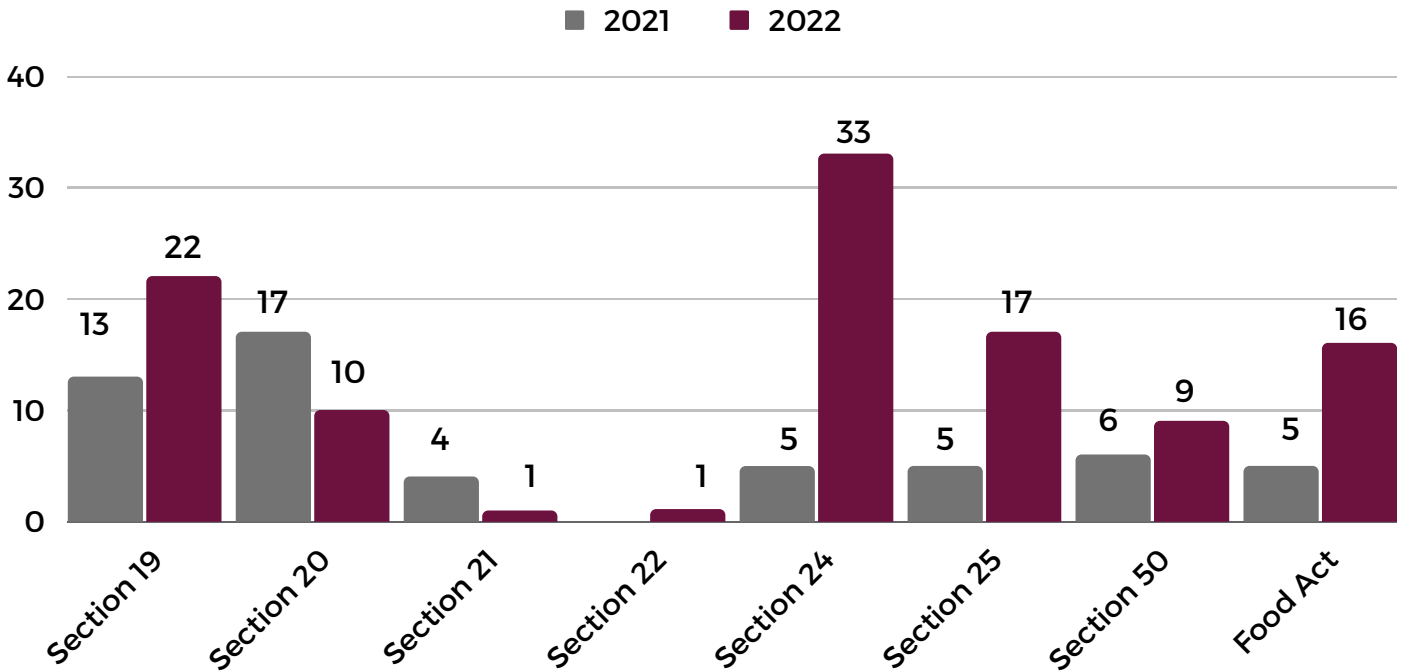


For 2022, the most prominent breach was Section 24 of the CPA 2010 which was in relation to selling expired goods (33), and its equivalent, Section 76 of the FTA, 2022 which relates to selling goods past their shelf-life (15). Under the CPA 2010, provisions also breached were, section 19 – supplying goods with information not in one of the national language (22), and its equivalent section 74 of the FTA, 2022 which relates to supplying goods with information not in English, French or creole (13), Section 20 – non disclosure of prices (10), and its equivalent Section 72 of the FTA, 2022 which relates to Non-disclosure of prices (11), section 21 – selling above displayed price (1), section 22 – supplying goods with altered labels (1), Section 25 – non provision of receipt or receipt not as stipulated by law (17),and its equivalent section 77 – not providing a sales record or sales record failing to meet the requirements of the law (3), and section 50 – supplying unsafe goods (9). Additionally, 16 businesses were also found to be selling goods past the best before dates. Prior to the enactment of the FTA,2022, these were referred to the Public Health Authority.

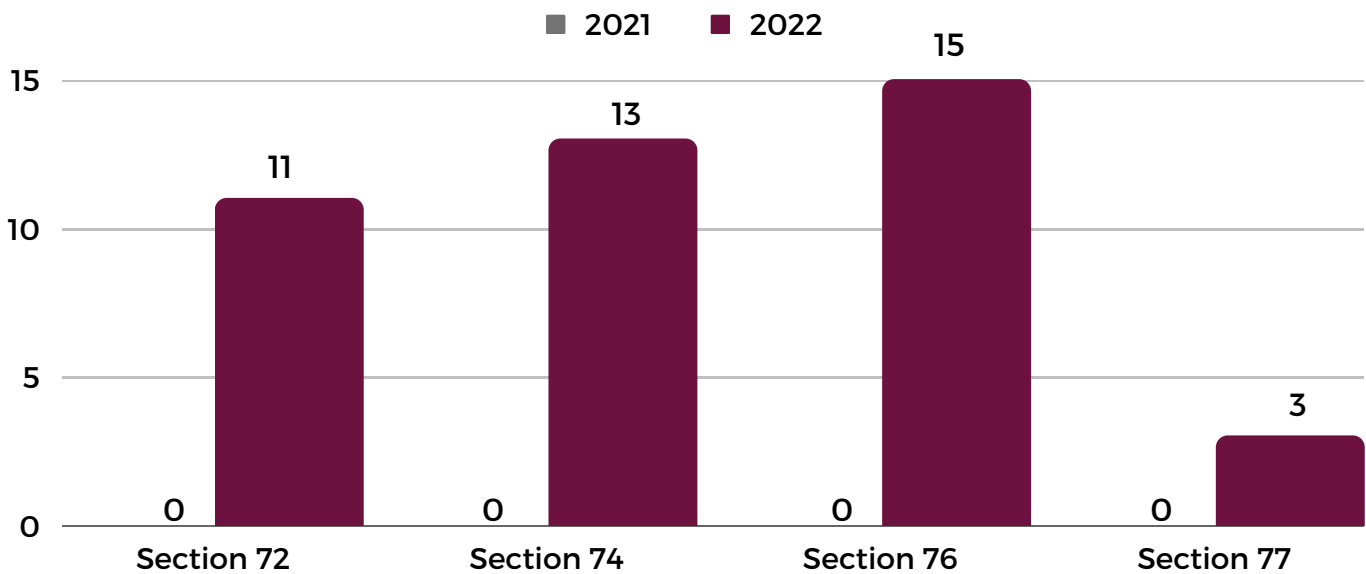
Whereas in 2021, Breach of Section 20 (17) was the most prominent breach observed. The issue of concern in regards to Section 20 is where goods are observed for sale without a price displayed in relation to them. 13 Businesses were also found to be in breach of Section 19 – Information not in plain language. The Department observed an increase in breach of Section 19 during the second part of the year which was attributed mainly to a number of pharmacies that were importing goods from a specific country that was not providing labels in any of our national languages. This issue was addressed with the Public Health Authority and also the pharmacies, which were followed through with compliance. Other breaches included; Section 21- Dual pricing (4), Section 24 – Expired goods (5), Section 25 - Non-provision of receipt or receipt not in line with the requirements of the law (5), Section 50 – Consumer Safety concern (6). Additionally, 5 businesses were also found to be selling goods past the best before dates. These were referred to the Public Health Authority.

INSPECTIONS

PROVISIONS BREACHED UNDER THE CPA 2010 IN 2022 IN COMPARISON TO 2021.



PROVISIONS BREACHED UNDER THE FTA, 2022 IN 2022





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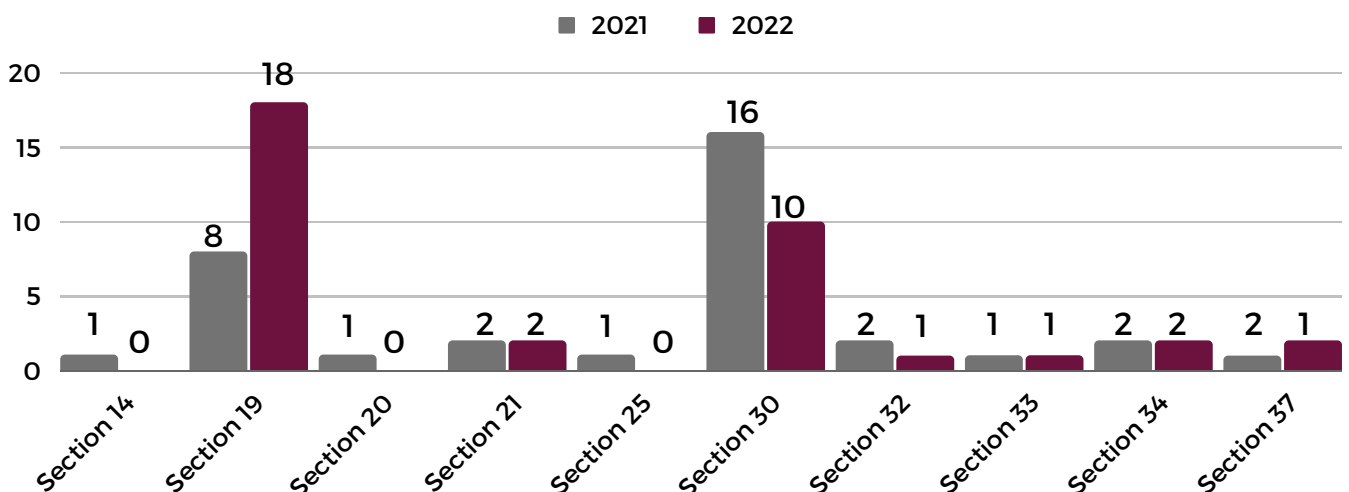
INVESTIGATIONS

45 cases investigated by the Department did not involve inspections, this is a 32.4% increase in cases in comparison to 2021 where 34 cases were investigated. Of the cases, (35.55%) 16 cases were carried over from previous years, 2019 (1), 2020 (6), 2021 (9), and 64.44% (29) were new cases initiated in 2022. In comparison, in 2021, 41.18% (14) cases were carried over from 2020 and 58.8% (20) were new cases.

During 2022, Section 19 – Information not in plain language accounted for 18 cases under the CPA 2010, and 7 cases under Section 74 of the FTA, 2022 were the most prominent provisions investigated. These two provisions relate to the supply of goods that lack information on labelling in one of the national languages and the respondents were the wholesalers that were identified as the suppliers of such goods. In view of the introduction of the Fixed Penalty fines that apply to both retailers and wholesalers, the department is anticipating a reduction in such occurrence in 2023 onwards. Other Investigations under the CPA 2010 were in relation to Section 21 – Selling above displayed price (2), Section 30 – Misleading conduct (10), Section 32 – False representation (1), Section 33 – (1), Section 34 – Inequitable conduct (2) and Section 37 – Pyramid Selling Scheme (2). Other investigations under the FTA, 2022 were Section 63 – Unfair contract terms (1), and Section 85 – Misleading conduct (1).

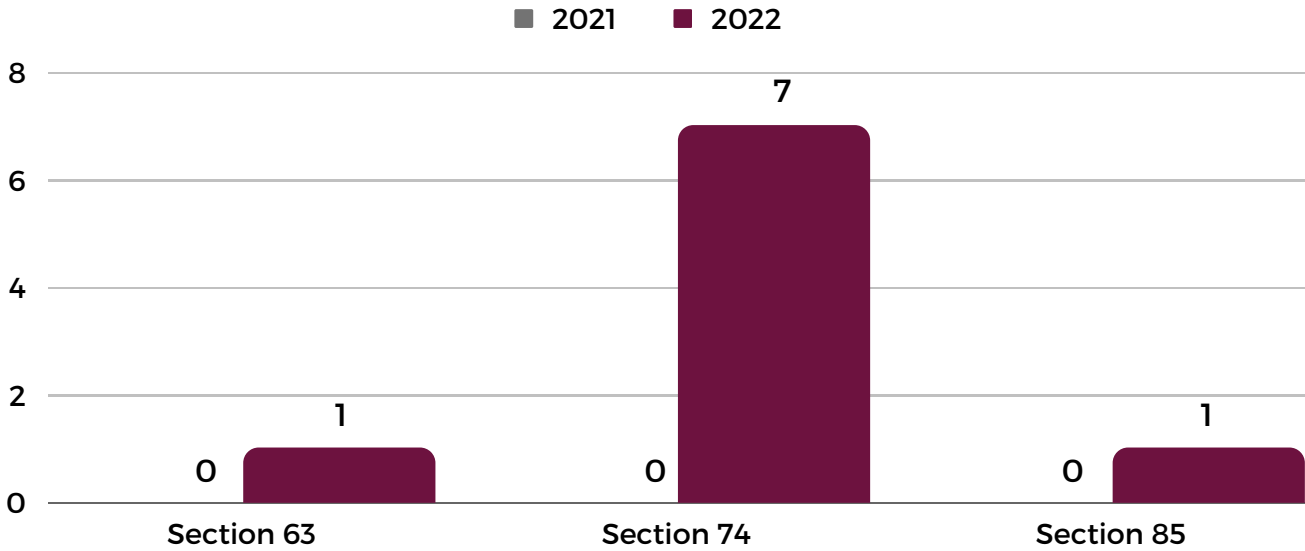
In comparison to 2021, Misleading conduct remained the most prominent provision investigated, accounting for 47.5% (16) of cases. Investigations were in relation to Section 14– Unfair contract terms (1), Section 19 – Information not in plain language (8), Section 20 – Non-disclosure of prices (1), Section 21 – Dual pricing (2), Section 25 – Sales Record of Transaction (1), Section 32 – False representation (2), Section 33 – Inequitable conduct (1), Section 34 – Inequitable conduct (2) and Section 37 – Pyramid selling scheme (1). One business breached two provisions, Section 30 and 32 therefore the total count of provisions investigated amounts to 35 instead of 34 number of cases investigated.

PROVISIONS INVESTIGATED UNDER THE CPA 2010 IN 2022 IN COMPARISION TO 2021.



INVESTIGATIONS

PROVISIONS INVESTIGATED UNDER THE FTA, 2022 IN 2022 IN COMPARISON TO 2021.



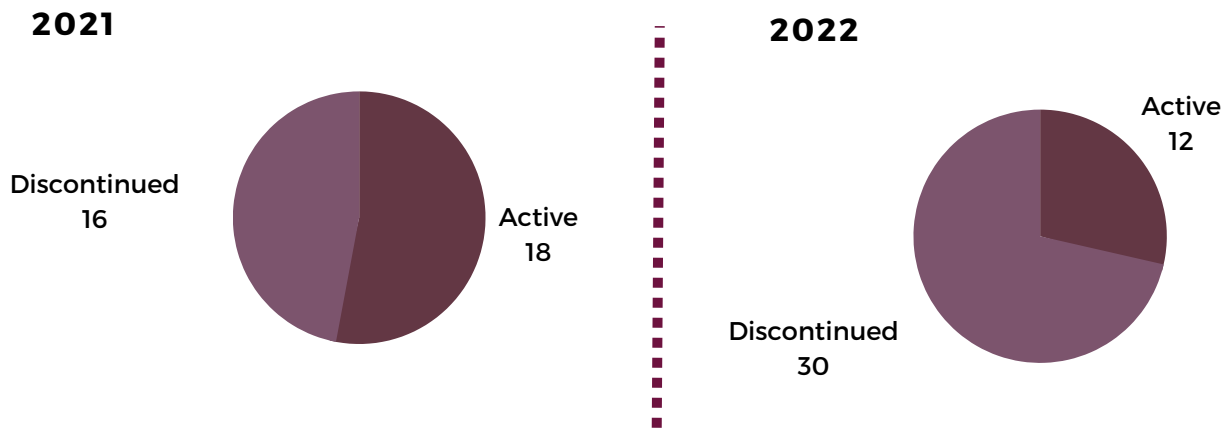
At the end of the year, 12 (26.7%) cases remained active, of which; 8 (17.8%) were still being investigated, 1 (2.2%) was submitted to the Legal Department for review before filing at the Tribunal and 3 (6.7%) were under monitoring[1]. 30 (66.7%) investigations were discontinued; 1 (2.2%) from 2020, 2 (4.4%) from 2021 and 27 (60%) from 2022, all of which have resulted in compliance by the respondents. 2 (4.4%) cases were forwarded to the Legal Department for Submission to the Commercial Crime Unit. 1 (2.2%) case was approved for Tribunal Hearing.

In comparison, during the same period in 2021, 18 (66.7%) cases remained active of which; 1 (5.6%) was still under investigation, 2 (11.1%) were in preparation for submission to the Legal department for Tribunal hearing, 12 (66.7%) were under monitoring*, 2 (11.1%) decisions were appealed and 1 (5.6%) was being prepared to be sent to Legal for non-compliance. 9 cases were discontinued (33.3%), 2 (22.2%) from 2020, 6 (66.6%) from the first semester and 1 (11.1%) from the second semester of 2021. All cases discontinued resulted in compliance/undertaking by the respondents.

The result shows an 233.3% increase in discontinued cases, and hence a 33.3% decrease in active cases at the end of 2022.

INVESTIGATIONS

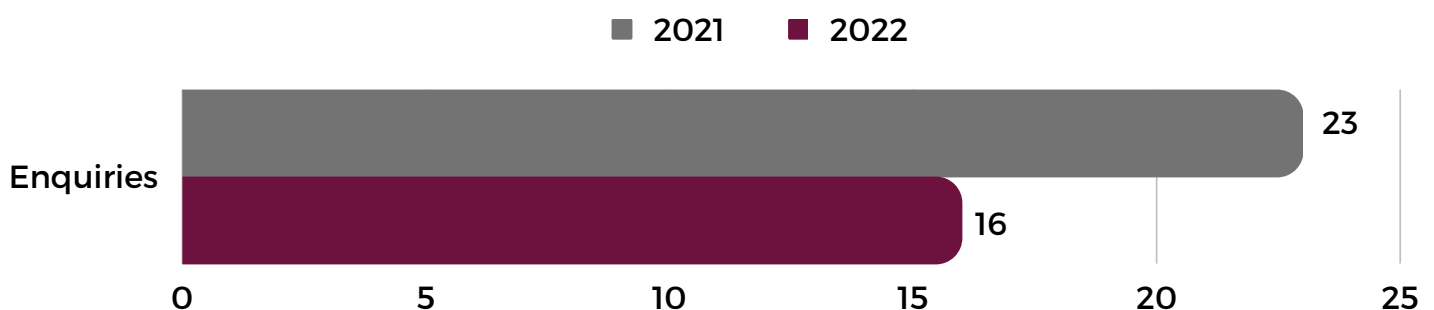
STATUS OF CASES AS AT END OF 2022 IN COMPARISON TO 2021.



ENQUIRIES

16 enquiries were handled by the Department in various sectors such as, Retail (7), Wholesale (5), Telecommunication (1), Financial (2), and Car dealership (1), all of which have been resolved. This represents a 30.43% decrease, from 23 enquiries recorded in 2021. The decrease is attributed to a reduction in complaints/queries of such nature in 2022.

NUMBER OF ENQUIRIES HANDLED IN 2022 IN COMPARISON TO 2021.





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COMPLIANCE

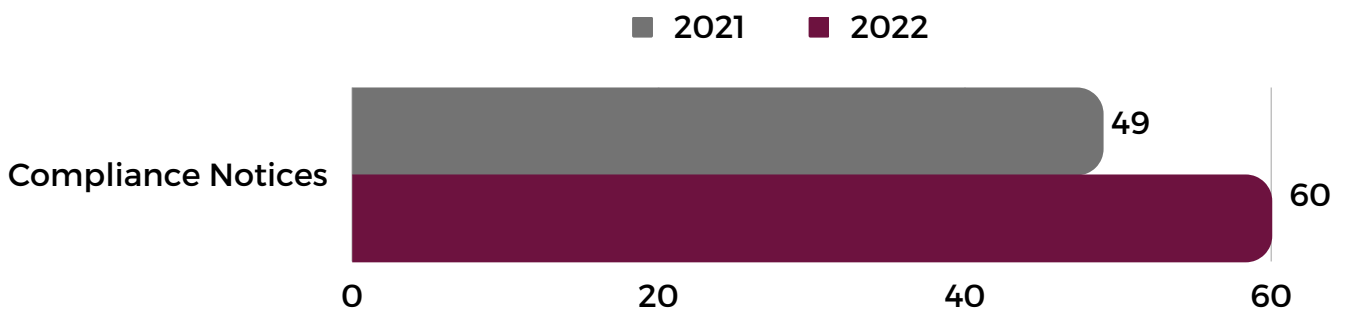
COMPLIANCE NOTICES

In accordance with Section 119 (1) of the FTA, 2022 and previously Section 72 (1) of the CPA, 2010, where the Commission has reasonable grounds to believe that a person has engaged in a prohibited conduct, the Commission may issue a compliance notice in the prescribed form, to the person.

During 2022, a total of 60 compliance notices were issued compared to 49 in 2021. This represents a 22.4% increase, a difference partly attributed to an increase in inspections in 2022, as a result of the relaxation of Government restrictions.

Out of the 60 notices, (36) were served on retailers, (13) on wholesalers, (9) on pharmacies, (1) food outlet and (1) bottling plant.

COMPLIANCE NOTICES ISSUED IN 2022 IN COMPARISON TO 2020

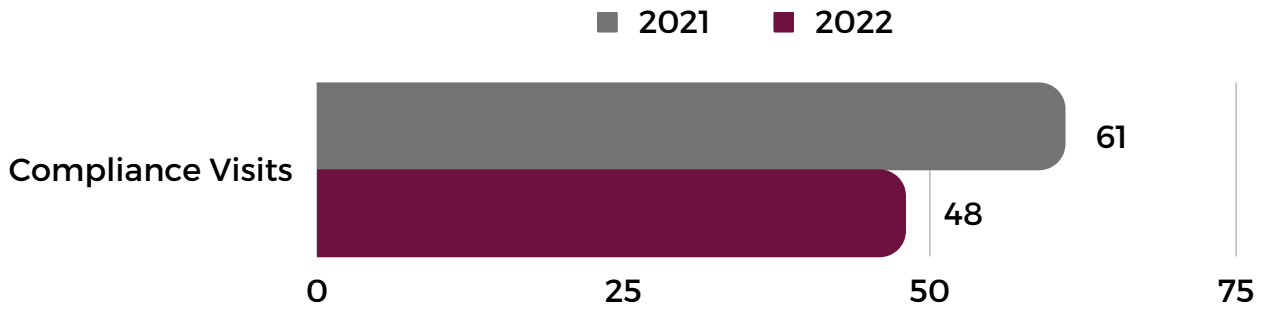


COMPLIANCE VISITS

In order to verify that the requirements of the compliance notice served have been satisfied, 48 compliance visits were conducted, out of this number, 47 were conducted under the previous act, CPA 2010 and 1 under the FTA, 2022. During 2021, a total of 61 compliance visits were undertaken, representing a 21.31% decrease. Despite an increase in compliance notices issued, the decrease in compliance visits is attributed to the fact that they were not yet due for follow up – visit at the end of the reporting period.

COMPLIANCE

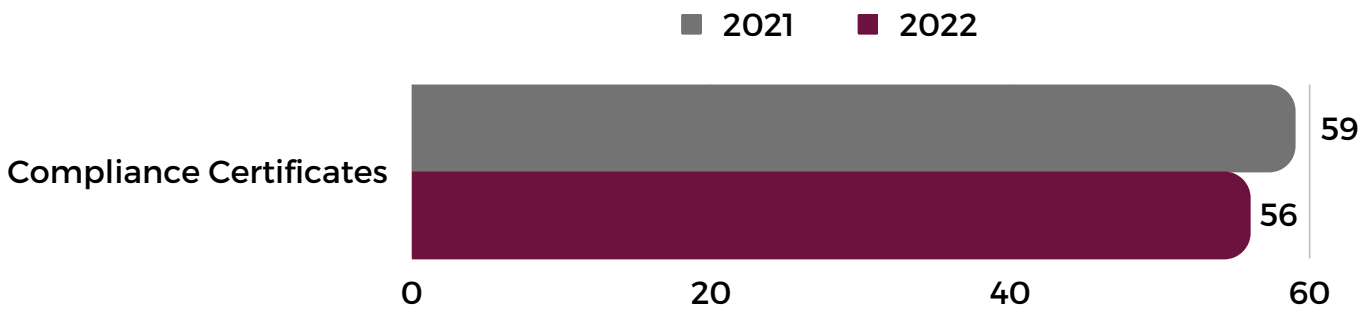
COMPLIANCE VISITS CONDUCTED IN 2022 IN COMPARISON TO 2020



COMPLIANCE CERTIFICATES

Where the requirements of the Compliance notice served have been satisfied a compliance certificate is issued. A total of 56 compliance certificates were issued in 2022, where a total of 55 certificates were issued under the CPA 2010 and 1 was issued under the FTA, 2022. In comparison to 2021, a total of 59 certificates were issued, representing a percentage decrease of 5.08%. The decrease observed is directly attributed to the lower number of compliance visits undertaken in 2022.

COMPLIANCE CERTIFICATES ISSUED IN 2022 IN COMPARISON TO 2021

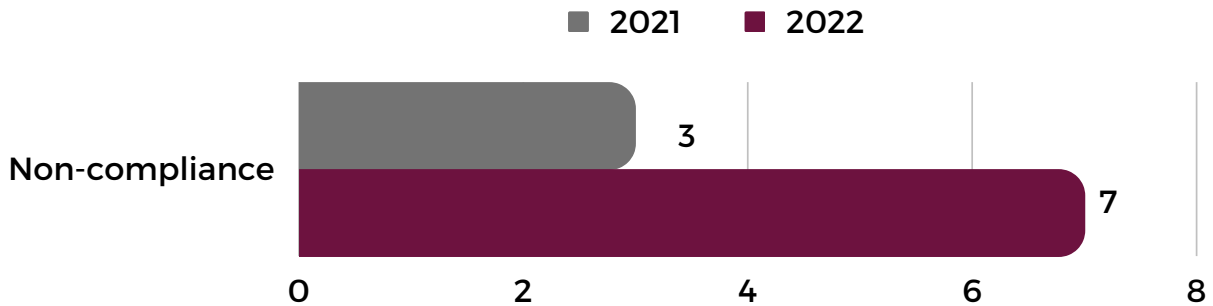


NON-COMPLIANCE

Proceedings may be instituted against the enterprise or person to whom a notice is issued and who fails to comply. Such cases are sent to the Legal Affairs Department who in turn forward them to the Commercial Crime Unit (CCU) for prosecution by the Attorney General’s Office. The Department recorded 7 cases of non-compliance this semester in comparison to 3, in 2021.

COMPLIANCE

NON-COMPLIANCE IN 2022 IN COMPARISON TO 2021



FIXED PENALTY NOTICES

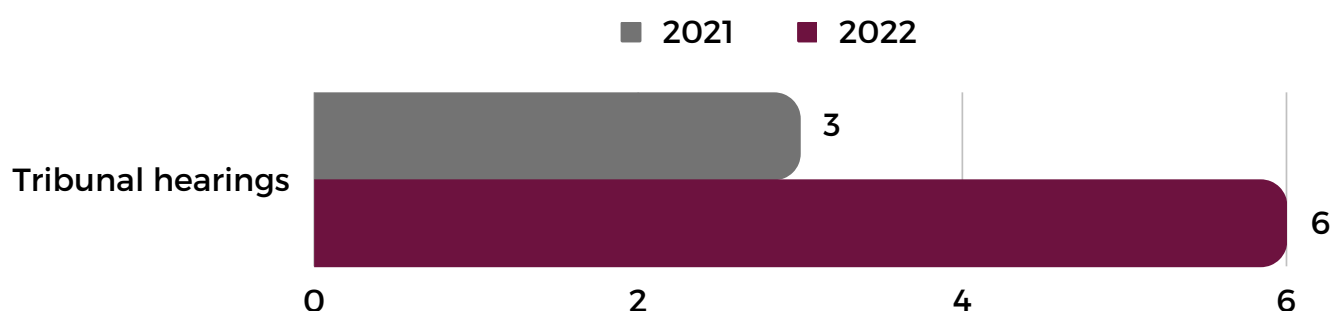
In accordance with Section 41 (2) of the FTA, 2022, where the Commission, during investigation of a complaint or on search or inspection of any premises of an enterprise, has reason to believe that the enterprise or any person has committed a prohibited conduct in respect of sections 72, 73, 74, 76 or 77, the Commission may issue that enterprise or person a fixed penalty notice. The latter offers the enterprise or person an opportunity to discharge their liability to pay the financial penalty under this Act on payment of a fixed penalty of such sum as prescribed in the Regulations.

During the second half of the year, from October to December, 16 Fixed Penalty Notices were issued. 14 were issued on retailers and 2 on wholesalers. The fines issued amounted to SCR151,000. Of the amount, 2 retailers (Fines totalling to SCR38,500) appealed for review of the notice to the Fair Trading Tribunal. A total of SCR 83,000 was settled, all of which within the indicated period, and the respondents were served with Payment Certificates. The remaining balance was not due by the end of this reporting period. To note, in 2021, the Board of Commissioners delivered rulings worth SCR155,000 against retailers. The result over these three months shows the added importance that the introduction of Fixed Penalty Fines has as an enforcement tool.

CASES BEFORE THE TRIBUNAL

During 2022, 6 cases were recommended by the Department for hearing before the Tribunal whilst in 2021, 3 cases were recommended for BOC hearing representing a 100% increase.

CASES RECOMMENDED FOR TRIBUNAL IN 2021 IN COMPARISON TO 2020



ENFORCEMENT OF MAXIMUM RETAIL PRICE

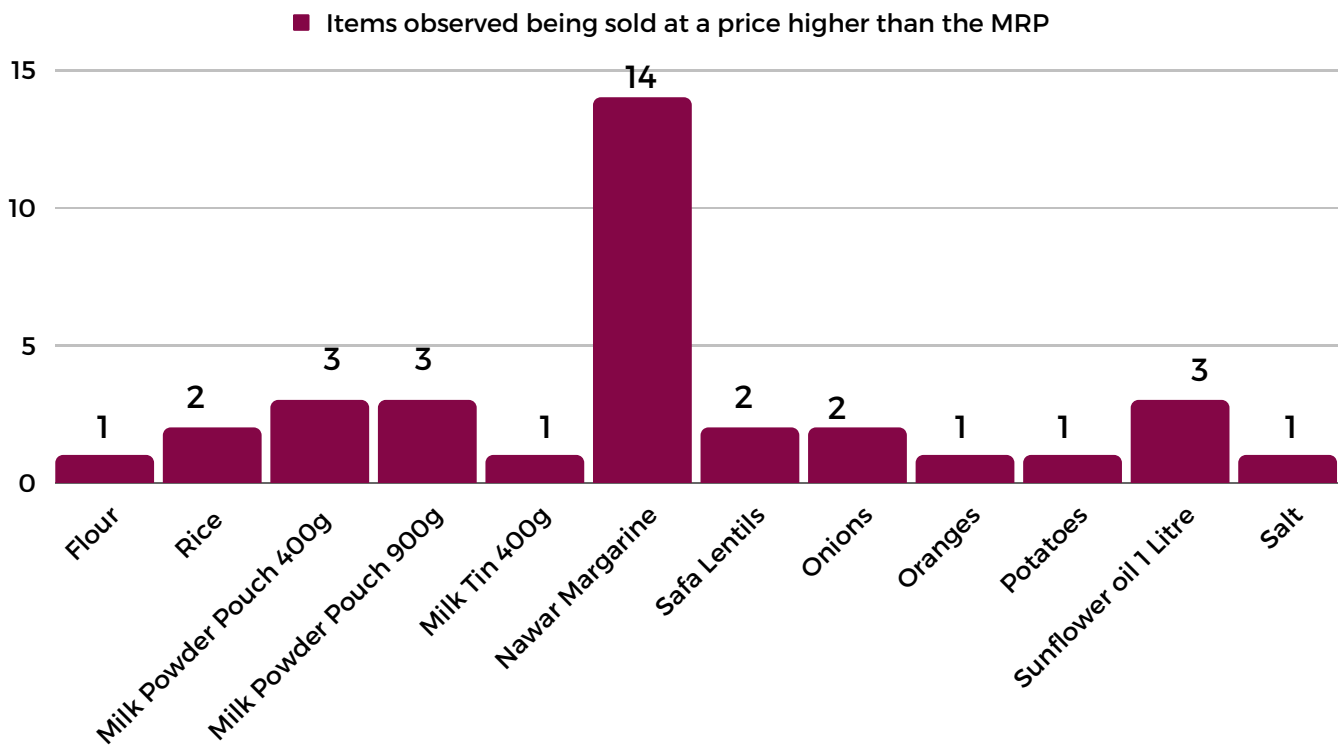
In October 2022, the Commission was designated under the Control of supplies order, 2022, alongside the Seychelles Licensing Authority (SLA) to enforce the order. The Commission met with SLA to discuss on operating procedures and enforcement actions. The Inspections forms, Compounding letters, Compounding Agreement and Standard Operating procedures were drafted. An excel sheet for collecting statistics was also developed by the Department. In view of the Department's experience, the Commission led all the inspections, drafted reports, followed up with enforcement and collected fines during this reporting period.

INSPECTIONS

A total of 68 inspections were jointly conducted during this reporting period, 15 of which were Tip-Off's while the remaining were routine inspections. From the 2nd to 4th of November, routine inspections were conducted in 62 retail premises to verify compliance to the order. The remaining 6 were Tip Off's conducted in the month of December. A total of 20 retail premises across all four regions on Mahe were found in breach of the MRP Order.

ENFORCEMENT OF MAXIMUM RETAIL PRICE

ITEMS OBSERVED BEING SOLD ABOVE MRP



COMPOUNDING LETTERS, AGREEMENTS AND NON-COMPLIANCE

The two authorities have the powers under Paragraph 7 (1) of the order to compound the offence in lieu of instituting legal proceedings by accepting a sum not more than the maximum fine for the offence. The Commission through letter (20) offered the possibility to retailers to discharge their liability. 18 retailers agreed to committing the offence and requested that the matter to be dealt with under this paragraph and SCR4,800 was collected as fines. 1 letter was pending service, whilst legal proceedings will be instituted against 1 retailer.

PROJECTS

PROJECT 1: TELECOMMUNICATION SECTOR (ACTIVE)

In 2021, the department in collaboration with the Department of Information and Telecommunications (DICT) initiated a survey to discuss various problems being encountered in the telecom sector and in relation to certain practices in other jurisdictions. The survey comprised the assessment of three types of services; Broadband internet service, Mobile data service and Cable TV service.

In 2022, the Department presented the findings of the survey to the Vice President at Statehouse in the presence of the Director General for communications at DICT. The findings were also presented to the general public through an interview that was aired on the National Media, SBC and Telesesel. DICT is following up with the service providers to see that the recommendations are considered in order to improve the quality of the service delivery

PROJECT 2: STAKEHOLDER TASKFORCE

Inspections undertaken in Pharmacies (applying the previous Law 'The Consumer Protection Act, 2010')

A Taskforce was set-up in January 2020, which includes representatives from the Seychelles Bureau of Standards, Public Health Authority, Seychelles Licensing Authority and Seychelles Revenue Commission and the Fair Trading Commission represented by Market Surveillance, to collaborate on matters of common interest.

In 2022, in view of concerns relating to the conduct of pharmacies, especially in the practice of selling goods with labels/information that are not in one of the national languages, the taskforce conducted a joint inspection on 9th and 10th June 2022, where a total of 14 pharmacies were inspected.

During the inspection, out of the 14 pharmacies, no breach was observed in 3, breach of section 24 - selling of expired goods was observed in 6 and mixed breaches (section 19 -selling of goods with labels not in one of the national languages, section 24 and section 50) was observed in 5. Letters to encourage compliance were issued to those who complied and those found in breach were served compliance notices.

PROJECTS

A compliance visit was conducted later during the year at the pharmacies served with compliance notices. All the pharmacies were found to be complying and were served with compliance certificates.

USALAMA VIII

As part of its yearly collaboration, the department participated in the USALAMA VIII operations which took place between 19th to 23rd September. The targeted sector was retail outlets and the Commission provided assistance to the Public Health Authority in leading inspections in at least 60 retail outlets and warehouses, whilst other authorities verified compliance to the Acts they administer such as GOP, POS systems etc. At the end of the operations, the department submitted a report on the findings and recommendations for improvement of the operation such as proper reporting systems in place and coordinated follow up actions

REGULATIONS

The Fair Trading Act, 2022 provides for regulations to be made that would provide Commission with additional authoritative mechanisms for monitoring and enforcing compliance to certain provisions. The department drafted proposals relating to a number of provisions including Disclosure of Information, Product Labelling and Fixed Penalties that were submitted to the Attorney Generals Office for consideration.

Further to the above, proposals were made for distance selling and sales record exemptions where they were tabled for discussions internally and with consultants. The work on these proposals is ongoing as the Commission also requires inputs from other authorities such as SLA.

TRAINING

The department this year was fortunate to have followed several training sessions both virtually and locally. The department also had the opportunity to attend a few overseas missions.

Below is a list of trainings followed by the department:

VIRTUAL TRAININGS

- OECD, Arabic Consumer Forum - The OECD, Arabic Consumer Forum was held from the 24th to 25th May, 2022.
- ICPEN 2021/2022 - The ICPEN Best practices workshop, High Level meeting and Conference presided by the Portuguese Authority that was held from the 25th to 27th of May 2022.
- Multilevel Marketing Challenge Conference - The Multilevel marketing challenge was held from the 10th to 11th June 2022.
- Market Inquiry training at the Attorney General's office facilitated by Mr. Muhammad Saley on 7th July, 2022.
- Relevant market training facilitated by EU-ESA through Trade Division.
- Competition Policy Training facilitated by EU-ESA on 5th October, 2022.

OVERSEAS MISSIONS

- Internship at the Competition and Consumer Authority in Botswana (1st to 5th August, 2022) and Competition Commission of Mauritius (8th to 11th November, 2022).
- Meeting with COMESA (Consumer) in Kenya (24th to 25th October, 2022) and ACF in Botswana (1st and 2nd August, 2022).

ADVOCACY AND EDUCATION

The Department assisted with producing adverts and updating the different social media platforms from January to February 2022. In March 2022, the Education and Advocacy officer took this role. However, the team remains committed in providing education, hence they have been assisting the Officer in formulating contents in line with the Introduction of the Fair Trading Act, 2022.

CHALLENGES

- Lack of corporation from certain authorities in relation to matters referred to them or matters requiring joint work.
- The Laptop that is connected to the scanner does not function properly hence this delays the scanning of work.
- Lack of Human manpower is increasingly evident and felt within the department given the amount of work that is being undertaken by the team of four with the enactment of the FTA,2022.

PLAN FOR NEXT YEAR

- Training for the application of the FTA, 2022 and its regulations, that are specifically targeted to Market Surveillance.
- Attend local and International trainings/internship that will assist in the delivery of duties under the new Act.
- Collaborate with other Technical agencies to ensure that Standards and Regulations are developed/implemented to protect consumers from harmful products and unfair trade transactions captured by the FTA, 2022.
- Liaise with Trade and other relevant authorities in discussions relating to regulating the Freight Forwarding sector, Distance (Online) Selling and also sales record exemptions.
- Conduct a joint inspection with the MS Taskforce.
- Conduct monthly joint (routine and scheduled tip-off) inspections with SLA for monitoring and enforcement of the MRP order.
- Collaborate with the Education and Advocacy Officer for the development of contents relating to the provisions administered by the department.
- Scanning and archiving of 2020 files if there is sufficient storage space.



Fair Trading Commission
Seychelles

YOU RECEIVED A THERMAL RECEIPT? SNAP AND SAVE IT!!



Thermal Receipts fade over time, with extensions in return policy by suppliers, it is being advised that Consumers take a photo of the receipt to avoid any unfavourable circumstance.

MAHE: BLOCK B, THIRD FLOOR, UNITY HOUSE TEL: 4325250 PRASLIN:
PENSION FUND COMPLEX, GRAND ANSE TEL:4233109

 FTC Seychelles

 FTC Seychelles

THE CONSUMER DEPARTMENTS

Consumer Protection falls under two separate Departments, specifically the Consumer Goods Department and Consumer Services Department. Their mandate is to safeguard the interest of consumers from unfair trade practices through the enforcement of the Consumer Protection 2010 and the Fair Trading Act, 2022.

CONSUMER GOODS DEPARTMENT

The Consumer Goods Department deals specifically with goods related consumer complaints for example issues concerning defective electronic items.

CONSUMER SERVICES DEPARTMENT

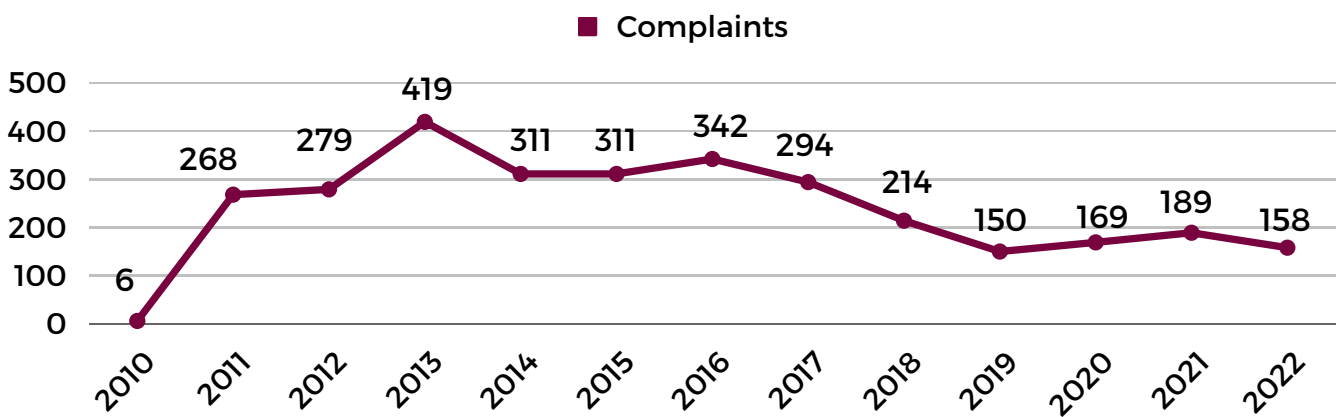
The Consumer Services Department handles consumer complaints in relation to matters concerning services such as failure to perform services relating to the construction of a building.

CONSUMER COMPLAINTS

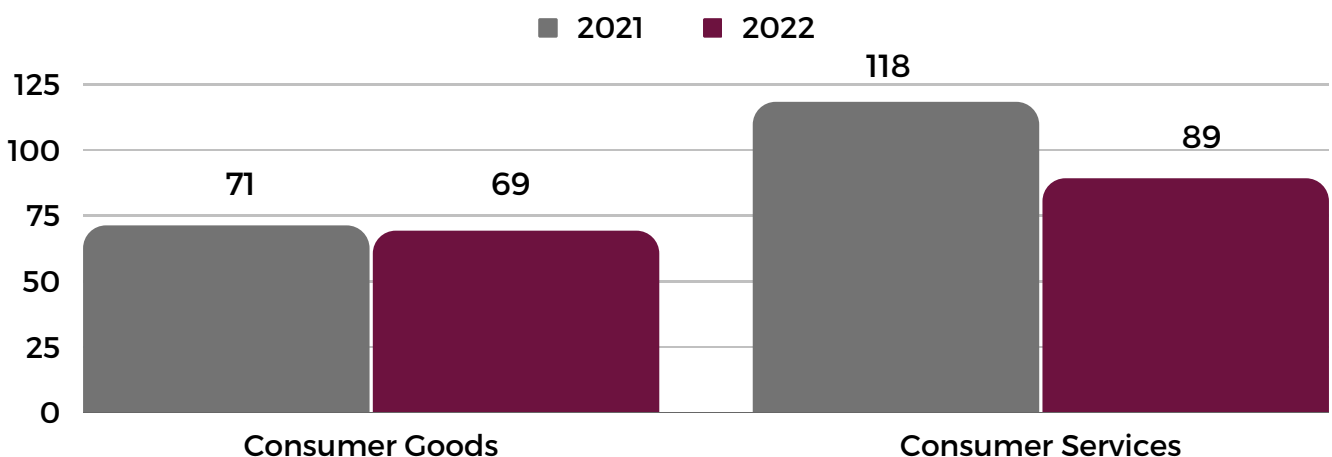
During 2022, a total number of 158 consumer complaints were lodged at the Commission of which 69 cases were goods related representing 43.67% and 89 were services related representing 56.33% of the total number of cases. Of the total goods cases lodged a total of 35 cases were lodged under the FTA, 2022 whereas the remaining 34 cases were lodged under the CPA 2010. Of the total services cases a total of 50 cases were lodged under the FTA, 2022 and the remaining 39 cases were lodged under the CPA 2010.

The number of cases recorded for 2022 shows a decrease of 16.40% compared to 2021 of which 189 cases were lodged.

NUMBER OF COMPLAINTS RECEIVED PER YEAR



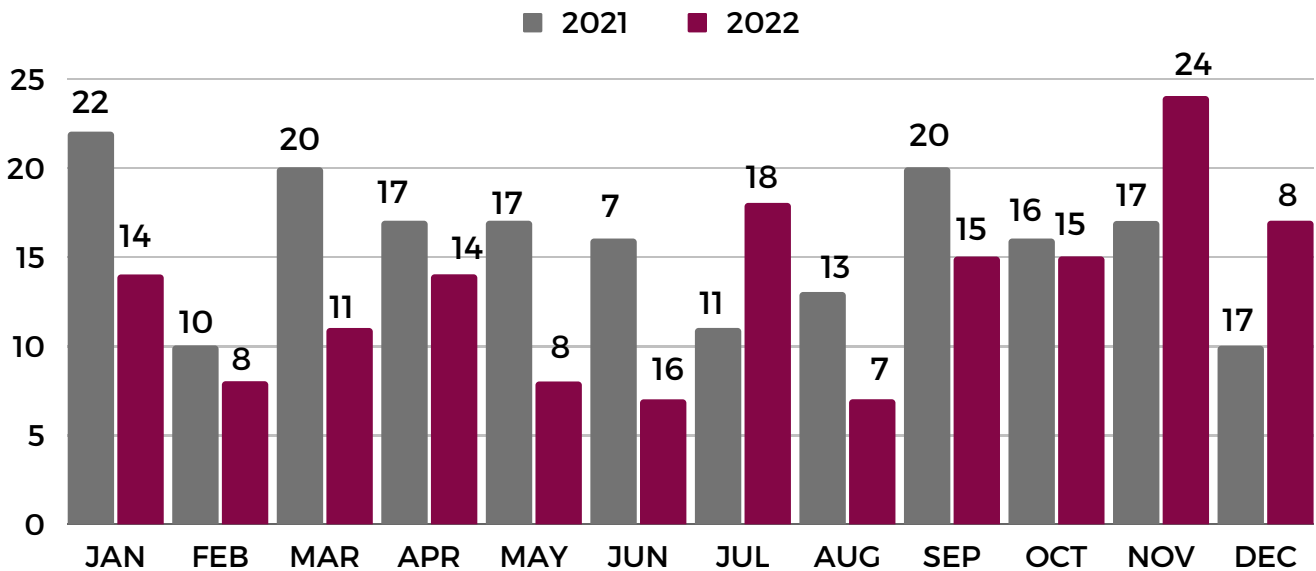
NUMBER OF COMPLAINTS RECEIVED PER COMPLAINT TYPE, IN 2022 IN COMPARISON TO 2021



CONSUMER COMPLAINTS

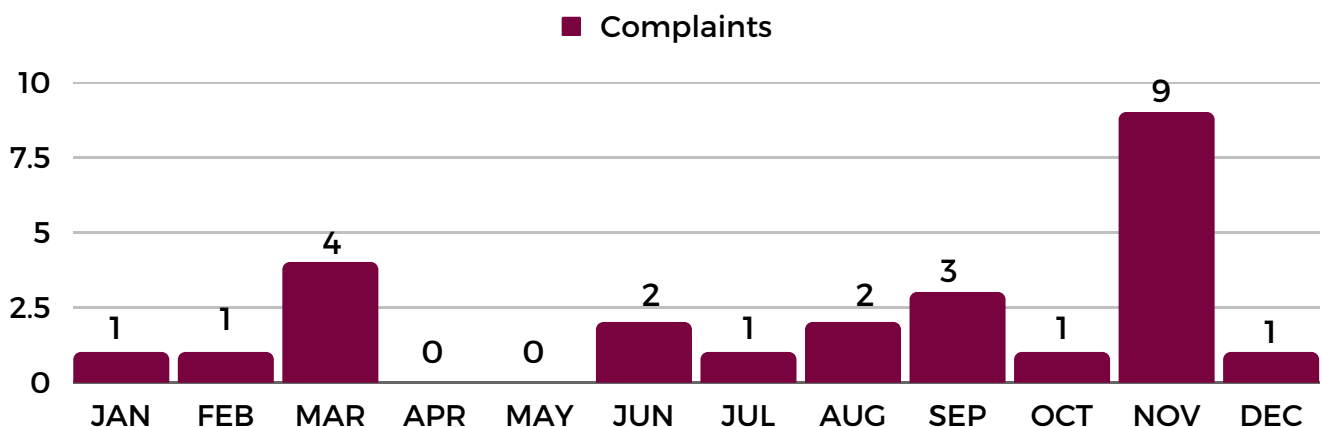
During 2022, on average, 13 cases were recorded per month. The month of November recorded the highest number of complaints (24), whilst the month of June and August recorded the lowest number of complaints (7). In 2021, the average number of complaints recorded per month was 16, the month of January recorded the highest number of complaints (22), whilst the month of February and December recorded the least number of complaints (4).

NUMBER OF COMPLAINTS RECORDED PER MONTH PER YEAR IN 2022 IN COMPARISON TO 2021.



Below is a graph showing the number of complaints closed per month at screening stage.

NUMBER OF COMPLAINTS CLOSED PER MONTH AT SCREENING STAGE





DO NOT MAKE PURCHASE DECISIONS
BASED ON PRICE ONLY!

THINK QUALITY!
THINK DURABILITY!
THINK PURPOSE OF USE!



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PRASLIN: PENSION FUND COMPLEX, GRAND ANSE TEL:4233109



LET US LOOK AT THE NUMBERS

**Staff
Count**



2

Investigations



48

**Discontinued
with Remedy:**
Refund
Repair
Replacement



19
1
3

Discontinued
No Breach



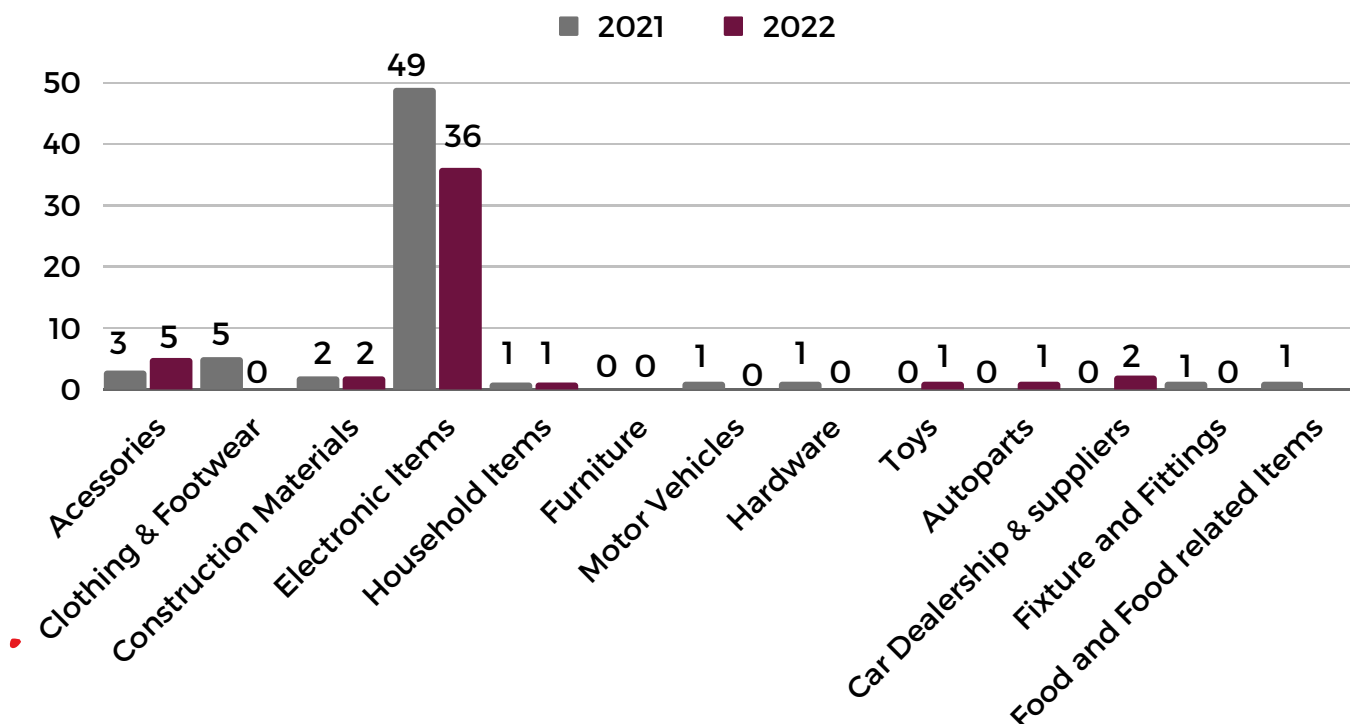
19

COMPLAINTS

In 2022, 69 complaints lodged were in relation to Consumer Goods. 15 complaints were closed at complaint taking stage, 5 (7.25%) complaints were assigned to the Praslin Office, 1 (1.44%) was awaiting documents at end of year. The remaining 48 (69.56%) cases were assigned to the Consumer Goods Department for investigation. In comparison, in 2021, a total of 71 consumer goods complaints were lodged. This shows a 2.82% decrease in the number of consumer goods complaints lodged. From the 71 complaints that were lodged 8 (11.4%) complaints were closed at complaint taking stage, 7 (9.8%) complaints were assigned to Praslin office, and 2 (2.8%) were awaiting documents at end of year.

Similar to 2021, the highest number of consumer goods complaints lodged in 2022 were in relation to electronic goods. In 2022, 36 (47.83%) consumer goods complaints were lodged in relation to electronic items and for the same period in 2021, 40 (56.3%). It is to be noted that 19 out of the 69 Goods complaints representing a total of 27.54% were investigated under the Fair Trading Act 2022 compared to 50 Goods complaints representing a total of 72.46% which were investigated under the Consumer Protection Act 2010. The department recorded complaints in regards to various electronics items without a dominant brand or a specific item of concern.

ADVERTS BY DEPARTMENT AND SUBJECT PUBLISHED IN 2022 IN COMPARISON TO 2021.



INVESTIGATIONS

TOTAL VALUE OF CONSUMER GOODS COMPLAINTS INVESTIGATED

The value of the Goods Complaints in 2022 amounted to SCR 1,524,334.65. This is a 120.8% increase compared to 2021 which stood at SCR 690,408.40. The difference in value may be attributed to the increase in electronic items cases in 2022.

YEAR	The total Value of consumer goods complaints assigned to the Department for Investigation.
2021	SCR 690,408.40
2022	SCR 1,524,344.65

TECHNICAL REPORTS

Technical Reports are essential in determining the outcome of investigations and the Department has again only been able to rely on a limited number of independent technicians.

YEAR	Number of Technical Reports	Total cost of Technical Reports
2021	24	SCR 17,100.00
2022	37	SCR 23,675.00

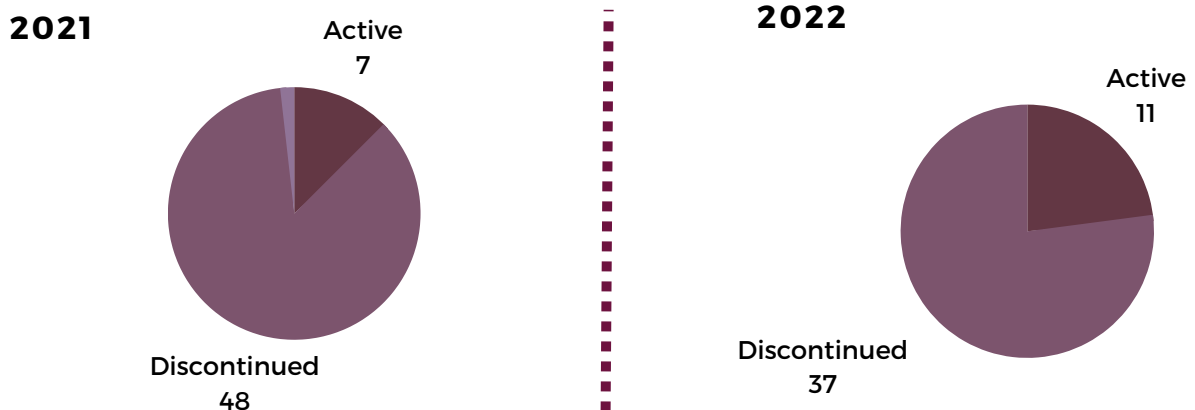
ASSIST CONSUMER SERVICES DEPARTMENT WITH NON-CONSTRUCTION SERVICES CASE

Similar to the year 2021, the department assisted the Consumer Services Department in investigating non construction cases. In view that there was a decrease in the number of goods related complaints, staff were able to assist with the cases thus decreasing the overall turnover of services related cases. The department investigated a total of 23 services cases related cases of which 2 (8.69%) were still active by the end of 2022. The two services cases are still active for owing to the product having been ordered from abroad (1) and the other a construction case (1). Both cases shall be carried over to 2023.

INVESTIGATIONS

From the 48 complaints assigned to the department, 7 Goods Cases were carried over from the previous year, 2021. At the end of 2022, 11 (22.92%) cases remained active and 37 cases (77.08%) were discontinued. In 2021, 56 goods complaints were investigated by the department of which 2 were carried over from 2020. At the end of 2021, 1 (1.8%) case was approved for hearing before the tribunal, 7 (12.5%) cases remained active and 48 (85.7%) cases were discontinued.

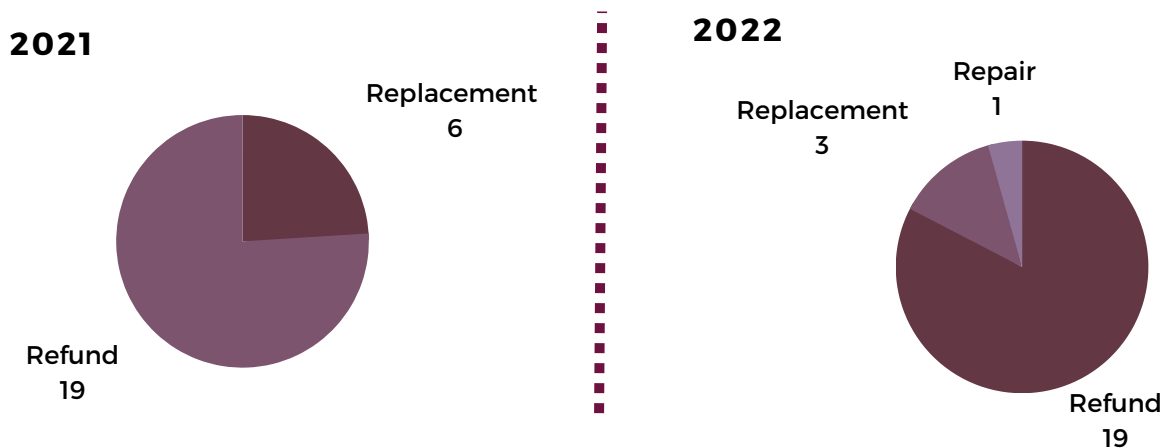
STATUS OF CASES AS AT END OF 2022, IN COMPARISON TO 2021



REMEDY

In 2022, the department was successful in obtaining a redress for 23 (47.92%) Goods cases, which is lower compared to 25 (44.6%) remedies provided during the same period in 2021, showing a decrease of 8%. This may be attributed to staff working on Services cases which is a longer process. As for cases closed due to no breach found, for 2022 the amount stood at (25) compared to (23) in 2021.

REMEDY OF CASES AS AT END OF 2022, IN COMPARISON TO 2021





BLOCK B, 3RD FLOOR,
UNITY HOUSE, VICTORIA,
MAHE. TEL: 4325250

PENSION COMPLEX,
1ST FLOOR, ROOM 19,
PRASLIN. TEL: 4233109

Konsonmater!

Asire ki ou verifye materyo ki'n
ganny aste avan i ganny transporte.



**Sa i ava ede idantifye okenn defo avek prodwi
avan i kit sa marsan.**

Materyo i kapab ganny andomaze:

- Dan stor
- Ler i pe ganny anpakte
- Lo transportasyon



ADVOCACY AND EDUCATION

The department worked with the Education and Advocacy Officer to produce 4 adverts relating to relevant Sections of the FTA,2022, such as the newly introduced Sections for Deposits and Components. Another area where there was collaboration with the education and advocacy officer was in advertising on the new STC Hypermarket platform. The Department also worked in collaboration with other departments in this year's World Consumer Rights Day campaign.

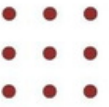
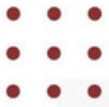
The department also accompanied the Education and Advocacy Officer to deliver an educational talk at the SCAA in regards to Fraud. The department also produced 2 adverts in relation to Retail Price Maintenance. The Principal Analyst of the department was also tasked with overseeing the organization of the Commission's Outreach Programme which was held on Praslin and a radio quiz which was aired on Paradise FM. This semester the department also participated in an SBC Radio programme to educate the public on recent changes in regards to the Commission's sections of the Fair Trading Act, 2022.

CHALLENGES

- Most of the cases investigated requires an independent technician to verify the goods. Finding independent technicians who are ready to agree with the request of the Commission has been a difficult task. Most of the technicians are not prepared to submit a written and signed report to the Commission.
- Ongoing trainings in regard to the FTA,2022 is a must for the staff. Staff has encountered numerous challenges after the implementation of the new Act, whereby the Legal Department was needed occasionally for interpretation.

PLAN FOR NEXT YEAR

- Ensure that Goods cases turnover remains at an average of 2 months.
- Work closely with the Education and Advocacy Department to ensure consumers are educated on relevant sections of the law.
- Conduct several meetings to ensure all concerned stakeholders are well informed of the General Product Safety Regulation.
- Participate in World Consumer Rights Day preparation alongside other Departments.
- Attend specific trainings in regards to implementation of the new law.



Fair Trading Commission
Seychelles

DISADVANTAGED CONSUMERS

Who are they?



- have a disability - intellectual, psychiatric, physical, sensory, neurological or a learning disability
- have a serious or chronic illness
- have poor reading, writing and numerical skills
- are very young (minor)

It is unlawful for any supplier to engage in a conduct or consumer transaction in which a consumer is unable to sufficiently protect his/her legitimate interest due to a physical or mental impairment,

Pressure



Deception

Coercion


Unconscionable

How can they be protected?



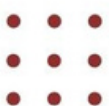
- Have a person assist them in consumer transactions
- Encourage/assist the disadvantaged consumer to lodge a complaint
- As a supplier of goods or services, remain alert to any special needs your consumers have and make sure you have systems in place to prevent any unfair treatment.



 **FTC Seychelles**

 **FTC Seychelles**

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PENSION FUND COMPLEX, GRAND ANSE TEL:4233109



LET US LOOK AT THE NUMBERS

**Staff
Count**



5

Investigations



49

**Discontinued
with Remedy:**
Performed
Service
Refund



10
10

**Discontinued
No Breach**



19

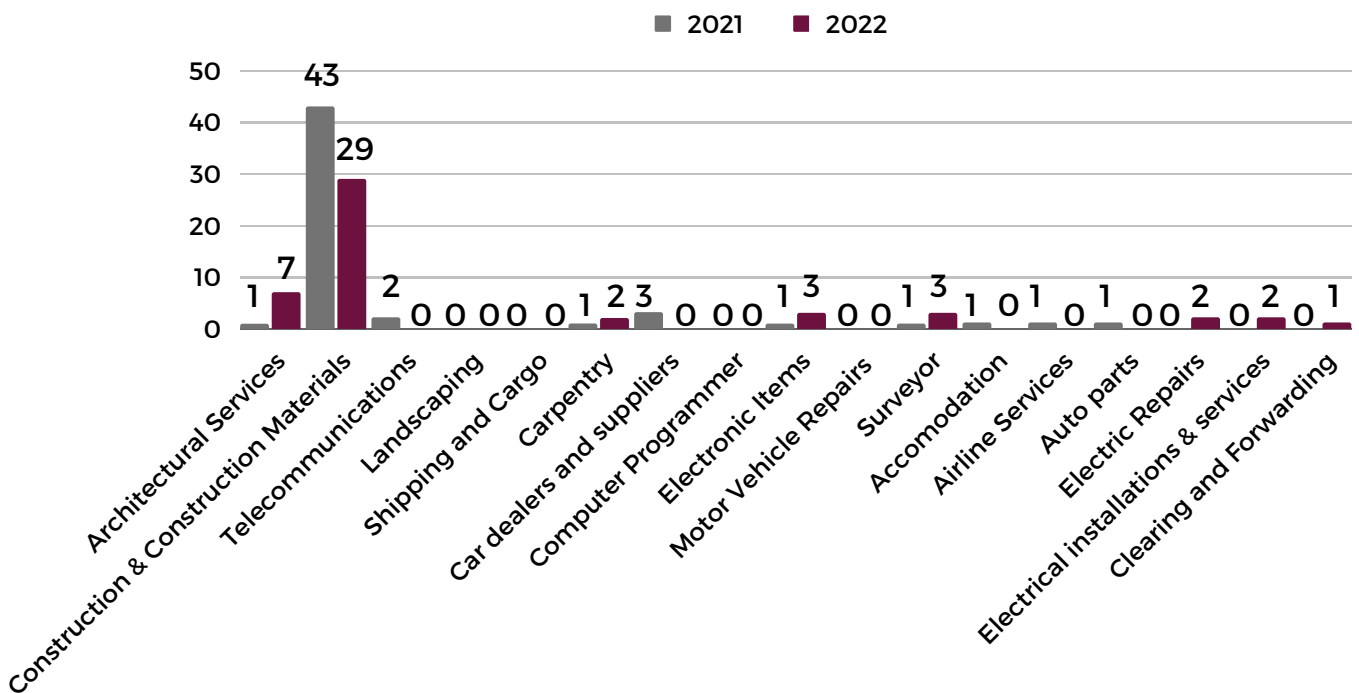
COMPLAINTS

In 2022, a total of a total of 89 complaints lodged were related to consumer services acquired in comparison to 118 consumer services complaints in 2021. This shows a 24.58% decrease in the number of complaints lodged.

In 2022, from the 89 consumer services complaints lodged, 8 (8.99%) complaints were closed at complaint taking stage, 9 (10.11%) were assigned to Praslin Office, 23 (25.84%) were assigned to the consumer goods Department and 49 (55.06%) cases were assigned to Consumer Services Department for investigations. In Comparison, in 2021, from the 118 complaints lodged, 28 (23.7%) complaints were closed at complaint taking stage, 3 (2.5%) were assigned to Praslin Office, 23 (19.5%) were assigned to the Consumer Goods Department and 9 (7.7%) cases were awaiting documents at the end of the year. The remaining 55 were assigned to the Consumer Services Department for Investigation.

The construction sector (Construction & Construction Materials) remained the most prominent category of complaints investigated (43) in 2021 and (29) in 2022. This represents a decrease of 32.56% in comparison to 2021.

LEADING CATEGORY OF CONSUMER SERVICES COMPLAINTS INVESTIGATED IN 2022, IN COMPARISON TO 2021.



INVESTIGATIONS

TOTAL VALUE OF REFUNDS COLLECTED FOR CONSUMER SERVICES COMPLAINTS INVESTIGATED

The below table represents the total Refund collected during the investigation. The decrease in value of refunds in 2022, is attributed to the reduction in Consumer Services cases recorded in the year.

YEAR	The total value of refunds collected for Consumer Services Complaints Investigated
2021	SCR 600,800.00
2022	SCR 472,554.20

QUANTITY SURVEYOR

Given that the construction sector represents or constitutes the most prominent complaints recorded at the Commission, the service of a retained Quantity Surveyor is inevitable. Quantity Surveyors are the financial consultants of the Construction industry whose training and experience qualify them to advise on cost and contractual arrangements and to prepare contract documents. They are independent experts who operate in a specialized area of the construction industry.

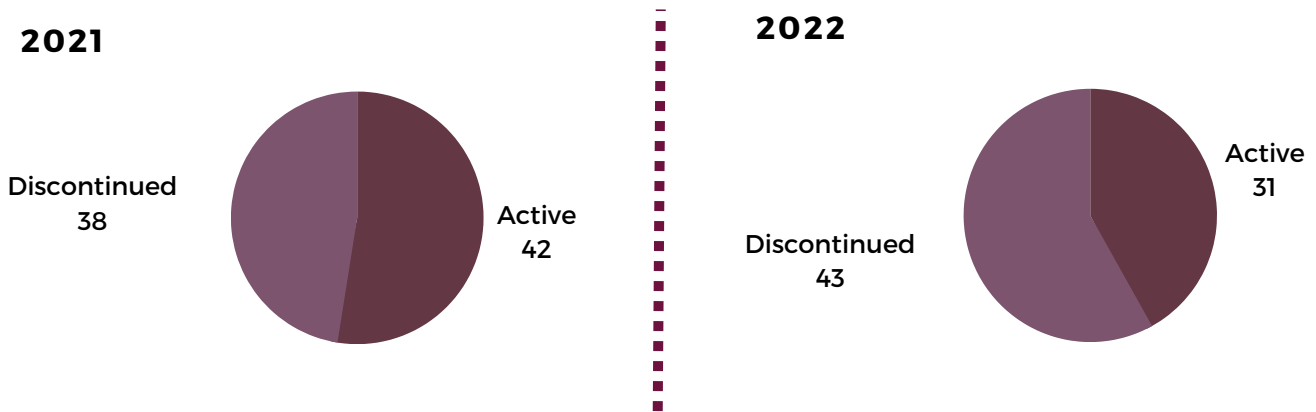
In 2022, the Quantity surveyor continued to evaluate claims made by complainants in relation to the extent of the failure by suppliers in the performance of service. The quantity surveyor provides an impartial report based on the evidence acquired during the investigation.

In 2022, a total of 18 joint site visits were carried out with the Quantity Surveyor, of which 14 reports were received and 4 reports were pending at the end of the year.

INVESTIGATIONS

In addition to the 49 services complaints investigated by the department in 2022, a total of 44 cases were carried over from previous years. Therefore, a total of 93 cases were investigated. It is to be noted that 21 out of the 93 Services complaints representing a total of (22.58%) were investigated under the Fair-Trading Act 2022. At the end of 2022, a total of 43 (46.24%) cases were discontinued, 19 (20.43%) cases were recommended for Tribunal and 31 (33.33%) cases remained under investigation as at end of the year. In comparison, in 2021, in addition to 55 services complaints investigated in 2021, a total of 45 cases were carried over from the previous years, equalling to 100 cases investigated. At the end of 2021, 38 cases (38%) were discontinued, 10 cases (10%) were settled for an undertaking, 10 cases (10%) were approved for Tribunal and 42 cases (42%) remained under investigation.

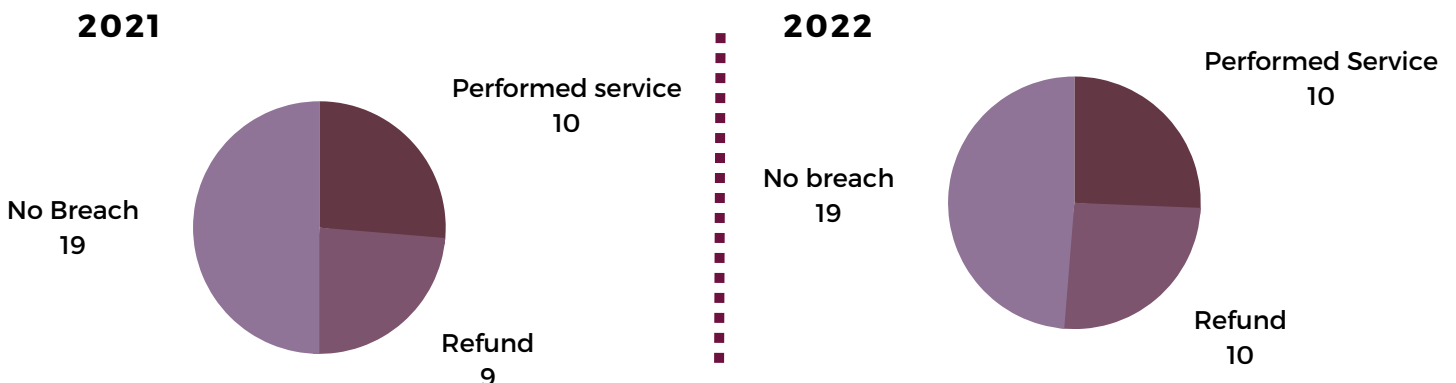
STATUS OF CASES AS AT END OF 2022, IN COMPARISON TO 2021



REMEDY

From the 43 cases discontinued in 2022; 10 (23.26%) performed the service, 10 (23.26%) were provided with a refund, 4 (9.30%) cases were withdrawn by the complainant and in 19 (44.19%) cases there was no breach/merit for further investigation. Whereas in 2021, from the 38 cases discontinued, 10 (26.3%) performed the service, 9 (23.7%) were provided with a refund and in 19 (50%) cases there was no breach/merit for further investigation.

REMEDY OF CASES AS AT END OF 2022, IN COMPARISON TO 2021





PROOF IS POWER!

WHAT CAN I USE AS EVIDENCE?

WHY SHOULD I HAVE A WRITTEN CONTRACT?

Whilst a verbal contract is legal, it is harder to prove the terms of the contract to people that were not present when the agreement was made. Having it written down can make it clear to everyone else that an agreement existed and what the terms were, making your case easier to prove.

SHOULD I KEEP MY RECEIPTS?

You should always keep your receipts and make copies of them too!

Do not rely on the service provider to keep a copy for you. Receipts prove that payments were made and when it was paid. Ideally, they should indicate what the payment is for..

CALL US FOR MORE INFO

 +248 4325250



CONTRACTS & QUOTATIONS



RECEIPTS & BANK STATEMENTS



EMAILS, TEXTS & LETTERS



PHOTOGRAPHS & REPORTS



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EDUCATION AND ADVOCACY

In line with the continuous tripartite collaboration between the Fair Trading Commission, Seychelles Planning Authority and Seychelles Licensing Authority to ensure that the professionals in the construction sector are aware of their obligations to their clients prior to practicing in the sector, an exam for all Professionals in the field of construction is carried out. A total of 34 presentations were carried out with the contractors and 96 contractors sat for the exam and they have all passed.

As part of the exchange during the meeting conducted, there was a discussion to also revamp the Licensing application procedure as follows;

- Licensing Authority to send the list of applicants for upgrading and renewal of License to FTC for comments to be provided.
- Applicants to attend at least one training organized by the Fair-Trading Commission prior to renewal and upgrading License.
- The session will be carried out twice yearly minimally and a list of attendees will be sent to SLA and/or a certificate will be provided to the participants that they can present to Licensing Authority upon application for upgrade or renewal of License. The commencement date will be in 2023.
- Applicants for the new licensee will attend training at FTC upon making the application.
- Amend the condition of the License.

A workshop was organized by the Tripartite with the contractors to bring the new changes to their attention.

Joint collaboration with the Education & Advocacy Unit.

The Department assisted the Education and Advocacy Officer in a presentation carried out at Enterprise Seychelles Agency. The purpose of the session was to empower the ESA staff to provide information to the businesses about their obligations in relation to the Consumer Protection Act, 2010.

ADVOCACY AND EDUCATION

- **Address the Recurrent Respondent on the market.**

A total of 5 recurrent respondents were recorded in the second semester of 2022. All relevant documents were sent to the Seychelles Licensing Authority. The Commission awaits the action to be taken by the Seychelles Licensing Authority Board.

- **Engage in educational and advocacy activities.**

The department participated in several advocacy activities including the following;

- A member of the Committee to discuss and draft adverts to be aired on media platforms.
- Conference organized by the Attorney's General office with lawyers.
- Conference organized by the Planning Authority with contractors.
- Produced adverts for the Commission's Facebook page.
- Participated in the outreach December activity that was carried out on Praslin.



ESKI OU PE AL SINNY EN KONTRA POU KONSTRIKSYON OU LAKAZ ?

Avan ou sinnyen, demann ou lekor sa bann keston swivan:

- Eski konteni sa kontra I reflekte lakantite larzan kinn ganny agree pou konstriksyon ou lakaz?
- Eski sa kontra I met dele letan dan ki konstriksyon I sipoze konplete?
 - Eski oun konpran antyerman konteni sa kontra?

MAHE: BLOCK B, THIRD FLOOR, UNITY HOUSE TEL: 4325250 PRASLIN: PENSION FUND COMPLEX, GRAND ANSE TEL:4233109

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TRAINING

The department attended 3 virtual trainings as follows;

- ICPEN Webinar on Alternative Dispute Resolution
- ICPEN Pyramid Promotional Schemes project titled: "Enforcement pathways and sanctioning policies"
- World Consumer Rights Day 2022 organized by COMESA Competition Commission.

The three trainings provided the staff with different procedures implemented by various countries for the gathering of evidence in the investigation process. Additionally, the advocacy activities conducted were also shared amongst member states.

Continuous Collaboration with Mr. Massimiliano Gangi, EU Consultant

There is continuous collaboration with Mr. Massimiliano Gangi, the consultant working with the Commission through the EDF funding with regards to the implementation of the new Act. Mr. Massimiliano has provided a tentative docket which included a proposed leaflet that can be customised based on the issues being encountered in the construction sector and elements that can be included in any future regulations.

Overseas Missions

Staff within the department also attended an exchange with the Consumer Protection Commission (CCPC) in Zambia. The internship was a platform to exchange information on the procedure of the CCPC and the Seychelles Fair Trading Commission with the aim of improving the performance of both organisations.

CHALLENGES

- Information requested from certain stakeholders were not received in a timely manner.
- The complexity of cases requires an increase in the number of technicians required to provide opinions/recommendations on cases.
- Limitation of Authorities/ individuals to perform requested tests to establish the quality of a good or service performed.
- Limited resources in the Legal Department, to provide feedback in a timely manner on cases and legal opinions.
- The Tribunal has not been set up to acquire rulings that can be used as precedence.

PLAN FOR NEXT YEAR

- Finalize investigation of the complaints lodged prior to the first semester of 2023.
- Continued collaboration between Planning Authority, Seychelles Licensing Authority and the Commission, to educate the consumer and take necessary action with the supplier of service in the construction sector that adversely affects the consumer's rights.
- Engage in educational and advocacy activities.
- Training for staff in relation to the Implementation of the new law.



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DID YOU KNOW?

There are different classes of building contractors

- **Building Contractor Class I** (major multi-storey constructions)
- **Building Contractor Class II** (double-storey constructions)
- **Building Contractor Class III** (single-storey constructions and minor works with limitations)
- **Building Maintenance Contractor** (minor constructions, repairs and maintenance)



**Choose the Right Contractor with the Right Class
when planning your construction project!**

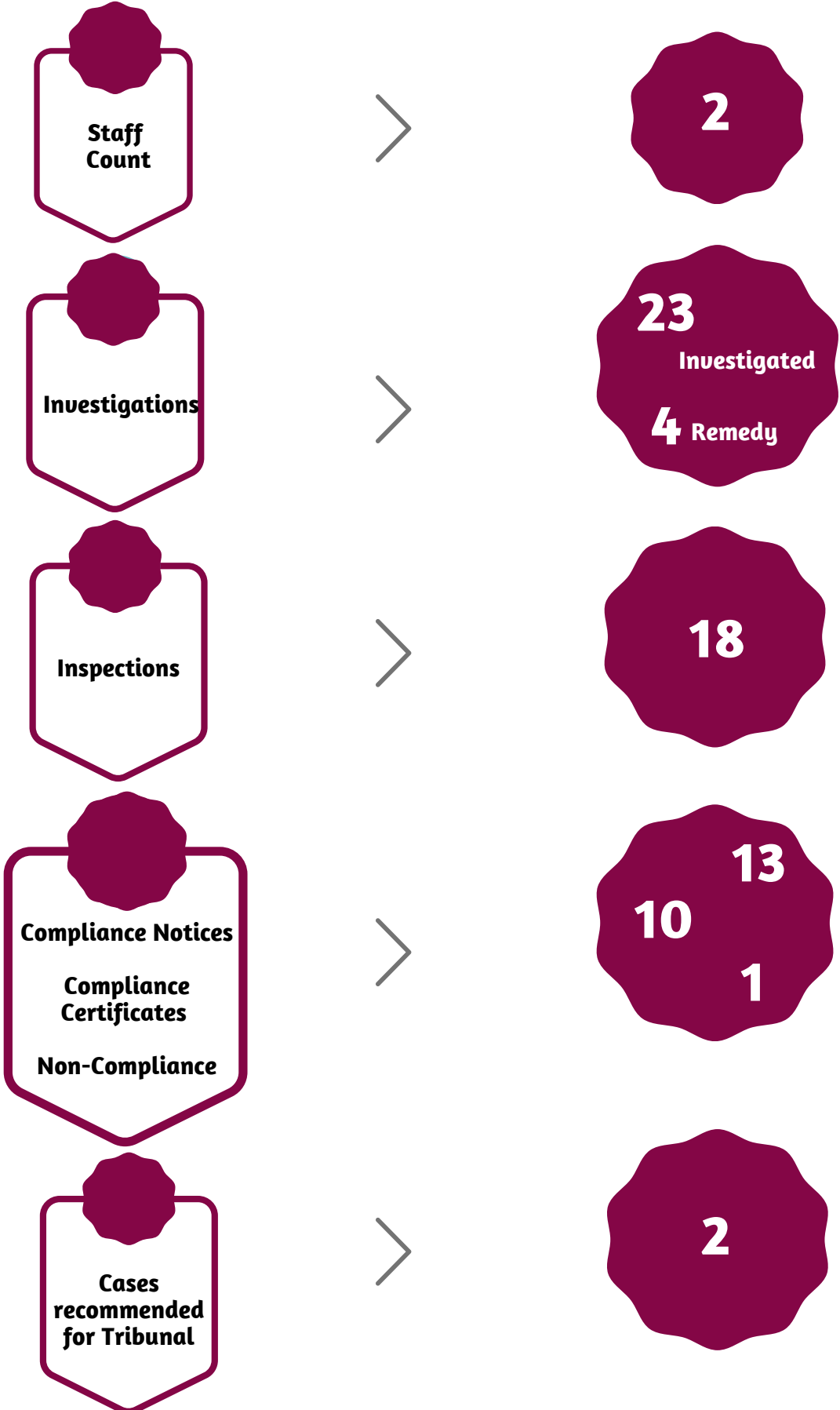


PRASLIN OFFICE

The Praslin office has been in operation since 2016, and its main function is to safeguard the interest of consumers from unfair trade practices through the enforcement of the Fair Trading Act, 2022. The office has a manpower capacity of 2. The officers' duties are to investigate consumer complaints, relating to goods and services; conduct routine inspections and compliance visits at various business premises. They also carry out investigations in collaboration with the Competition Department on Mahe to ensure compliance with the Fair-Trading Act, 2022.

In addition, the officers work closely with the Education and Advocacy Unit on Mahe to formulate educational activities and contents for dissemination to the general public.

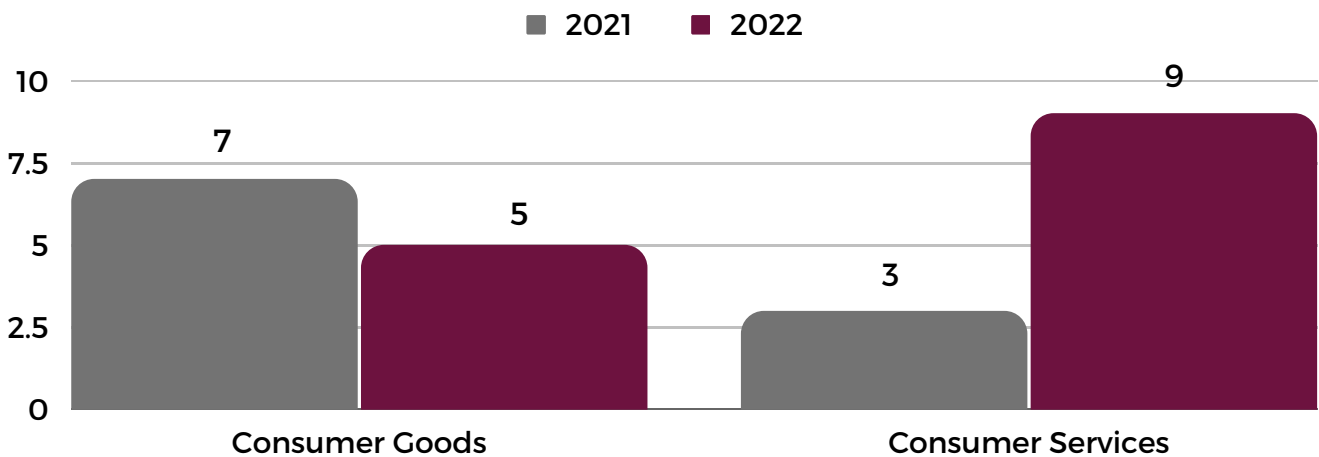
LET US LOOK AT THE NUMBERS



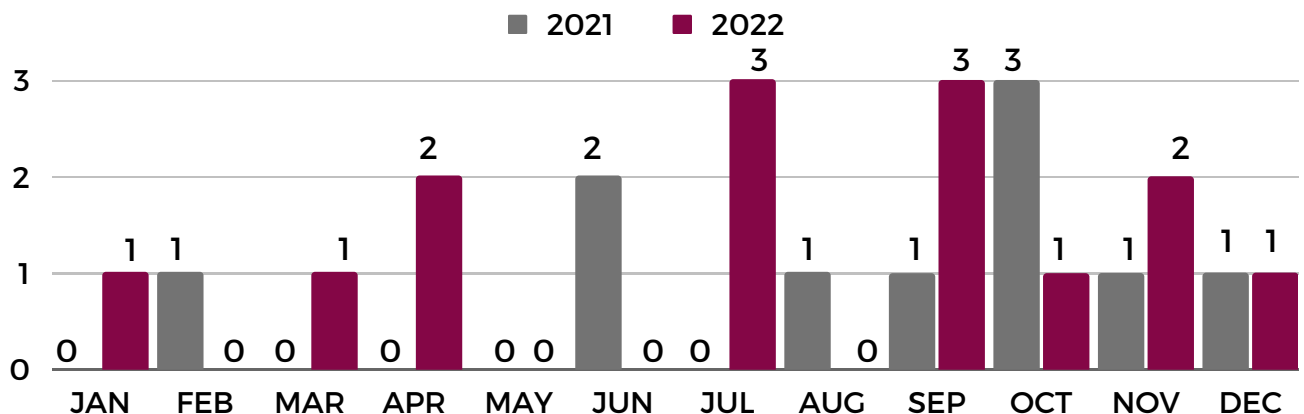
CONSUMER COMPLAINTS

During the year 2022, the Praslin office received a total of 14 consumer complaints in comparison to 10 complaints received in 2021. This represents an increase of 40%. Out of the 14 consumer complaints lodged, 7 (50%) were dealt with under the CPA, 2010 and 7 (50%) were dealt with under the FTA, 2022. Out of the 14 complaints lodged, the majority of complaints were of the consumer services which amounted to 9 (64.28%), whilst the remaining 5 (35.71%) were of the Consumer Goods category. This shows a shift in cases lodged, whereby in 2021 the majority of cases were of the Consumer Goods Category and amounted to 7 (70%) whilst 3 (30%) were of the consumer services category. Hence the shift shows an increase of 200% in consumer services complaints in 2022, in comparison to 2021 and the same result observed for both years, 2021 and 2022, for Consumer Goods.

NUMBER OF COMPLAINTS RECEIVED PER COMPLAINT TYPE, IN 2022 IN COMPARISON TO 2021



NUMBER OF COMPLAINTS RECORDED PER MONTH PER YEAR IN 2022 IN COMPARISON TO 2021.

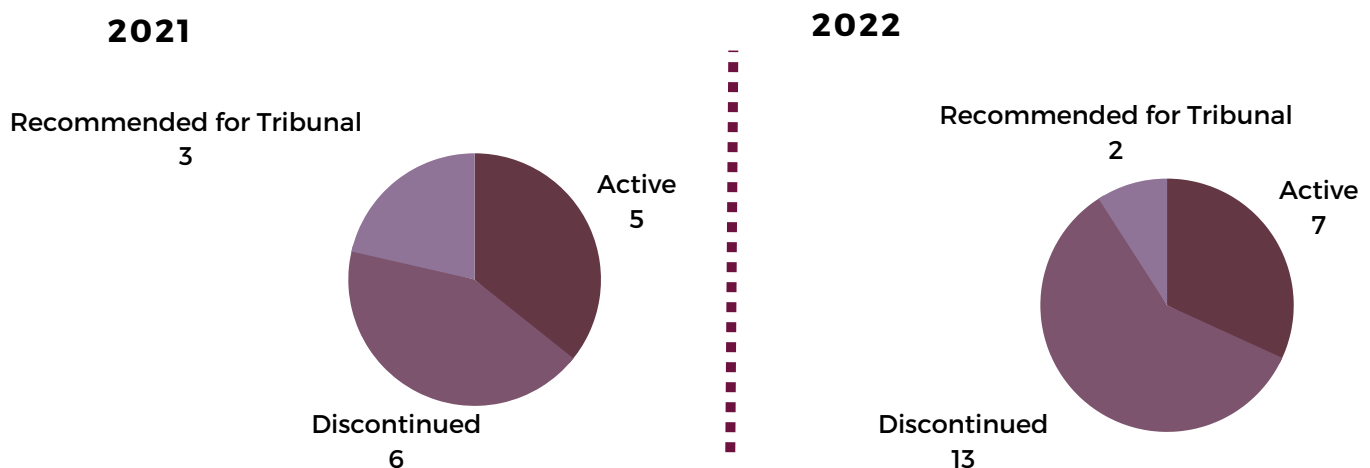


INVESTIGATIONS

During 2022, a total of 23 cases were investigated, representing an increase of 53.3% from 2021, whereby a total of 15 cases were investigated. Of the 23 cases investigated in 2022, 14 cases were assigned in the year and 10 cases were carried over from previous years (2018-2021). In comparison to 2021, out of the 15 cases, 10 cases were assigned in 2021 and 5 were carried over from previous years.

Of the 23 cases investigated in 2022, a total of 5 cases were discontinued receiving a redress, 2 were recommended for hearing before the tribunal, 2 were mediated, 1 was proceeding to discontinuation, 1 was forwarded to Mahe office for the screening process, 5 were closed due to no breach, and 7 remained active. In comparison to 2021, 4 were discontinued, 3 were in the process of discontinuation, 3 were approved to be forwarded to the tribunal and 5 remained active.

STATUS OF CASES AS AT END OF 2022, IN COMPARISON TO 2021



REMEDY

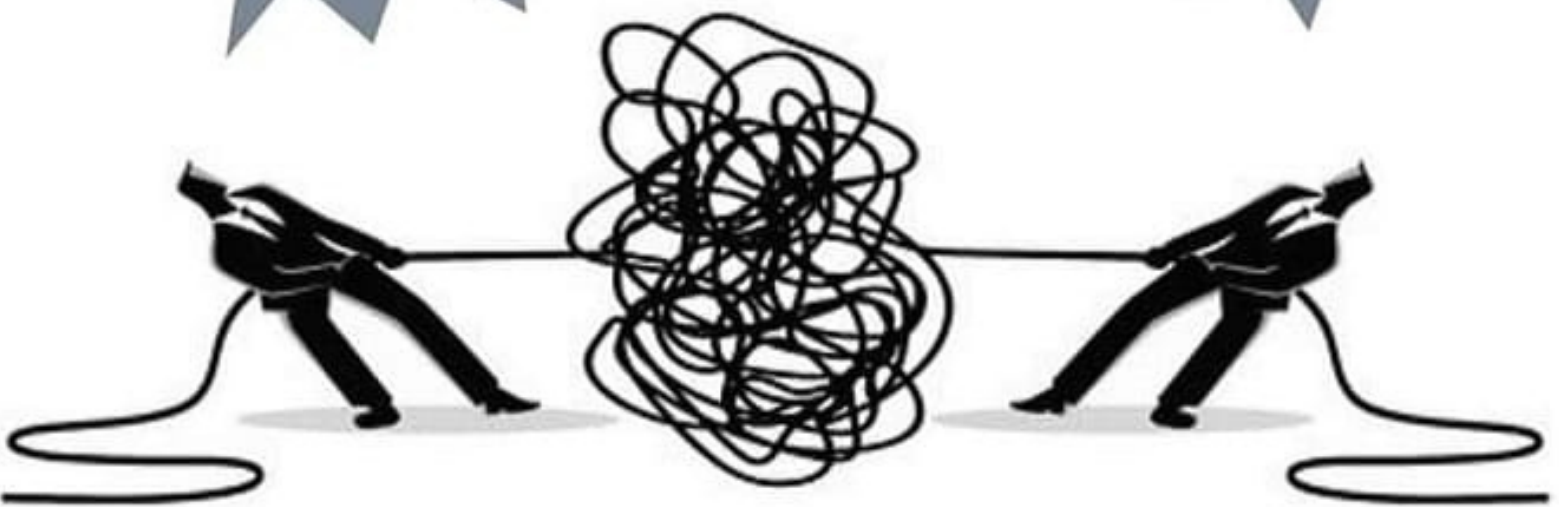
The number of discontinued cases increased from 6 in 2021 to 13 in 2022, representing a percentage increase of 116.7%.

When comparing the total number of cases which obtained a remedy, there is an increase of 400% from 1 in 2021 to 5 in 2022.

KIT LI SENP GARD RIKORD SWIV KONTRA

OU TI SIPOZE FER SA
LOUVRAZ EXTRA!

OLI LAPREV? PA TI
DAN KONTRA SA!



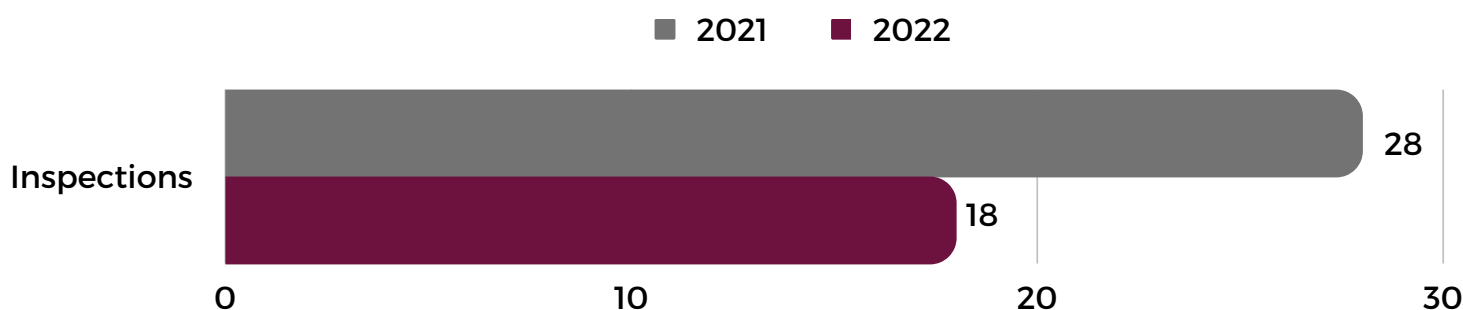
MARKET SURVEILLANCE

In addition to handling consumer cases, the Praslin office is also tasked with conducting inspections both on Praslin and La Digue in accordance with Section 4 (3)(a) of Fair Trading Commission Act, 2009 and Section 6 (2) (b) of the Fair Trading Act, 2022 (FTA,2022).

During the year 2022, the Praslin office conducted a total of 18 routine inspections on Praslin and La Digue. Of the total inspections carried out in 2022, 9 (50%) inspections were carried out under the FTA, 2022 and the remaining 9 (50%) were undertaken under the previous Act, FTCA, 2009. This represents a 35.71% decrease in comparison to 2021 where 28 inspections were undertaken. The decrease is attributed to the fact that in the first half of the year the Praslin Office was undergoing recruitment to obtain a Senior Analyst to head the department, hence the lack of manpower prevented the team from pursuing their duties as necessary. It is to be stressed upon that it is important for inspections to be carried out in pairs to ensure that the team always has a witness from the Commission on site at all times.

All 18 (100%) routine inspections were carried out on Praslin, in comparison to 2021, where the 28 routine inspections conducted comprised of 15 (53.6%) inspections on Praslin with the remaining 13 (46.4%) inspections conducted on La Digue. The lack of inspection undertaken on Praslin is attributed to the fact that the Praslin Office was understaffed in the first half of the year and in the second half with the recruitment of a Senior Analyst, the induction process took place which allowed for a strong workforce to be built to enable for the office operations to be carried out more effectively.

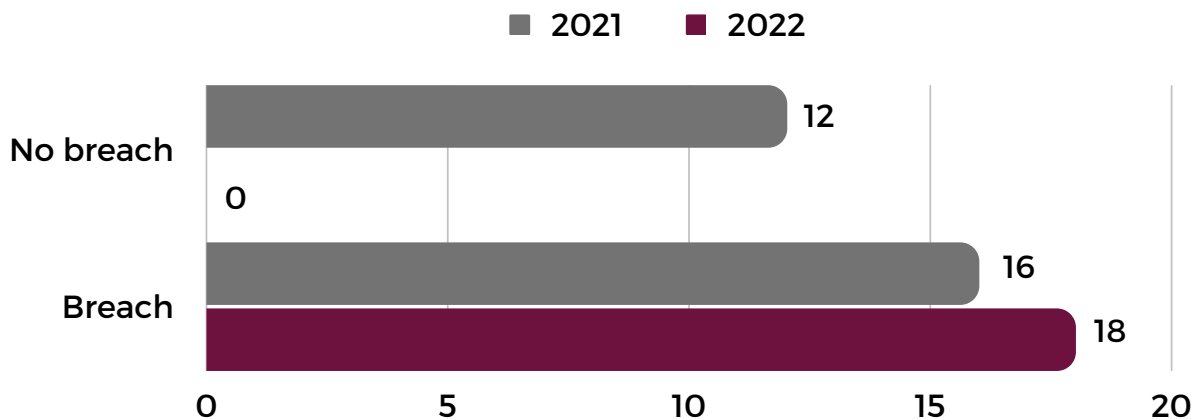
NUMBER OF INSPECTIONS CONDUCTED IN 2022, IN COMPARISON TO 2021



MARKET SURVEILLANCE

Out of the 18 inspections carried out during the second semester of 2022, all businesses were found to be in contravention of the Law. 9 businesses were in breach of Section 20 of the CPA, 2010, for Non-disclosure of prices and Section 25 for failure to provide sales record meeting all the requirements of the law; 6 businesses were in breach of Section 72 for non-disclosure of prices, Section 77 for failure to provide sales record meeting all the requirements of the law, Section 74 for displaying and offering for sale goods with a trade description not in English, French or Creole and Section 76 for offering to supply goods without displaying their shelf life and a later date of their shelf life under the FTA, 2022. In comparison to 2021, where 16 businesses out of the 28 inspections carried out were found to be in contravention of the CPA, 2010. This therefore shows an increase of 12.5% of businesses in breach in 2022.

BREACH PATTERNS IN 2022 IN COMPARISON TO 2021



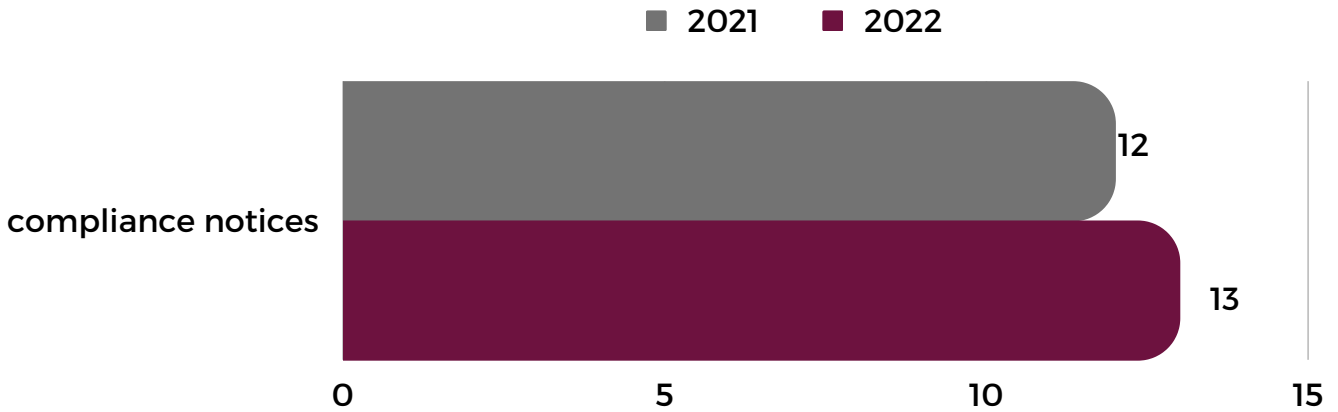
COMPLIANCE NOTICES

In accordance with Section 72 (1) of the CPA, 2010 and Section 119 of the FTA, 2022, where the Commission has reasonable grounds to believe that a person has engaged in a prohibited conduct, the Commission may issue a compliance notice in the prescribed form, indicating the contravention, the action to be taken, the period within which that action is to be taken and any penalty to be imposed in terms of the Consumer Protection Act, 2010 and the Fair Trading Act, 2022.

In 2022, a total of 13 Compliance Notices were served in comparison to 12 in 2021. This accounted to a slight increase of 8.3% in contrast to the previous year.

MARKET SURVEILLANCE

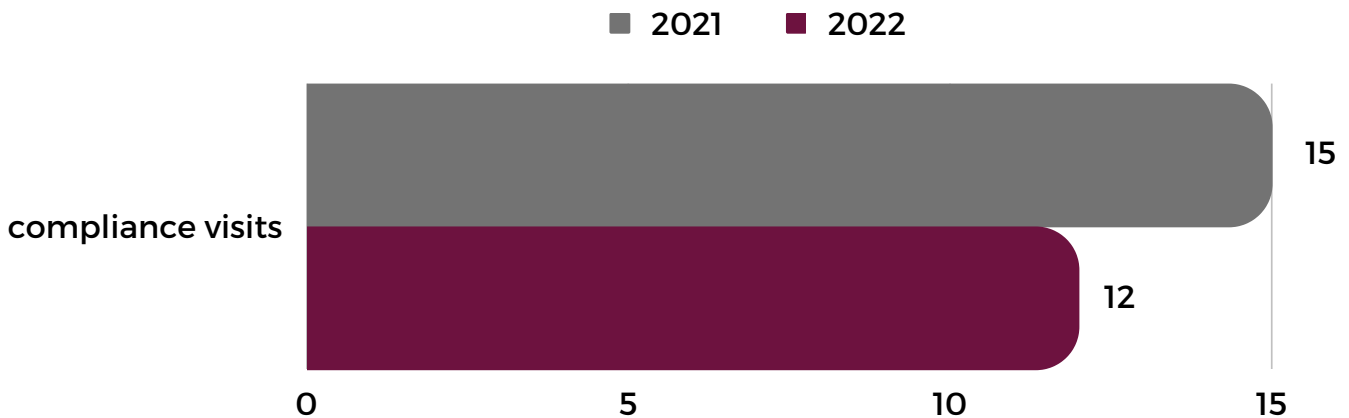
COMPLIANCE NOTICES ISSUED IN 2022 IN COMPARISON TO 2021



COMPLIANCE VISITS

To verify if the businesses had complied with the instructions of the notices, 12 compliance visits were carried out in 2022, representing a decrease of 20% compared to 2021 whereby 15 compliance visits were carried out.

COMPLIANCE VISITS ISSUED IN 2022 IN COMPARISON TO 2021

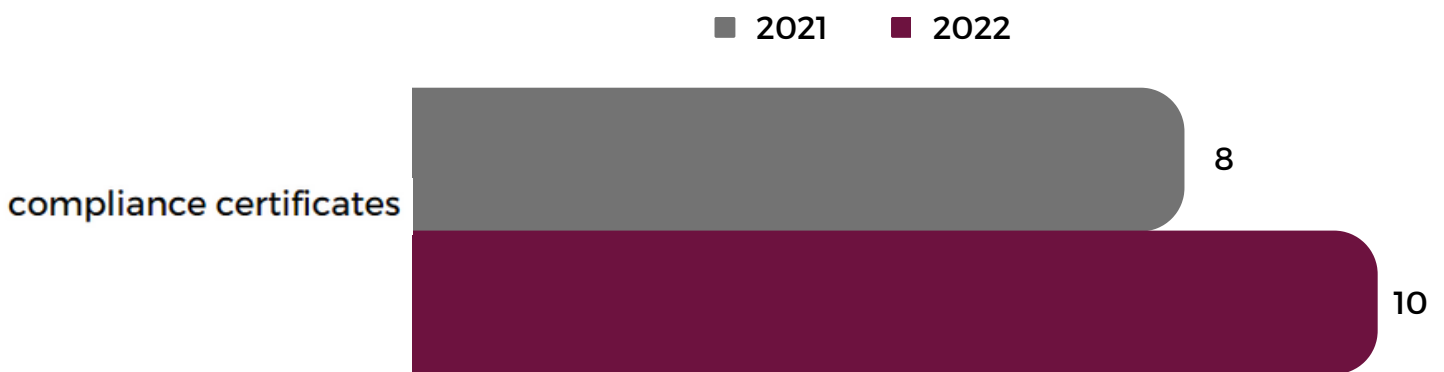


MARKET SURVEILLANCE

COMPLIANCE CERTIFICATES

Where the requirements of the compliance notice have been satisfied, the Commission issues a compliance certificate. 10 compliance certificates were issued following the compliance visits in 2022 in comparison to 8 compliance certificates issued in 2021. This represented an increase of 25%.

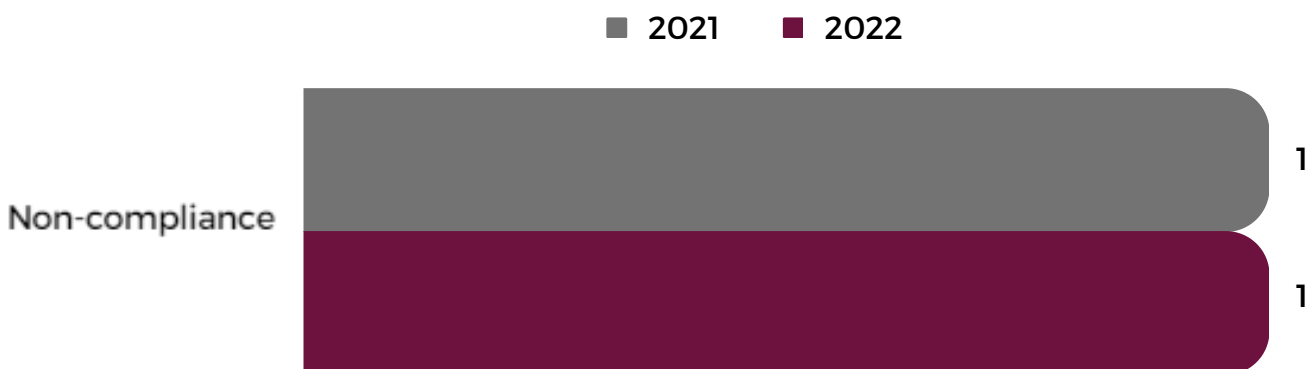
COMPLIANCE CERTIFICATES ISSUED IN 2022 IN COMPARISON TO 2021



NON- COMPLIANCE

Proceedings may be instituted against the enterprise or person to whom a notice is issued and who fails to comply. Such cases are sent to the Legal Affairs Department who in turn forward them to the Commercial Crime Unit (CCU) for prosecution by the Attorney General’s Office. The Department recorded only 1 case of non-compliance in 2022, and the same amount was recorded for 2021.

NON - COMPLIANCE IN 2022 IN COMPARISON TO 2021



MARKET SURVEILLANCE

FIXED PENALTY NOTICES

5 retailers have been found to be liable to fixed penalty notices under sections 72, 74, 76 and 77 of the FTA, 2022. The Notices will be issued in the first semester of 2023 due to the fact that the procedure for collecting payments was not yet established for the Praslin Office.

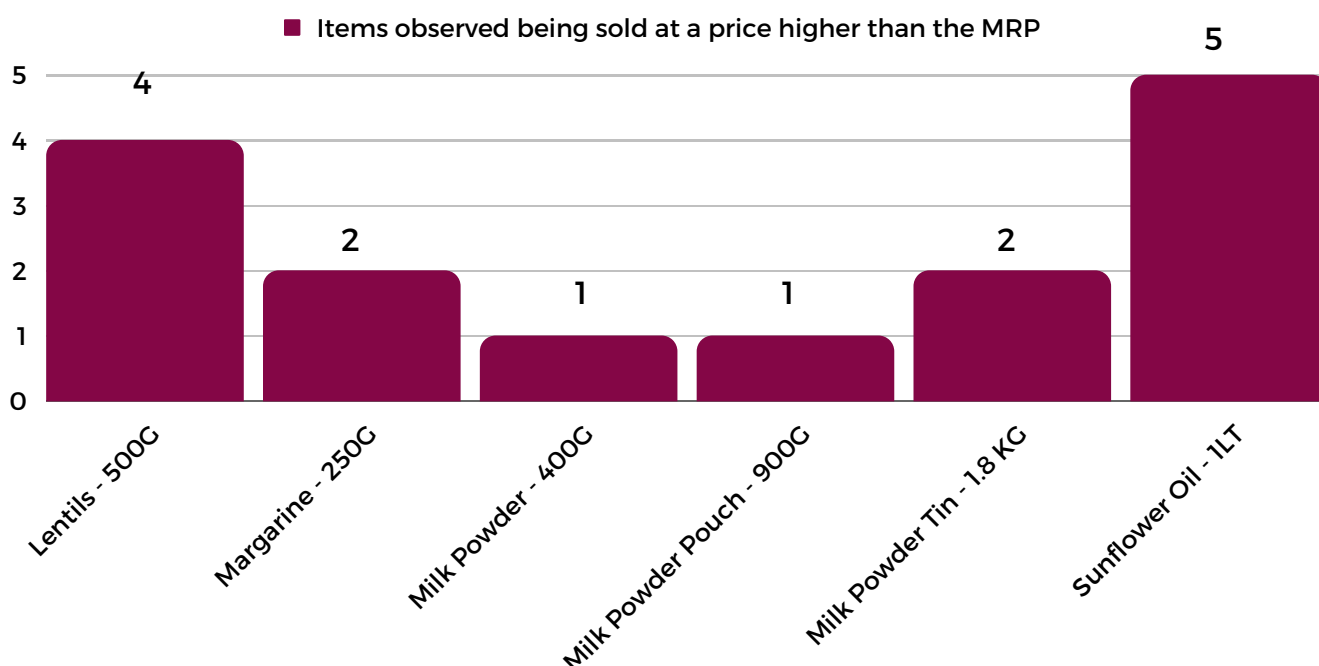
ENFORCEMENT OF MAXIMUM RETAIL PRICE

In addition to the routine inspections, the Praslin office jointly with the Seychelles Licensing Authority conducted Maximum Retail Price (MRP) inspections under the Control of Supplies and Services Act 2022.

A total of 50 MRP inspections were conducted; 41 on Praslin and 9 on La Digue. Out of the 50 businesses inspected for MRP, 11 businesses were found to be in breach of the Control of supplies and Services Act, 2022(MRP).

6 MRP notices have been issued to retailers on Praslin in the second half of the year. Out of the amount, 5 retailers have agreed to committing the offence compared to 1 retailer who do not want to compound and would rather see the case go before the court. The 5 retailers will receive their letters in regards to their decision to compound in 2023.

ITEMS OBSERVED BEING SOLD ABOVE MRP



MARKET RESEARCH & SURVEY

2ND PHASE RPM CAMPAIGN - MEAT PACKAGING

The department continued to work alongside the Competition Department in the 2nd Phase of the RPM Campaign to identify the suppliers/manufacturers in the aforementioned sector that are potentially engaging in resale price maintenance. The Commission was concerned that these suppliers/ manufacturers, without consulting retailers, were setting the retail price of the products by supplying retailers with products that already had a printed retail price on them.

COLLABORATIVE WORK

JOINT INSPECTION

A Task Force team comprising of Police, SLA, Public Health Authority and Immigration Department carried out joint visits/inspection (operation USALAMA) at different retailers and wholesalers on Praslin. The exercise was initiated by the Police. During the visits/inspections, each agency involve in the task force was looking for breaches of their respective laws according to their respective mandate.

COMPLIANCE PROGRAMME

The programme which started in 2020 remains pending as most businesses who were identified to be on the programme have remained unresponsive even if they were contacted and given information about the program.

ADVOCACY & EDUCATION

Educational talk on the Fair Trading Act, 2022 was organized at the Grand Anse Praslin Secondary School in October. Also, an outreach programme in the form of a road show was also organized on Praslin on the 9th December 2022. The aim of the outreach was to sensitize the Praslin population on the FTA Act, 2022 and their rights as consumers.

Both activities were done in collaboration with the Education and Advocacy Unit of the Commission.

CHALLENGES

- Set back in achieving plans for this year due to staff resignation and thus limited manpower.
- Difficulty in identifying qualified technician on Praslin to carry out independent report on products being investigated by the Commission.
- Delay in finalizing case prior to 2022 due to lack of cooperation from respondents and other parties involved in the case.
- Delay in issuing of Fixed Penalty Notices and MRP Notices, due to the fact that the procedure for collecting payment was not yet established at the Praslin Office.

PLAN FOR NEXT YEAR

- Engage in joint MRP inspection with the Seychelles Licensing Authority (SLA).
- Finalize investigation in the cases lodged prior to, and in 2022.
- Carry out outreach program on La Digue in collaboration with the Advocacy and Education officer to raise awareness about the newly implemented Fair Trading Act, 2022.
- Organise talks at the La Digue secondary school in collaboration with the Advocacy and Education officer to sensitise the students on the Fair Trading Act, 2022.

FAIR TRADING COMMISSION
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TEL: 4325250



Fair Trading Commission
Seychelles

1ST FLOOR, ROOM 19,
PENSION COMPLEX,
GRAND ANSE, PRASLIN,
SEYCHELLES
TEL: 4233109

Zabitan Pralen,

Eski

ou annan okenn **KONPLENT**
konsernan ou **DWA** koman
en **KONSOMATER?**

Vizit lofis **FTC Grand**
Anse Praslin, Pension
Complex, Premye Letaz,
Lasanm 19.



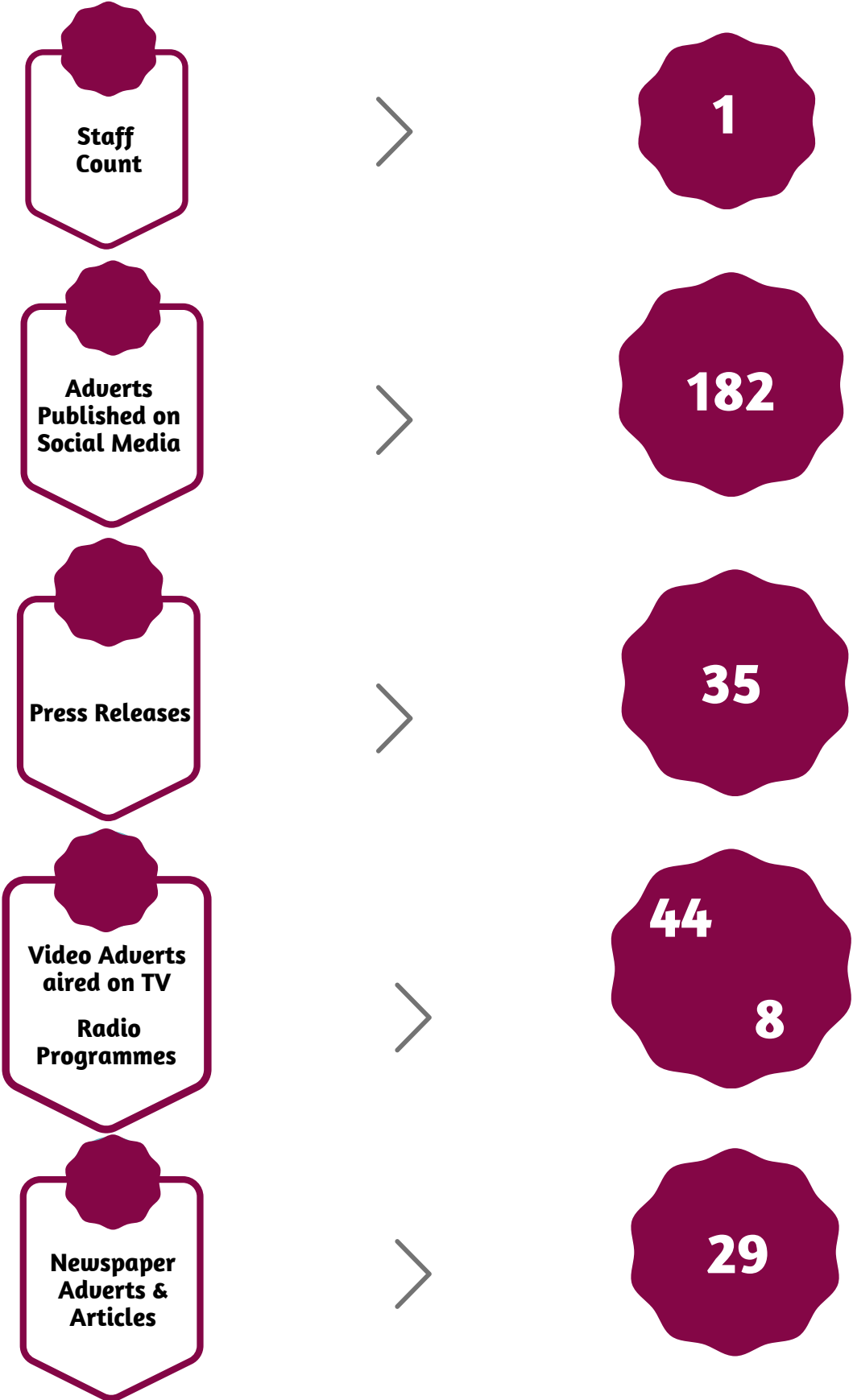
EDUCATION & ADVOCACY UNIT

The unit is in charge of maintaining and ensuring stakeholder engagement through administering the Commission's various online platforms. It works closely with other operations departments to produce various publications and develop outreach campaigns/communication activities as per the Advocacy Plan. The department also maintains relations with the Commission's various stakeholders.

The overall duties of the Education and Advocacy unit are as follows;

- A. Work closely with other departments to provide various publications.
 - B. Update and manage the FTC Education and Advocacy Platforms.
 - C. Organize events such as outreach campaigns to ensure that the advocacy plan is active and moving forward.
 - D. Evaluate results and impact of communication activities; report on developments, trends and attitudes regarding the works of the FTC. Establish metrics for gauging impact.
 - E. Develop strategic partnership with key stakeholders to elicit support for and maximize impact of Education and Advocacy Objectives. Hence, ensuring effective communication.
-

LET US LOOK AT THE NUMBERS



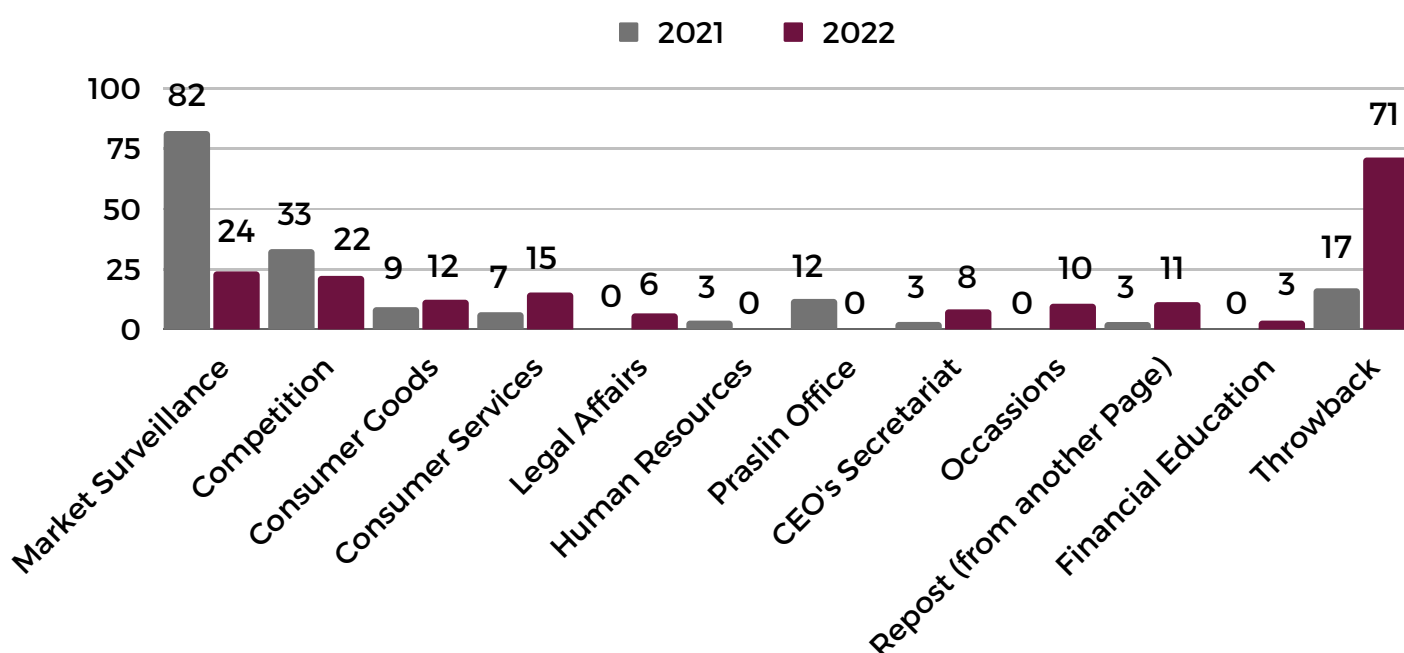
SOCIAL MEDIA PUBLICATIONS

A total of 217 contents have been published by the unit on Social Media in the year 2022. The contents comprise of Adverts and Press Releases, where the total amount of contents is made up of 182 adverts and 35 press releases. To state, each department enforces specific provisions of the Fair Trading Act, 2022. Hence the adverts produced is classified by department. For the year under review, 22 adverts were recorded for Competition Department, 24 for Market Surveillance Department, 12 for Consumer Goods Department, 15 for Consumer Services Department, 6 for Legal Department, 8 for CEO’s Secretariat, 10 for occasions, 11 for Repost/or shared adverts, 71 throwbacks and 3 for Financial Education.

As for press releases, 15 were recorded from the CEO’s Secretariat, 18 from the Competition Department and 2 from the Market Surveillance Department.

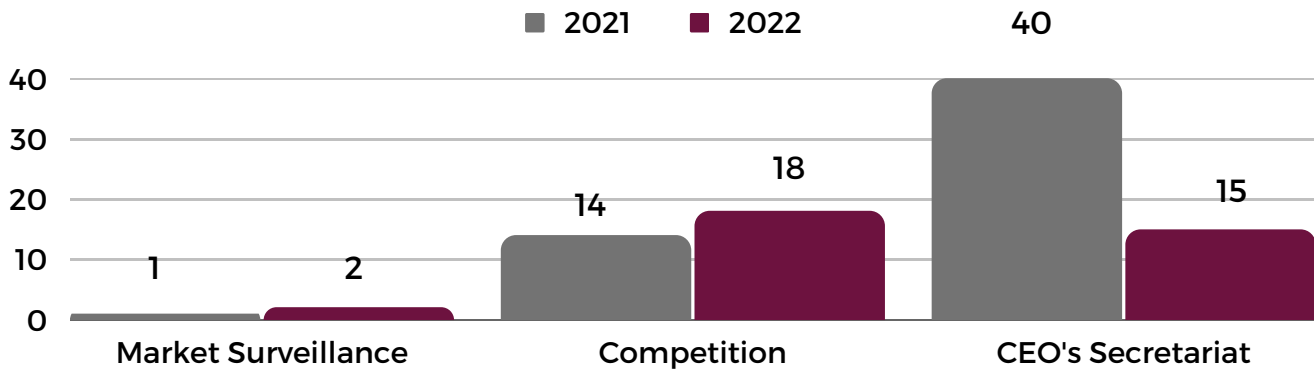
In comparison, in 2021 a total of 224 contents comprising of 169 Adverts and 55 press releases were published. Total adverts published in 2022 in comparison to 2021 shows a percentage increase of 3.1%. The increase observed can be as a result of the increase in Education and Advocacy for the New Law, and the concentration on Financial Education in collaboration with the Central Bank of Seychelles; The Financial Education Committee. As for the press releases published, a percentage decrease of 72.73% is observed in 2022 in comparison to 2021.

ADVERTS BY DEPARTMENT AND SUBJECT PUBLISHED IN 2022 IN COMPARISON TO 2021.



SOCIAL MEDIA PUBLICATIONS

PRESS RELEASES PUBLISHED BY DEPARTMENT IN 2022 IN COMPARISON TO 2021



VISIBILITY ON VARIOUS MEDIUMS

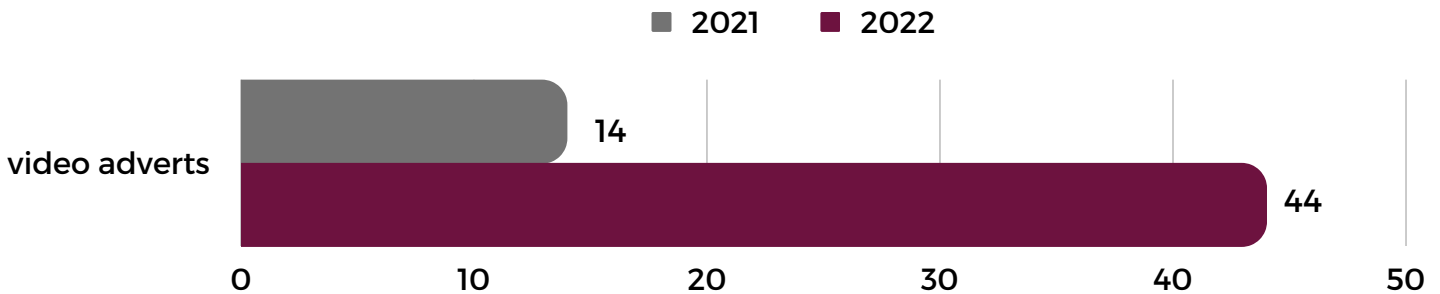
TV PROGRAMMES & ADVERTS AIRED

In 2022, the Commission participated in several TV Programmes as means of providing a more in depth and informed means of education to the general public. Prior to the introduction of the Fair Trading Act, 2022 the FTC participated in the Tete a Tete Programme on SBC TV where the Chief Executive Officer of the Commission provided a view of what the new law entailed. Upon the enactment of the Law, the Unit saw the need for the Commission to shed some light on its procedures and to advise the public of what had changed and what had remained the same. The programme 4 degree Sid which a production of the SBC assisted the Commission to achieve the objective to educate the public in regards to the new Act. The focus of the programme was to provide explanation on the step by step complaint taking procedure and a brief view of the Commission's operations. Additionally, the Commission had the opportunity to participate in the News Extra programme where two of our senior officers provided a more information on the Fixed Penalty Provision, which is a new provision in the Fair Trading Act, 2022. In total, the Commission has participated in 3 TV programmes, this amount is similar to the total amount recorded for 2021.

VISIBILITY ON VARIOUS MEDIUMS

The Commission saw it necessary to continuously provide education on SBC TV, targeting spots before the 8pm news and after. Hence, a total of 44 video adverts were aired throughout the year, educating the public on the new provisions of the Act and their rights and obligations under the FTA, 2022. In 2021 a total of 14 video adverts were aired on the SBC TV, hence a 214.29% increase was observed to have been achieved in 2022 as a result of the increased education on the new law.

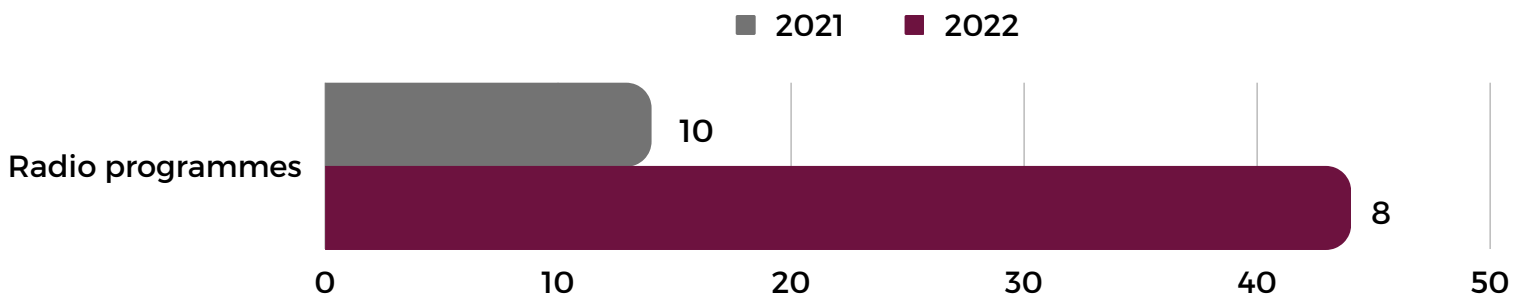
VIDEO ADVERTS AIRED ON TV IN 2022 IN COMPARISON TO 2021



RADIO PROGRAMMES & ADVERTS AIRED

Upon the enactment of the FTA, 2022, the Commission also saw it necessary to conduct radio programmes on the SBC AM Radio. The programmes were produced throughout the second half of the year. In joint collaboration with the operations department of the Commission, in depth interviews were conducted where each department provided an overview of their work, the new provisions being enforced, the changes taking place and the provisions that have remained the same. A total of 8 interviews were conducted in the year 2022, in comparison to 10 in 2021. This shows a 20% decrease in the number of Radio Programmes achieved in 2022.

RADIO PROGRAMMES ACHIEVED IN 2022 IN COMPARISON TO 2021

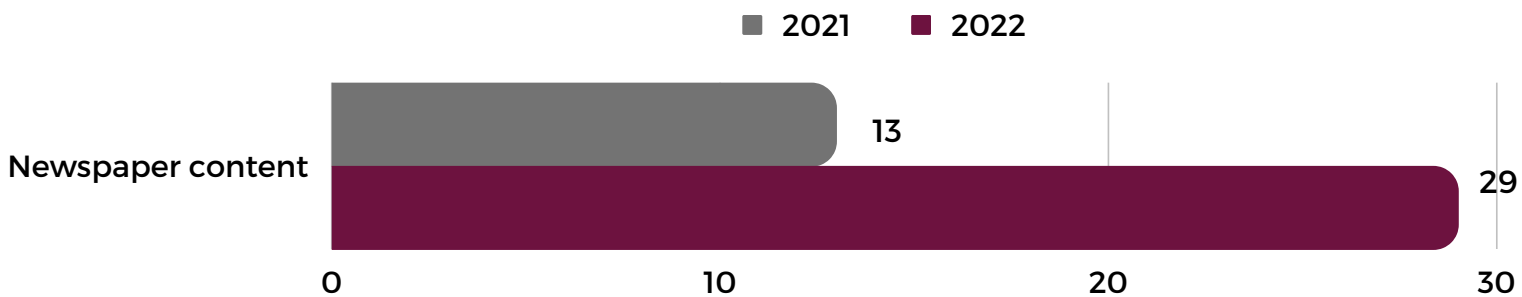


VISIBILITY ON VARIOUS MEDIUMS

NEWSPAPER ADVERTS & ARTICLES

In 2022, a total of 17 adverts were published in the E-Today in Seychelles E-News paper following a contract signed in the second half of the year. The 17 adverts were educational adverts on the New Law specifically the new provisions being enforced by the FTC. In addition to these publications, on a monthly basis the Commission ensured that one article was published in the ‘Ozordi Dimans’ E-Newspaper every last Sunday of the month. A total of 12 articles were published. Hence in total, 29 contents were published in the newspaper in 2022 compared to 13 in 2021, comprising of both adverts and articles. Hence an increase in the total amount of newspaper publications of 123.1% is observed to have been recorded in 2022.

NEWSPAPER ADVERTS & ARTICLES PUBLISHED IN 2022 IN COMPARISON TO 2021



CONTRACTUAL AGREEMENT WITH FETCH

As means of advocating on the FTA,2022, the Commission entered into a contract with Fetch (Pty.) Ltd to air adverts on big screens located at the STC Hypermarket at Bois De Rose to allow for increased visibility and a successful advocating strategy. In total, all throughout the second half of the year proceeding to 2023 a total of 20 adverts submitted for airings, capturing the different pertinent provisions or topics submitted by the Commission, that were seen as a concern or a topic to be concentrated on when providing education to the general public. The contractual agreement is to end in February 2023.

VISIBILITY ON VARIOUS MEDIUMS

PRESENTATIONS UNDERTAKEN

A total of 3 presentations were conducted in the year 2022 by the Commission. 1 presentation was held with small enterprises through the Enterprise Seychelles Agency, 1 was held with the Seychelles Civil Aviation Authority staff on Fraud Risks, misrepresentation and misleading conducts and steps in Mitigating such actions in collaboration with the Central Bank of Seychelles. The other presentation held in November, was conducted on Praslin at the Praslin Secondary School with the objective of introducing the Fair Trading Act, 2022 and bringing awareness on the functions and roles of the Commission.

OUTREACH PROGRAMMES

In a joint collaboration with members of staff from the different departments, the Commission undertook a successful outreach Programme at the end of the year 2022. Activities held for the Outreach campaign were – mainly Educational Quiz on SBC Paradise FM and FTC's first ever road show on Praslin targeting both consumers and businesses as the outreach coincided with the World Competition Day. In addition to the activities organised, to commemorate World Competition Day a Press Release was published in the Newspaper and onto the Commission's social media pages.

CHALLENGES

- This is a new unit which centralize the function of advocacy and education in the Commission. This new approach therefore requires adaptation to processes.
- Increasing costs for publication on print and other media platforms proves to be a challenge in terms of budget availability.

PLAN FOR NEXT YEAR

- Continuously explore new platforms and opportunities to advocate and educate consumers and businesses.
- Be present in the community, reaching out to consumers of all ages in their work place, schools and the places they frequent the most.
- To have formulated and completed Leaflets that would be targeted at businesses and consumers and will focus on the Fair Trading Act, 2022.
- Work closely with respective departments in formulation of a plan for the World Consumer Rights Day.
- Work with the various departments to produce material targeting the most prominent breaches encountered.
- Continue producing more content in relation to the new provisions of the Fair Trading Act, 2022 as means of educating consumers and businesses.

***“Education breeds
Confidence. Confidence
breeds hope. Hope
breeds peace.”***

— Confucius

TRAINING & DEVELOPMENT

Local Training with the Legal Department

Throughout the year internal trainings were organized with the Legal Department and the operations departments of the Commission. The focus of the trainings were on areas such as: How to differentiate a site visit report from a Goods Verification report or how to ensure objectivity when discussing a case during Investigation to ensure that the independence of both departments during investigation and prosecution is safeguarded.

Amongst these internal trainings were trainings at the Attorney General's office facilitated by Mr. Muhammad Saley, Relevant market training facilitated by EU-ESA through Trade Division and Competition Policy Training facilitated by EU-ESA were held targeting various departments of the Commission.

Other Local Trainings

Local Training provided by the EU-EDF Consultant Mr. Gangi

With the Fair Trading Act, 2022 enacted on the 1st August 2022, it was found imperative for staff members to receive training with the objective of further empowering them in their roles by learning how to apply the provisions of the New Act. Hence, local Trainings were held with the different operations department, where knowledge was shared on specific provisions of the Act based upon each specific department's duties and responsibilities. The trainings were provided by the EU-EDF Consultant Mr. Massimiliano Gangi.

In the Competition Department for example, the department had the opportunity to discuss its challenges with respect to Competition Investigations in Seychelles, restrictive business practices, and how to establish relevant market for investigation.



Media Training with Operculum headed by Mr. Patrick Muirhead

As public servants, the Commission believes its senior staff on the fore front , must be equipped with various skills and one of them is handling the Media. Hence, a media Training course was organized with Operculum headed by Mr. Patrick Muirhead. The aim of the training was to further empower the team in how to deliver a clear, concise and compelling message to the general public. The training which started off with a presentation, proceeded with a practical session, where the team applied what they had learned. An interesting session indeed.



Few of our Senior Officers in Action

TRAINING & DEVELOPMENT

As part of the continuous relationship with international Bodies, the various departments of the Commission were also able to follow and participate in different virtual trainings held throughout the year. The training sessions which helped to provide new insights and new approaches to Consumer Protection & Competition further empowered the team in their element.

Virtual Trainings followed by the Market Surveillance Department

- **OECD , Arabic Consumer Protection Forum**

The Arabic Consumer Protection Forum held between the 24th to 25th May, was held with the aim of establishing an up-to-date knowledge sharing platform for consumer policy and enforcement. It provided a platform for advancing knowledge for best practices in consumer protection and facilitating coordination at national, regional and international levels.

- **ICPEN 2021/2022**

The ICPEN Best practices workshop, High Level meeting and Conference presided by the Portuguese Authority was held from the 25th to 27th of May 2022. The Best practices workshop covered topics relating to; Best practices in the enforcement of pyramid promotional Schemes; How to run an effective sweep Dark Patterns – Finding and building a case; Tackling deceptive online review practice and revisiting ICPEN tools. The High-level meeting was followed with a concluding assessment of the Portuguese Presidency. The Presidency was then handed over to Australia and they presented their working agenda. Speakers from the various member countries were also nominated for the 2022/2023 sessions.

- **Multilevel Marketing Challenge Conference**

The Multilevel marketing challenge conference was held from the 10th to 11th June 2022. This virtual conference brings together expertise from regulators, prosecutors, former MLM distributors, social media consumer advocates, researchers, educators, and journalists to discuss ways to improve consumer protection and reduce consumer harm within the Multi-Level Marketing (MLM) industry.

The sessions covered; truths in advertising and how some Distance selling industries self-regulate; worrying trends in MLM in view that increasingly Pyramid Selling schemes are modelling MLM in order to 'legalize' their scheme; and the difficulties that victims go through, especially with their self-esteem, as they recover from such schemes that tend to prey on financially vulnerable consumers.



Few Photographs taken during the virtual trainings, as our team was busy grasping knowledge.

Virtual Trainings followed by the Competition Department

- **COMESA Virtual Training on Restrictive Business Practices**

The training provided an overview of the techniques used to investigate competition cases and the use of search warrants, commonly referred to as dawn raids.

- **EPA & Trade Training on Competition Policy**

In this training, the consultant provided a presentation on the proper implementation of competition policy and competition enforcement.

- **ESA5 Preparatory Meeting - before Intersession and 8th Round**

The Competition Department attended a preparatory meeting concerning the EU/ESA Competition Policy.

- **EU-ESA Competition Policy Intersession**

In this session representatives in attendance reviewed the proposed texts for the Competition Policy that has been drafted.

- **Special African Competition Forum Meeting**

The forum focused primarily on the African Continental Free Trade Area's (AfCFTA) Competition Protocol, which is currently undergoing development.

- **COMESA Virtual Training on Restrictive Business Practices**

In this training, participants learned more about the different interview techniques and procedures for Dawn raids.

- **Arab Competition Forum**

During the forum competition authorities, government officials, experts, and academics, both from within and outside the region had to opportunity to discuss the different lessons learned to build sound competition policies given the various competition challenges faced.



- **COMESA workshop on Restrictive Business Practices**

The workshop focused on investigative and evidence-gathering techniques for case handlers.

- **COMESA workshop on Merger**

The workshop focused on the economic theories on the effects of mergers, analytical skills, and the history and development of mergers in digital markets.

- **ACF-AfCFTA Competition Policy Protocol**

In August 2022, the Department attended a virtual meeting concerning the Competition Policy Protocol for AfCFTA. Representatives of different States in Africa were in attendance to discuss the way forward regarding the Competition Policy Protocol as it is a central element in promoting trade, supporting industrialization, innovation, sustainable economic development and enhancing the overall welfare of the people.

- **Webinar Facilitated by Trade Division in collaboration with EU**

In line with the EU-ESA Negotiations, EU representative in conjunction with the Seychelles Trade Division provided training pertaining to competition matters.

- **10th Round of ESA5 - EU virtual meetings**

In this session the representatives in attendance reviewed the proposed texts for the Competition Policy that has been drafted.

Virtual Trainings followed by the two Consumer Departments

- **ICPEN Webinar on Alternative Dispute Resolution**
- **ICPEN Pyramid Promotional Schemes project titled: "Enforcement pathways and sanctioning policies"**
- **World Consumer Rights Day 2022 organized by COMESA Competition Commission.**

The three trainings provided the staff with different procedures implemented by various countries for the gathering of evidence in the investigation process. Additionally, the advocacy activities conducted were also shared amongst member states.

“A learning organization is an organization that is continually expanding its capacity to create its future.”

— Peter Senge

TRAINING & DEVELOPMENT

COMESA Regional Training WorkShop

Ezulwini Eswatini (Former
Swaziland)
27th - 30th June 2022



Mr. Yannick Lucas and Mr. Jean-Philip Esparon, Analysts of the Competition Department of the Commission attended the COMESA Regional Training Workshop, held in Ezulwini Eswatini (former Swaziland). The workshops themed Restrictive Business Practices and Merger Assessment took place from the 27th to 30th June.

Internship at the Competition and Consumer Authority

Gaborone, Botswana
August 2022



Senior Analyst – Market Surveillance Department, Mrs. Frederika Confait – Poussou and the Education and Advocacy Officer, Ms. Debra Stravens completed a one-week internship at the Competition and Consumer Authority in Gaborone, Botswana. The team was able to gather and exchange knowledge with the Communications & Stakeholder Relations and Investigations & Policy Research Departments.

Additionally, the officers had the opportunity to attend the African Competition Forum (ACF). Over the two days, member states presented their country specific market inquiries into pharmaceuticals and data roaming. They also conducted peer review of the various findings. Under the FTA, 2022, the FTC now has the power to conduct market inquiries, therefore this was an opportuned time for our officers to learn from the more experienced jurisdictions.

African Competition Forum Technical Research Workshop

1st - 2nd of August 2022



Internship at the Competition and Consumer Protection Commission

Zambia
September 2022



Mrs. Anissa Hermitte and Ms. Amanda Michel, both Analysts from the Consumer Affairs Department attended a one-week Internship at the Competition and Consumer Protection Commission (CCPC) in Zambia. The experience was described as very insightful. For the week the team was attached to the Consumer Department where they were able to attend the process of Complaint Taking, and obtain a different insight to the Investigation Process. It was noticed that there were some differences in the way that the CCPC conducted their investigation as compared to the Fair Trading Commission (FTC). However, both worked towards their general aim of protecting consumers against unfair and unjust practices.



The Analysts in a souvenir photograph with a Staff Member of the CCPC

African Continental Free Trade Area (AfCFTA) Meetings

Tema, Ghana
September 2022



As Competition Law and Policy gains more importance on the African continent it was deemed imperative by the African Continental Free Trade Area (AfCFTA) to embark on a project to conceive and implement a protocol concerned with the regulation/enforcement of Competition policy within the AfCFTA. The First meeting of the Heads of Competition Authorities was held on 6th September 2022 in Tema, Ghana. Subsequent to this meeting, the 6th meeting of the Committee on Competition Policy took place from the 7th to 16th September 2022 at the same venue in Tema, Ghana. Mrs. Natalie Edmond, our Deputy CEO, represented the Commission and Country at these meetings.



Internship at the Competition Commission

Mauritius
September 2022



The Competition Commission of Mauritius (“CCM”) is a statutory body established in 2009 to enforce the Competition Act 2007. CCM, similar to the Commission, is mandated to investigate and assess restrictive business practices. In September 2022, the Head of the Competition Department, Ms. Natasha Jumaye had the opportunity to spend five days in the unit relating to cartel investigations.

4th COMESA Consumer Protection Meeting

Nairobi, Kenya
October 2022



Mr. Curtis Naiken, Analyst in the Market Surveillance Department at the Commission had the pleasure of representing the FTC in the 4th COMESA Consumer Protection Meeting, held in Nairobi Kenya.

The meeting which was held from the 24th-25th October 2022 and focused on the 'Framework for enhancing, monitoring & reporting of cross border conducts against Consumers in member states'.



" These experiences show us what's possible and challenge us to examine the paths we shall take in the future."

— Blake Mycoskie

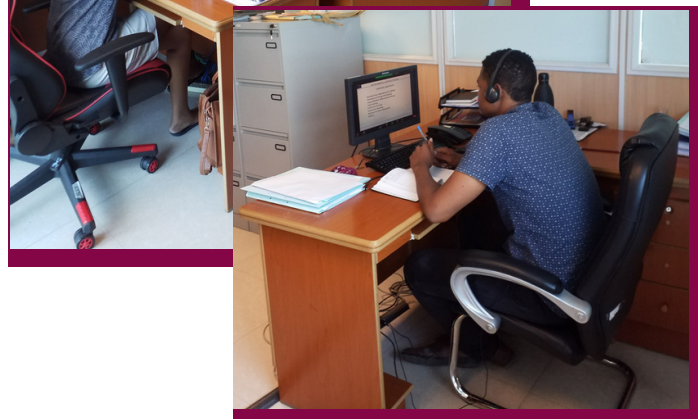
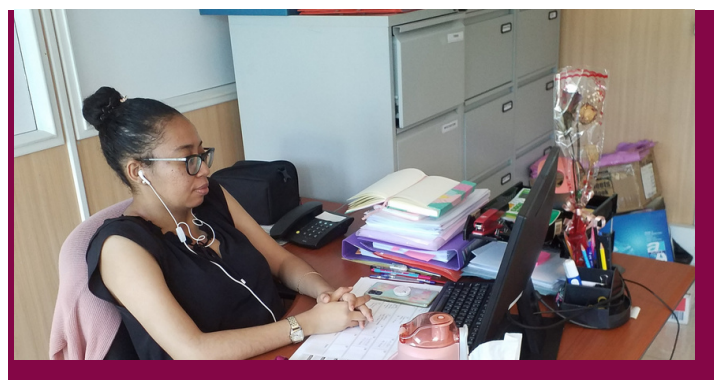
WORLD CONSUMER RIGHTS DAY

The World Consumer Rights Day is celebrated on the 15th March of every year to raise global awareness on consumers' rights and needs.

To commemorate this year's theme: 'Fair Digital Finance', the Commission joined with other stakeholders to create awareness and also organized a series of activities including adverts featured on the SBC, Radio games, articles, participation in the 'Topic konversasyon' on SBC TV and even an international webinar that saw the participation of the Commission, alongside other stakeholders such as the Central Bank of Seychelles.



International Webinar that saw the participation of the Commission alongside other stakeholders.



In addition, to mark the occasion, Minister for Finance, Economic Planning and Trade, Mr. Naadir Hassan issued a Press Release with an interesting piece of message, giving meaning to the theme. In said press release, it was made known, how Digital Finance had seen an explosion in growth in Seychelles, where numerous initiatives are being implemented by various banks.

The Minister concluded his message by stating: “In conclusion, from a consumer Rights perspective, efforts should be concentrated towards enabling decision makers to build a digital financial market place that is inclusive, safe, data protected and private, and sustainable for everyone”, basically leaving no one behind.

Digital finance in the Seychelles has equally seen an explosion in growth, where numerous initiatives are being implemented by various banks.

“Such shift from the traditional modes of providing financial services are aimed to bring about increased access to affordable financial products and services that meet the needs of consumers in a sustainable and responsible way. Terminologies such as e-wallet, contactless cards, mobile payments, internet banking and many more are progressively being employed with respect to digital financial services that are offered to consumers on a daily basis. Covid-19 pandemic has also done its fair share to speed up the use of digital platforms.”

The potential and benefits of digital financial services/platforms are immense and can play a pivotal role in modernising various sectors and paving the way towards digitalising the economy.

“How to advance digital finance”

To create a safe digital financial market place

“In conclusion, from a consumer Rights perspective, efforts should be concentrated towards enabling decision makers to build a digital financial market place that is inclusive, safe, data protected and private, and sustainable for everyone”, basically leaving no one behind.

Ministry of Finance, Economic Planning and Trade
Liberty House, P.O Box 313/ Victoria/ Mahé, Seychelles

Press Release

Monday 14th March 2022

WORLD CONSUMER RIGHTS DAY 2022

Message from the Minister for Finance, Economic Planning and Trade, Mr. Naadir Hassan

As is customary every year, yet again, the consumer world is celebrating the World Consumer Rights Day on the 15th March. This year’s theme is “Fair Digital Finance”

What is Digital Finance?

Digital finance describes the effect of new technologies on the financial services industry. It constitutes an assortment of applications, products, processes and business models that have revolutionised and transformed the traditional way of providing banking and financial services.

According to Consumers International: “By 2024, digital banking consumers are expected to exceed 3.6 billion. In the developing world, the proportion of account owners sending and receiving payments digitally has grown from 57% in 2014 to 70% in 2017. Digital finance brings new opportunities – but also new risks that can lead to unfair outcomes for consumers. Digital finance can increase the likelihood that the most vulnerable are left behind”.

1

Prize Giving Ceremony

To, close the commemoration week, a prize giving ceremony was organized to award the winners of the Radio Game. The Prize Giving ceremony took place at the Commission’s office.



INTRODUCTION OF THE FAIR TRADING ACT, 2022

Radio Interview - MAY 2022

The introduction of the Fair Trading Act, 2022 to the general public as part of the Education and Advocacy campaign started off towards the end of May 2022, where by the first launching was done through a Radio Interview featured on SBC AM where the Chief Executive Officer, Mr. Francis Lebon and the Education & Advocacy Officer, Ms. Debra Strauens participated in a radio interview. The purpose of the interview was to provide a brief explanation on the Fair Trading Act, 2022, in terms of what it entailed and the Education and Advocacy Plan prepared by the Commission as part of the introduction of the Act.



President Wavel Ramkalawan assents the Fair Trading Act, 2022 - JUNE 2022

On the 13th June 2022, the President of the Republic, Mr. Wavel Ramkalawan assented the Fair Trading Act, 2022 during a ceremony held at State House. The signature was witnessed by the Chief Justice, Mr. Ronny Govinden, Speaker of the National Assembly Mr. Roger Mancienne, Attorney General, Mr. Frank Ally and the Chief Executive Officer of the FTC, Mr. Francis Lebon and members of the FTC's Management Team.

The New Law came as a result of the various changes which was occurring in the economic environment. Hence, the Cabinet of Ministers approved for the Commission to review and strengthen components of the Fair Trading Commission Act, 2009, Fair Competition Act, 2009 and Consumer Protection Act, 2010. The new Fair Trading Act, 2022 is a consolidation of the three previous Acts.



President Wavel Ramkalawan assents to the FTA, 2022



The Management team proudly representing the Commission



The FTC Management Team in a souvenir Photograph with the President and Vice-President

Did you know Adverts - JUNE 2022

Swiftly after the assentment of the FTA, 2022, the Education and Advocacy Plan took off, where various educational Adverts were being aired on SBC TV and onto the FTC Facebook and Instagram page, as well as on the Website. The aim of the Programme was to reach out to the public and businesses, to inform them of the changes taking place - for example: the new provisions that they should be aware of and their reinforced rights and obligations.

Did you Know?
The Commission can issue Fixed Penalties in certain provisions?
Let us look at these provisions more closely:

- Supplying goods without a trade description in English, French and Creole.
- Non-Disclosure of prices.
- Setting above displayed price and multiple pricing.
- Supplying goods without indicating the shelf life or at a later date than the indicated shelf life.
- Failure to provide a receipt for each transaction to consumers.
- Supplying goods without indicating the shelf life or at a later date than the indicated shelf life.
- Horizontal price coordination.
- Bid Rotation: bidders take turn being the designated successful bidder.
- Person calling competitors for tenders.
- Maximum fine of 500,000 may be imposed on an individual and 1,000,000 on a company in breach of the Act.
- To create a deterrence and encourage strict compliance to the Fair Trading Act, 2022.

Tete a tete (TV Programme) - JULY 2022

In addition to the Education and Advocacy programme that was taking place for the most part of the second semester of 2022, the FTC participated in the Tete a tete programme on SBC to provide an in-depth insight on the FTA,2022, and the changes to come.

4Degree Sid Programme - AUGUST 2022



As means of providing information to the public, a 4degree Sid documentary in collaboration with SBC was filmed to demonstrate our Internal Processes, specifically, the complaint taking segment which takes place at FTC. Furthermore the same platform was used to advise on change and unchanged processes. The FTC was fortunate to receive some dedicated staff members who participated in the programme to convey our message and portray the image we wished to showcase. The documentary provided the Commission a good opportunity to establish its operations in line with the introduction of the FTA, 2022.



Presentation at the Praslin Secondary School - NOVEMBER 2022

We believe, that practices when taught young makes for empowered adult consumers. The Fair Trading Commission strives to meet consumers and businesses where they are, in their workplace, school, business.

Hence, as part of its campaign of the Introduction of the new Act, the Commission gave a presentation on some of the new provisions of the Act with practical explanations to catch the attention of the S4 and S5 students of the Baie Ste Anne Praslin Secondary School. The students also had the opportunity to share some of their experiences as young consumers.



COLLABORATIVE WORK

The Commission throughout the year has undertaken many collaborations with its various stakeholders both locally as well as Internationally. A number of trainings were held and joint inspections were conducted, and the signing of a Memorandum of Understanding (MoU) with the Competition and Consumer Authority (CCA) of Botswana marked the beginning of another long-awaited partnership that is expected to yield positive results for both parties.

Presentation undertaken with Staff members of Enterprise Seychelles Agency (ESA)

In May 2022, the Commission undertook a training presentation with the staff members of Enterprise Seychelles Agency (ESA), with the objective of further empowering them when it comes to advocating on Consumer Protection with their clients in the Business Development area. The staff of ESA showed great participation and engagement.



Collaborative training between ESA and the Commission with Small enterprises

Further to the successful training held with the staff, a joint training and presentation was held soon after with Small Enterprises where they were informed of Fair Trade Practices and how to conduct Fair Competition in the Seychelles Market. The Presentation training titled “Legal Aspects of Doing Business in Seychelles’ provided the businesses with new insights and approaches to trade.



Sessions carried out with Building Contractors “Pli mon ganny lenformasyon kler. Pli I fasil pou mon fer biznes”.

The Fair Trading Commission, The Planning Authority, The Seychelles Licensing Authority and the Employment Department carried out a session with Building Contractors on the 27th April 2022 at the International Conference Centre of Seychelles. The theme of the event was “Pli mon ganny lenformasyon kler. Pli I fasil pou mon fer biznes”.

The primary aim of the forum was to bring to the attention of the Building Contractors the mandate and roles of the 4 Government institutions and the proposed amendments to licensing procedures and conditions.



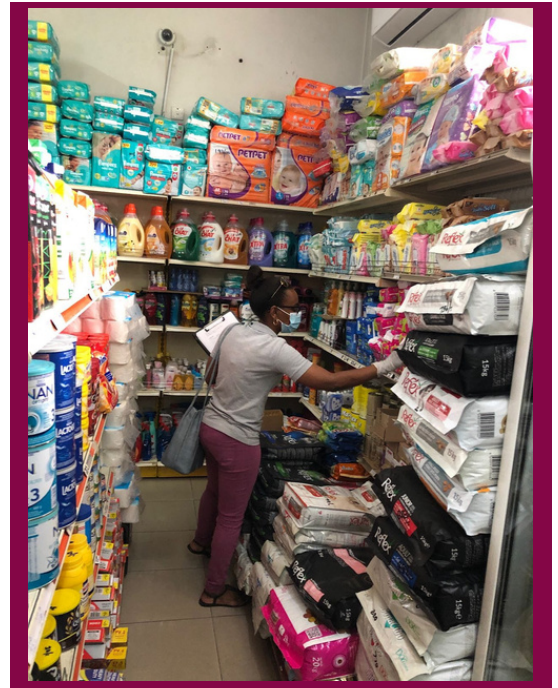
Joint Inspection – Pharmacies

In 2019, a taskforce was established between the Fair Trading Commission, Public Health Authority, Seychelles Bureau of Standards, Seychelles Licensing Authority and Seychelles Revenue Commission to conduct joint inspections. On the 10th June 2022 the team joined forces and undertook a joint inspection in 14 pharmacies to ensure that they were complying with the provisions of the law.



USALAMA – VIII

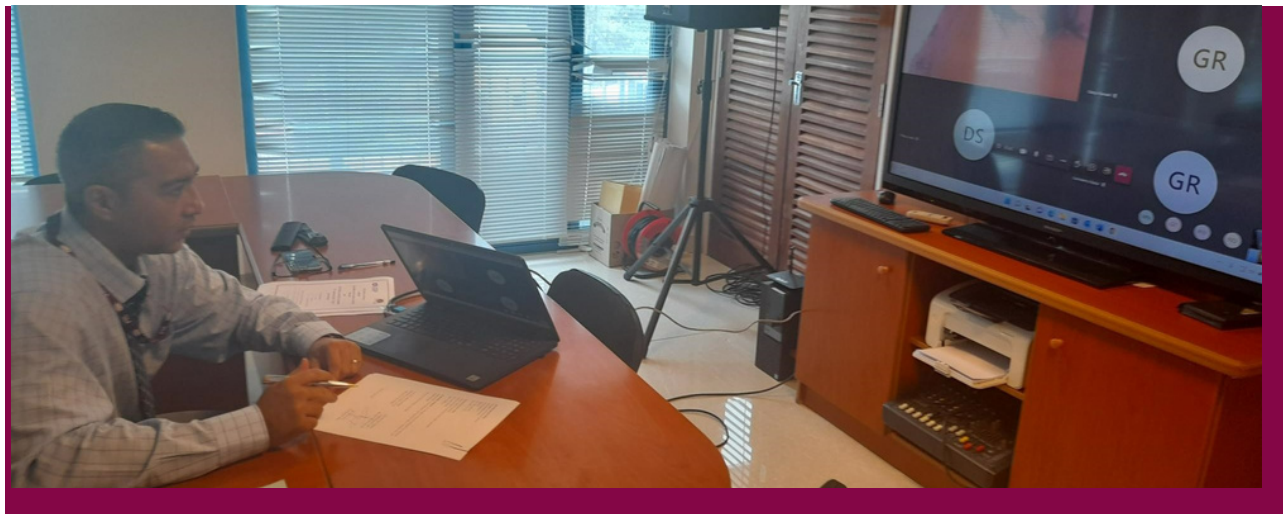
In addition to the inspections that were conducted, the USALAMA – VIII yearly operation took place in September 2022. The FTC together with its stakeholders undertook a number of inspections in different retail and wholesale outlets in all Regions on Mahe as well as on Praslin. Areas inspected by the Commission led to the detection of several Unfair Trade Practices: such as Trade Description of the Goods not being in any of the three-languages prescribed by Law: English, French or Creole and goods that have reached their shelf- life. The Commission values the relationship it holds with its Stakeholders and looks forward to many future collaborations.



Signing of Memorandum of Understanding (MoU) between the Competition & Consumer Authority of Botswana and the Fair Trading Commission

The Chief Executive Officer, Mr. Francis Lebon officially signed a Memorandum of Understanding with the Competition and Consumer Authority in Botswana (CCA). The ceremony held virtually, allowed the two parties to exchange a few words, paving the path to a long-awaited partnership. By signing the MoU, the FTC and the CCA committed to strengthening their cooperative pursuit in the area of Competition and Consumer Law and will complement and leverage from each other's organizations comparative advantage.

To conclude the CEO of FTC pledged “that this MoU will not gather dust on the shelf BUT rather become one of the medium to enhance our organization’s growth”.



Training session held with Internal Auditors of the Seychelles Pension Fund

The Competition Department of the Commission conducted a training presentation with Internal Auditors from the Seychelles Pension Fund. The Training focused primarily on Competition and the provisions regarding Bid-Rigging aimed to further empower the team in their roles as internal auditors in ensuring all business processes remained risk management compliant.



World Standards Day

On the occasion of World Standards Day – 14th October 2022, the Commission on invitation by the Seychelles Bureau of Standards conducted a presentation entitled: ‘Standards, a Regulator’s Perspective’. The aim of the presentation was to explain the collaborative relationship between the Seychelles Bureau of Standards and the FTC as regulators. The Deputy Chief Executive Officer of the Commission, Mrs. Natalie Edmond shared the knowledge to the parties that were present on the day.



Presentation session on Fraud Risks and Mitigation with staff members of the Seychelles Civil Aviation Authority (SCAA)



WHAT IS FRAUD?

- **Fraud** is an intentionally deceptive action designed to provide the perpetrator with an unlawful gain or to deny a right to a victim.
- It involves deceit with the intention to illegally or unethically gain at the expense of another.
- It involves the false representation of facts, whether by intentionally withholding important information or providing false statements to another party for the specific purpose of gaining something that may not have been provided without the deception.

Source: Chen,2022

As part of its various contributions made towards the Financial Education Committee set up by the Central Bank of Seychelles, the FTC took part in an advocacy training with the staff members of the Seychelles Civil Aviation Authority. The presentation which was given by the Education and Advocacy Unit of the Commission alongside other departments, provided the staff with education on the types of Misleading and false representation conducts as is prescribed by the Fair Trading Act, 2022 and ways that it can be mitigated or prevented. The Department touched upon: Pyramid Selling Scheme and how to differentiate it from Multi-Level Marketing.

YEARLY OUTREACH & COMPETITION DAY

This year, the World Competition Day, celebrated on the 5th December 2022, coincided with the Commission's yearly outreach programme. Each year the Commission conducts outreach programmes to meet the public where they are, inform them of their rights and obligations under the Law. With the enactment of the Fair Trading Act, 2022 in August, it was found imperative to educate the public on some of the new Provisions of the Act. To launch the programme, a press release as well as adverts commemorating the World Competition Day was published in the Newspaper and onto the social media platforms of the Commission. As part of the programme itself, the Commission held two main activities: one being a Quiz on Paradise FM Radio focusing on Competition and Consumer Laws and the main event being the Road show organized on Praslin Island.

Happy World Competition Day

GOAL!

Your goal as a business can still be achieved by competing fairly in a market. The FTA, 2022 is there to guide you. Prevent your business from receiving a red card as a result of Unfair Trade Practices.

MAHE: BLOCK B, THIRD FLOOR, UNITY HOUSE TEL: 4325250 PRASLIN: PENSION FUND COMPLEX, GRAND ANSE TEL:4233109

Adverts Commemorating World Competition Day posted on our Social Media Page

ANT LE 29 NOVANM A LE 5 DESANM

Quiz Lo Paradise FM avek Chicco

LE 9 DESANM

Road Show Lo Praslin

PANDAN MWAN DESANM

Ledikasyon lo SBC TV tou Le Merkrede e Sanmdi

Ledikasyon Lo Paz Facebook e Instagram FTC

Lazouannen-Konpetisyon
le 5 desanm 2022

Lazouannen-Konpetisyon
le 5 desanm 2022

KI BENEF KOM

Lazouannen-Konpetisyon
le 5 desanm 2022

Lazouannen-Konpetisyon
le 5 desanm 2022

'BID RIGGING'

Get Ki Koko, Moutya ek Sega pe fer. En aksyon ki enterdi anba Lalwa FTA, 2022. Zot pe diskrit lo la fason ki zot pou aranz zot pri, koumsa enn antre zot ava vin 'bidder' avek pri pli afordab.

MAHE: BLOCK B, THIRD FLOOR, UNITY HOUSE TEL: 4325250 PRASLIN: PENSION FUND COMPLEX, GRAND ANSE TEL:4233109

Road Show on Praslin Island

This year the Commission changed its outreach location, where instead of holding the event activities on Mahe the team stepped out and reached out to the Praslin Community in the form of a Road show, where the team scanned the two main districts of Praslin Island, being Baie Ste Anne and Grand Anse.

The Roadshow was found to be successful, where the public was very pleased and requested that it be organized once more in the near future. On the day the outreach team was able to question the public on what they know about the FTC, whether they know where the Commission's office on Praslin is, and provided education on the Fair Trading Act, 2022.



To bring the outreach programme to a close in December of 2022, a Prize Giving ceremony was organized to award the ten (10) winners of the FTC Quiz held on Paradise FM.

The Commission remains committed to ensuring that the public as well as businesses is made aware of their rights and obligations under the Fair Trading Act (FTA), 2022 and will continue to strengthen its Education and Advocacy Plan for the coming years .



ACHIEVEMENTS

This year, three members of staff, two from the Consumer Services Department and one from the Legal Affairs Department successfully completed their studies. Mrs. Hanifa Eugenie, Ms. Dolores Barrack, both analysts and Ms. Priyanka Ramruchaya, Principal Legal Officer.

Mrs. Eugenie and Ms. Barrack successfully graduated in December 2022 with a Bachelor's Degree in Business Administration with International Business with Upper class Honors.



As for Ms. Ramruchaya she successfully completed her Pupilage where in July 2022 she took her oath before Chief Justice Ronny Govinden and Judge Dodin, and has been admitted as an Attorney-at-Law before the Magistrate Court. The Commission is proud of their achievements and congratulates them in achieving this milestone.



TEAM BUILDING

Due to the Covid-19 pandemic and the restrictions that were in place over the past two years, our team building sessions were limited to a certain extent. However, in October 2022, the FTC organized a team building session in the form of a picnic at the Anse Parnelle Beach at Takamaka where many team building activities formed part of the day. To mention a few, 'Lapi-lapon', egg and spoon and Tug of war were amongst the fun games which helped strengthen the good team spirit we share at FTC.

Although not all staff could make it on the day as few of them were undertaking their final examinations, the session still managed to turn out fantastic.



END OF YEAR LUNCH

As the year came to a close, with the help of the social Committee, the FTC was able to organize an end of year Lunch for its Staff. The end of Year Lunch which took place at the La Gotha Restaurant provided the team the opportunity to celebrate amongst themselves and to thank the team of dedicated staff for their contributions, achievements and devotion over the past year.





MAHE: BLOCK B, THIRD FLOOR, UNITY HOUSE TEL: 4325250
PRASLIN: PENSION FUND COMPLEX, GRAND ANSE TEL: 4233109

