

Enforcement Experience

Competition Law Pakistan

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Scope

- Policy Advisory**
- Enforcement actions**
 - ◆ Abuse of dominant position
 - ◆ Deceptive marketing practices
 - ◆ Prohibited agreements
- Mergers**

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Policy Advisory

- Soft power**
- Jurisdictional struggle**
- Lack of institutional framework**
- Illustrative Cases**
 - Tobacco price printing
 - Tobacco track & trace
 - Long distance international calls – clearing house

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Enforcement – Wider impact

- Cement manufacturers**
- Fertilizer manufacturers**
- Poultry association**
- 1-Link – ATM changes**
- Stock exchange floor prices**
- Long distance international**

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Enforcement - issues

- ❑ **Role**
 - ◆ Investigator
 - ◆ Prosecutor
 - ◆ Decision maker
- ❑ **Procedural safeguards**
 - ◆ Due process – constitutional requirement
 - ◆ Best practices
- ❑ **Enquiry**
 - ◆ Complainant bias
 - ◆ Lack of transparency
 - ◆ Inconsistent approach

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Enforcement - issues

- ❑ **General lack of standards**
- ❑ **Excessive reliance on enquiry reports**
- ❑ **Collegiate framework – lack thereof**
- ❑ **Slow jurisprudential development**
- ❑ **Reliance on foreign jurisprudence**

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Enforcement - external factors

- Commercial inertia**

- Judicial inertia**

- Governmental inertia**