



COMESA Competition Commission

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**Common Market for Eastern
and Southern Africa**

CCC RBP Inquiry Notice No. 6 of 2018

Notice of Inquiry on the Application for Authorisation of a Joint Venture Agreement between Kenya Airways Plc (“KQ”), Koninklijke Luchtvaart Maatschappij N.V (KLM Royal Dutch Airlines) (“KLM”) and Societe Air France S.A. (“Air France”)

It is hereby notified in terms of Article 61(4) of the COMESA Competition Rules (the “Rules”) that the COMESA Competition Commission (the “Commission”), after receiving an application from KQ, KLM and Air France, intends to embark on an inquiry in terms of Article 20 of the COMESA Competition Regulations (“Regulations”).

The parties have applied for an authorisation pursuant to Article 20 of the Regulations for the 2012 Joint Venture Agreement entered into between KQ and KLM, and the draft Amendment Agreement to be entered into between KQ, KLM and Air France. These agreements contain the terms of the scope of cooperation and co-ordination between the parties as far as their commercial activities are concerned.

It was submitted that KQ is the national flag carrier of Kenya and it provides passenger air transportation services in Kenya, within Africa and internationally. KQ also provides cargo-handling and maintenance services. KLM is the flag carrier airline of the Netherlands with its hub at Amsterdam Airport Schiphol. It is part of the Air France KLM Group and is a member of the SkyTeam Alliance, which it joined in 2004. KLM operates scheduled passenger cargo and maintenance services. Air France is the flag carrier of France and offers passenger, cargo and maintenance services. Air France headquarters are in Paris with its hub at Paris-Charles de Gaulle Airport. Air France, together with other airlines, launched the SkyTeam Alliance in 2000 and it is part of the Air FranceKLM Group.

The Commission will, in accordance with the provisions of the Regulations, determine among other things whether or not the agreements are likely to affect trade between Member States and have as their object or effect the prevention, restriction or distortion of competition within the Common Market. In view of this, the Commission hereby gives notice to all interested stakeholders, including competitors, suppliers and customers of the parties to the agreements to submit written representations to the Commission with regard to the subject matter of the proposed inquiry by emailing them to: smaseko@comesa.int. All written representations should be sent to the Commission not later than **16th July 2018**.

Should you require any clarification or additional information, please do not hesitate to contact our **Ms. Siboniselizulu Maseko** on +265 1 772 466 or via email at smaseko@comesa.int.

All written representations submitted to the Commission will be treated with the strictest confidentiality and will only be used for the purpose of this inquiry.