



COMESA Competition Commission
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Common Market for Eastern
and Southern Africa

8 August 2022

NOTICE OF WITHDRAWAL OF PRACTICE NOTE, "CCC – MER – PRACTICE NOTE 1 of 2021" REGARDING THE COMMISSION'S APPLICATION OF THE TERM "OPERATE" UNDER THE COMESA COMPETITION REGULATIONS AND THE "APPLICATION OF RULE 4 OF THE RULES ON THE DETERMINATION OF MERGER NOTIFICATION THRESHOLDS AND METHOD OF CALCULATION"

The COMESA Competition Commission (the "**Commission**") wishes to inform all stakeholders that it has, with immediate effect, withdrawn the "Practice Note on the Commission's Application of the Term Operate under the COMESA Competition Regulations and the Application of Rule 4 of the Rules on the Determination of Merger Notification Thresholds and Method of Calculation" which was issued on 13 February 2021 and referred to as **CCC – MER – Practice Note 1 of 2021**.

The Practice Note has been withdrawn following a number of requests for clarifications sought by stakeholders regarding the Commission's application of Rule 4 of the Rules on Merger Notification Thresholds and Method of Calculation (the "**Rules on the Determination of Merger Notification Thresholds**"). The Commission is therefore considering these requests for clarification and shall review the Practice Note accordingly. Stakeholders shall immediately be informed when the revised Practice Note is published.

The Commission wishes to inform all stakeholders that all matters relating to the notification of mergers remain guided by the relevant provisions under the COMESA Competition Regulations, the COMESA Competition Rules and the non-binding COMESA Merger Assessment Guidelines.

We thank our stakeholders for their continued support to the development of the COMESA Merger Control Law.

Dr. Willard Mwemba
Director and Chief Executive Officer

All communication should be addressed to the Director and Chief Executive Officer