INSIDE THIS ISSUE...
OVERVIEW OF FTC
RECRUITMENT, TURNOVER & TRANSFER
ADVOCACY PROGRAMS see page 2
LOCAL TRAINING & DEVELOPMENT see pages 3 -5
OVERSEAS MISSIONS & TRAINING see pages 6 -7
WORLD WIDE CELEBRATIONS see pages 8 -9
INTERNATIONAL INSIGHT see page 10
ACTIVITIES see pages 11 -13
INFO & CONSUMER FEEDBACK see page 14

"BE THE LEADING INSTITUTION IN THE PROTECTION OF CONSUMERS AND THE COMPETITION PROCESS FOR THE PROMOTION OF SOCIO-ECONOMIC WELFARE"

FTC NEWSLETTER

COME VISIT US AT: 3RD FLOOR, BLOCK B, UNITY HOUSE , VICTORIA
VOLUME 5, ISSUE 1

MR. GEORGES TIRANT
CHIEF EXECUTIVE OFFICER

Dear Readers,

For the year of 2017, the Fair Trading Commission has challenged itself yet again with the task of improving the efficiency and effectiveness of the organization through internal and external trainings to equip staff with knowledge on the best practices.

Additionally, a series of consumer and competition awareness programs were conducted with the aim of empowering consumers to make informed choices and businesses to become more responsible. This involved issues relevant to consumer welfare through conducting limited educational programmes for consumers, businesses and other organisations and investigating complaints from consumers with alleged contravention of their rights under the Consumer Protection Act, 2010.

Up to date the department has received a total of 181 complaints. The highest number of complaints recorded is from the consumer goods department. There has been a slight increase in the consumer service cases contrary to goods which has slightly decreases.

Market Surveillance has been actively involved in weekly routine inspections, compliance visits and tip-offs under section 33 (j) of the Consumer Protection Act, 2010. During the semester under review the Commission carried out 66 inspections, along with 38 compliance visits. The inspections were carried out on Mahe, Praslin and La Digue, in business outlets such as electronic shops, household shops, supermarket, retailers, bottling plants, pharmacies, hotels and restaurants. The competition department has recorded 8 cases to present.

The Legal Affairs Department has continued in its role to provide legal services to the Commission so as to protect its interests, support its operations, promote compliance with the rule of law, due process, and procedural fairness.

With great emphasis on staff recruitment, training and retention, the Commission participated in several workshops, trainings and overseas mission. To encourage the togetheness amongst staff members team building exercise was conducted to also welcome the new comers.

The Commission entered the New Year with new commitment, but keeping in mind our goals. Despite many challenges ahead, the employees are driven and dedicated thus forming a dynamic workforce that is ready to take on the challenges to come with the New Year.

RECRUITMENT, TURNOVER & TRANSFERS

At the beginning of the year 2017, the Commission had a workforce capacity of 26 staff.

In the month of May 2017, with the need for more staff to carry out the duties in the Market Surveillance unit, the Commission recruited Ms Rhonda Barreau as Analyst.

In June 2017, a total of 2 staff which included the Human Resource Officer and the System Support Manager (IT) ended their employment with the Commission.

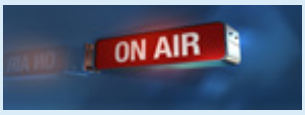
During the same month, the Administrative Officer transferred to another authority.

Current workforce

24 staff

ADVOCACY PROGRAMS

TV Programme



With the aim of creating greater consumer and business awareness in regards to the laws administered by the Commission, a number of television spots were produced.

Four televisions spots were produced and aired on SBC. Three spots were in conjunction with the World Consumer Rights Day theme 'Building a Digital World Consumers can Trust'. The fourth spot was in line with the Competition Conference which was held on Praslin.

A fifth spot was also produced in line with the construction sector to be broadcasted on SBC during the second semester.

Additionally, the Commission also featured on the Bonzour Sesel TV program to raise greater awareness with regards to the main category of services complaints, Construction.

Radio Programs

The Commission participated in two radio programmes; 'Lavwa Konsomater' in partnership with NATCOF and an interview which was conducted by Ms Thelma Pool in line with the World Consumer Rights Day theme.

Video Wall Advertising

Four other advocacy videos targeting the mandate of the Commission and various sections of the law were also produced.

One video was produced intentionally to be featured on the video wall at STC Hypermarket. Two videos were produced to be broadcasted at the International and domestic airport. The fourth video was produced to be broadcast aboard Cat Cocos ferry and Air Seychelles international flight.

LOCAL TRAINING & DEVELOPMENT

Enforcing the Seychelles CPA Workshop

Enforcing the Seychelles CPA Workshop

- Currently staff members are undertaking further studies at the University of Seychelles to enhance their knowledge and contribute in the future of the Fair Trading Commission. Along the same line, one of the staff members completed his law degree exams in May.

- In February 2017, the Southern African Development Community (SADC) Secretariat and European Union agreed to amend the Contribution Agreement for the SADC Trade Related Facility (TRF) through an addendum to include Seychelles as beneficiaries. Ms Elza Robert participated in the Trade Related Facility working group which sought to in identify the priority projects. Following their meeting with the relevant stakeholders, three projects were identified and Seychelles has been allocated with Euro 1.4 million, and 27 months to implement the required projects from May 2017.

- Mr. Francis Lebon, Ms. Dolores Barrack, Ms. Laura Lalande, Ms. Karine Dick, Ms. Naomi Louise, Mr. Neddy Padayachy, Mr. Erol Sophola, Mr. Christopher Mellon, Mrs Genevieve Alcindor, Mrs. Frederika Confait-Poussou, Mr. Shane Chang-Seng, Ms. Natasha Jumaye and Ms. Elza Robert participated in a workshop held by the University of Seychelles on the 10th March 2017. The workshop was entitled "Enforcing the Seychelles Consumer Protection Act Workshop".

- Mrs Frederika Confait-Poussou and Ms Elza Robert participated in an EPIC Food Safety Risk Communication Workshop from the 30th of May to 1st of June 2017 organized by the Ministry of Health and facilitated by Dr. Bart Goossens, FAO Food Safety Consultant based in South Africa.

- On the 28th of June 2017, Mr Georges Tirant, Mr. Neddy Padayachy, Mrs Natalie Edmond, Ms. Dolores Barrack, Ms. Naomi Louise, Ms. Nadia Pillay, Mrs. Frederika Confait-Poussou, Ms. Rhonda Barreau, Ms. Natasha Jumaye, Ms Annashanta Canaya and Mr. Shane Chang-Seng participated in a training at the Civil Court. The training facilitated by UNODC and visiting expert judges from the United Kingdom was to address procedural changes that are being implemented to improve the management of civil and criminal cases in the Supreme Court.

Enforcing the Seychelles CPA Workshop

EPIC Food Safety Risk Communication Workshop

EPIC Food Safety Risk Communication Workshop

EPIC Food Safety Risk Communication Workshop

Food safety is an essential pillar of food security and nutrition. Without food safety, consumers would not have food. We are all consumers and we all equally deserve to know that the food we eat is safe. Unfortunately unsafe foods are significant, and universal global challenges attack the human faces of nutrition and development in the daily lives of billions of people. Unsafe foods impact on nutrition, health and economic status. Risks abound throughout the food supply chain from production, harvesting, transportation, processing, storage and manufacturing and at the consumer level. The globalisation of food trade has been linked to outbreaks of foodborne illnesses, trade disputes and food recall.

Food safety risk analysis comprises Risk Assessment, Risk Management and Risk Communication. Ideally, these are interdependent and implemented concurrently, but risk communication is often neglected. It is important to be prepared in terms of risk communication related to food safety and this not only in times of crisis but also during normal times.

A workshop organised by the Ministry of Health was convened from the 30th May to 1st June 2017. Mrs Frederika Confait-Poussou and Miss Elza Robert participated in the workshop. The workshop entailed the use of EPIC (Emotive, Participatory, Imperfect and Continuous) risk communication which is the art of sharing risk perceptions for public good. At its core, EPIC risk communication is an inclusive experience in which people develop a shared perception of risk(s) via an exchange of thoughts and feelings.

The goal of risk communication is to assist stakeholders, consumers and the general public to understand the rationale behind risk-based decisions and to help them make balanced judgements about the risks that they face in their own lives. Effective risk communication can contribute to the success of a risk management programme by

- Ensuring that consumers are aware of the risks associated with a product and thereby use or consume it safely.
- Building public confidence in risk assessment and management decisions and the associated risk/ benefit considerations.
- Contributing to the public's understanding of the nature of a risk or risks.
- Providing fair, accurate, and appropriate information, so that consumers are able to choose among a variety of options that can meet their own "risk acceptance" criteria.

Participants, as EPIC risk communicators were able to learn and practice good risk communication principles, become familiar with the components of risk communication strategies and plans and become prepared and received the tools necessary to start developing a national risk communication strategy and plan.

TRADE RELATED FACILITY

In February 2017, the Southern African Development Community (SADC) Secretariat and European Union agreed to amend the Contribution Agreement for the SADC Trade Related Facility (TRF) through an addendum to include Madagascar and the Seychelles as beneficiaries. This qualified each country to apply for funding under the Facility. The current allocation for Seychelles is Euro 1.4 million, with 27 months to implement the required projects from May 2017.

The SADC TRF aims to enhance the implementation of the SADC Trade Protocol and SADC Economic Partnership Agreement to increase intra-regional and inter-regional trade flows of the concerned SADC Member States.

Representatives from SADC came to Seychelles, from 1st to 3rd March 2017, for a preliminary mission to provide a small brief on the SADC TRF and assist us in identifying the priority projects. Following their meeting with the relevant stakeholders, three projects were identified in the following areas:

1. Trade Facilitation (with a focus on excise administration)
2. Addressing supply side constraints to safeguard human, animal and plant life
3. Implementation of the national legal framework and mechanism for anti-dumping, safeguards and countervailing measures

Trade Facilitation

There are several issues impacting trade facilitation in Seychelles, one is the limited functionality of ASYCUDA World which was implemented in 2013. Initial funding was not adequate to deploy ASYCUDA World across all Customs processes. The current situation is that a number of processes, including several Excise related processes are conducted manually, outside the ASYCUDA World system which is time consuming and costly for the Customs Administration and importers, producers and exporters.

With the support of technical assistance, partners with the adequate expertise in this field, customs officers will be given technical Assistance and Capacity Building and provision of industry knowledge, identify and address the measures that the current legislation fails to cater for, automation of the ASYCUDA World Software to conduct calculation of excise taxes on production, development of procedures and control program to mitigate risk, assist with implementing compliance issues relating to fuel excise administration, establish procedure and assess compliance of excise producers, acquire equipment required to address discrepancies affecting excise liabilities. For example, equipment required to measure alcohol strength, building profiles on each excise producer and assist with post-clearance audit specifically relating to excisable imports.

Addressing supply side constraints to safeguard human, animal and plant life

As a small island developing state, the industries in Seychelles have been developing over the years even though they still face an array of resource constraint. The country is still highly dependent on imports for raw materials for production and consumption. Consequent to same, the country currently produces and exports a limited variety of products.

It is important that local industries have the capacity to produce affordable, competitive, safe and diverse products to ensure that products, on the local market and those destined for exports, are safe for human, animal and plant life. This will primarily address conformity to Sanitary and Phytosanitary (SPS), and Technical Barrier to Trade (TBT) measures.

As these issues are tackled, indirectly this will improve consumer confidence, address issues relating to the country's dependence on imports, improve food security, promote sourcing of inputs for value addition and improve competitiveness in export markets. It is therefore primordial that we acquire the required expertise and equipment which will ensure that products meet the set SPS and TBT requirements.

Furthermore, producers will also need adequate capacity building, in the form of training on production techniques, addressing quality, product traceability, safety and labeling.

Following the implementation of such measures it is expected that Seychelles will benefit from the development of current industries, the creation of new industries, value addition, the accessibility to quality products, and export diversification.

Trade Defence

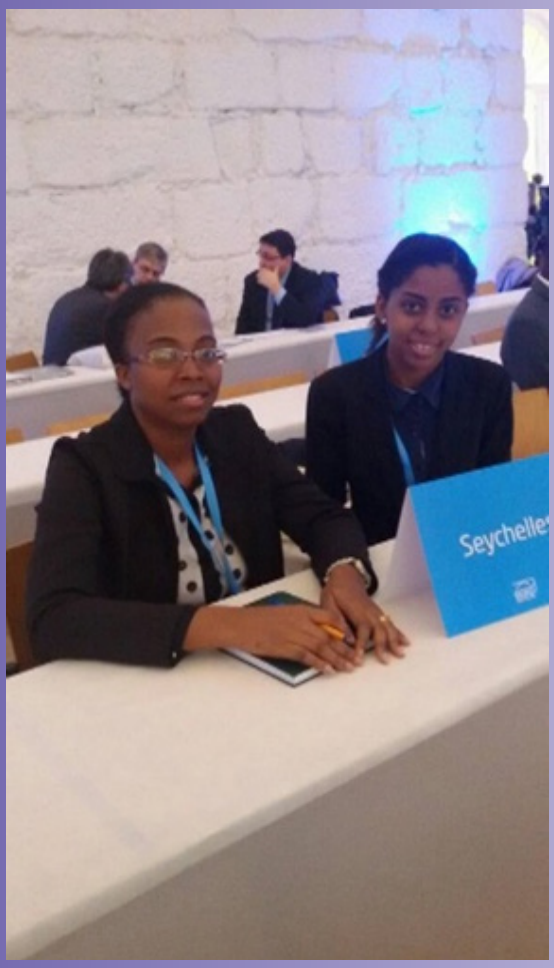
Currently, Seychelles is facing a specific constraint in implementing the anti-dumping, safeguards and countervailing measures. Upon joining the World Trade Organisation (WTO), Seychelles has undertaken a commitment that specifically restricts the use of these measures until it has developed national legislations to regulate them. The implementation of such measures are imperative for the protection of existing local industries and, in certain cases, to avoid retardation of the establishment of industries from import surges, dumped products and subsidised imports.

To address this issue there will be a need to assess the current trade regime by identifying gaps and needs required to be bridged in order to have a functioning trade defence mechanism.

Article by Elza Robert.

OVERSEAS MISSIONS & TRAINING

ICN ANNUAL CONFERENCE



The 2017 ICN Annual Conference held in Porto (10th-12th May) was an occasion for competition agencies and non-governmental advisors to share experience and discuss topics of mutual interest. The conference programme was jointly prepared by the International Competition Network (ICN) and the Portuguese Competition Authority (AdC). For the three day conference the delegates from numerous competition authorities were able to attend different breakout sessions and learn from the experiences of other authorities. Ms. Natasha Jumaye, Analyst and Mrs. Natalie Edmond, Principal Analyst both from the Competition and Market Surveillance department had the opportunity to attend the sessions. The sessions provided the delegates with a wide array of information and practical lessons from both newly formed and more experienced competition authorities around the globe.

The ICN is devoted exclusively to competition law enforcement and its members represent national and multinational competition authorities. Members produce work products through their involvement in flexible project-oriented and results-based working groups. Working group member's work together largely by Internet, telephone, teleseminar and webinars.

In all, the ICN provides competition authorities with a specialized yet informal venue for maintaining regular contacts and addressing practical competition concerns. This allows for a dynamic dialogue that serves to build consensus and convergence towards sound competition policy principles across the global antitrust community.

http://www.internationalcompetitionnetwork.org/about.aspx

SADC COMPETITION AND CONSUMER LAW & POLICY COMMITTEE

The session of the SADC meeting on Competition and Consumer Law and Policy Committee was held for participating members to provide updates on competition and consumer in their respective countries. This year the committee met on the 24th to 25th May 2017 at Gaborone, Botswana and Mr. Erol Sophola had the honor of representing the Fair Trading Commission.

The secretariat of the meeting was done by SADC and chaired by Swaziland. Present for the meeting were representatives from Botswana, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.
The discussions revolved around:

- The update on the status of Competition and Consumer law and policy in Member States
- Recent cases and research on consumer issues
- Progress report relating to mergers, cartel/enforcement & research of which activities were presented to the committee of ways to avoid duplication of work of the African Competition Forum.
- Consideration of the First progress report on the implementation of the monitoring, reporting, and evaluation (MRE) system for the Protocol on Trade.
- Collaboration on Competition and Consumer Policy with other Regional and International Organizations such as ACF, COMESA, World Bank etc….

The session consisted of group works and round table discussions. The next meeting will be hosted in Botswana, Gaborone in May 2018.

WORLD CONSUMER RIGHT'S DAY 2017

"Building A Digital World Consumers Can Trust"

The World Consumer Right's Day presents opportunities to promote the basic rights of all consumers, demand that those rights are respected and protected, and is a chance to protest against the market abuses and social injustices which undermine those rights. To commemorate this day a symposium was organized on Friday 17th March at S.I.T.E auditorium and it saw the participation of representatives from key stakeholders such as NATCOF, SNYC & DICT. The audience comprised of representatives from all secondary and post-secondary schools, the university of Seychelles, media houses, members of the National Assembly, telecommunication service providers, digital products importers, CERPS, regulators and banks.

The Commission also launched a poster and essay writing competition for School Children and conducted awareness campaigns across the island through putting up educational posters across the island. Additionally, the Commission conducted a Facebook Question and Answer Session and a survey with regards to telecommunication issues with a particular service provider.

COMPETITION CONFERENCE ON PRASLIN

On 5th May 2017 the Commission organized a conference for businesses on Praslin and La Digue with its continuous effort to advocate in favour of fair competition in an open market. The objective of the conference was to provide an opportunity for businesses from Praslin, La Digue and the Commission to discuss on the various challenges impacting the competition process in an open market context and to explain the extent of the role of the Commission in addressing those matters. The event also had the participation of members from the vice president's office, the Ministry of Tourism and the Ministry of Finance, Trade Division.

Many issues were raised within the conference such as "Taxi Pirat" which the registered taxi operators feel is a threat to their business; lack of development zone on Praslin; DMC matters affecting SME's on Praslin and La Digue; the Seychelles Island Foundation (SIF) being in direct competition with the tour guiding service operators; Seychelles Pension Fund which the people expressed is an organisation which collects pension from the people and in return is unfairly using that same fund to offer self- catering services and compete against their businesses; etc…..

In all, the conference was very fruitful and the Commission has drafted the potential solutions to address the matters raised and directed the concerns to appropriate authorities capable of looking into the issues releated to their respective sectors.

THE COMESA COMPETITION COMMISSION SIGNS MEMORANDUMS OF UNDERSTANDING WITH THE SWAZILAND COMPETITION COMMISSION AND THE FAIR TRADE COMMISSION OF THE SEYCHELLES

The COMESA Competition Commission ("the Commission") is pleased to announce that the Commission concluded two Memorandums of Understanding (MOUs) on Cooperation in the Application and Enforcement of Laws with the Swaziland Competition Commission (SCC) and the Fair Trade Commission (FTC) of the Seychelles. The Ceremony of signing the MOUs was held on 19th April 2016 at Royal Villa Hotel, in Ezulwini, Swaziland. The Ceremony was attended by the Principal Secretary of the Ministry of Trade and Industry of the Kingdom of Swaziland, Mr Jinno Nkhambula; Board Chairperson of the SCC, Mr Sibusisso Motsa; Board of Commissioners of the Commission and other Officials. The signatories of the two MOUs were the Director and Chief Executive Officer of the Commission, Dr. George K. Lipimile; the Chief Executive Officer of the SCC, Ms Thabisile Langa; and the Chief Executive Officer of the FTC Seychelles, Mr Georges Tirant.

- The institutions will cooperate where they are investigating related matters and will share relevant information to ensure effective enforcement of their respective competition laws. This will be achieved through the appointment of Desk Officers in the respective institutions and through periodic meetings among officials to exchange information on investigation and enforcement priorities.

- They will consult on matters of competition enforcement and policy and keep each other informed of significant competition policy and enforcement developments in their jurisdictions.

- The institutions will cooperate in advancing technical assistance and capacity building programs through integrated strategies.

These MOUs are not the last that the Commission will sign with COMESA Member State. In this regard, the Commission intends to have cooperation agreements of a similar nature with other COMESA Member States and national Competition Authorities.

Article Sourced from http://www.comesacompetition.org/?cat=20

ACTIVITIES

TEAM BUILDING

Team building is a mechanism used at various institutions to enhance team spirit, social relationship between staff members and to demonstrate the interdependent flow within an organization. Furthermore, it assists in defining the roles and importance of different members of the organization.

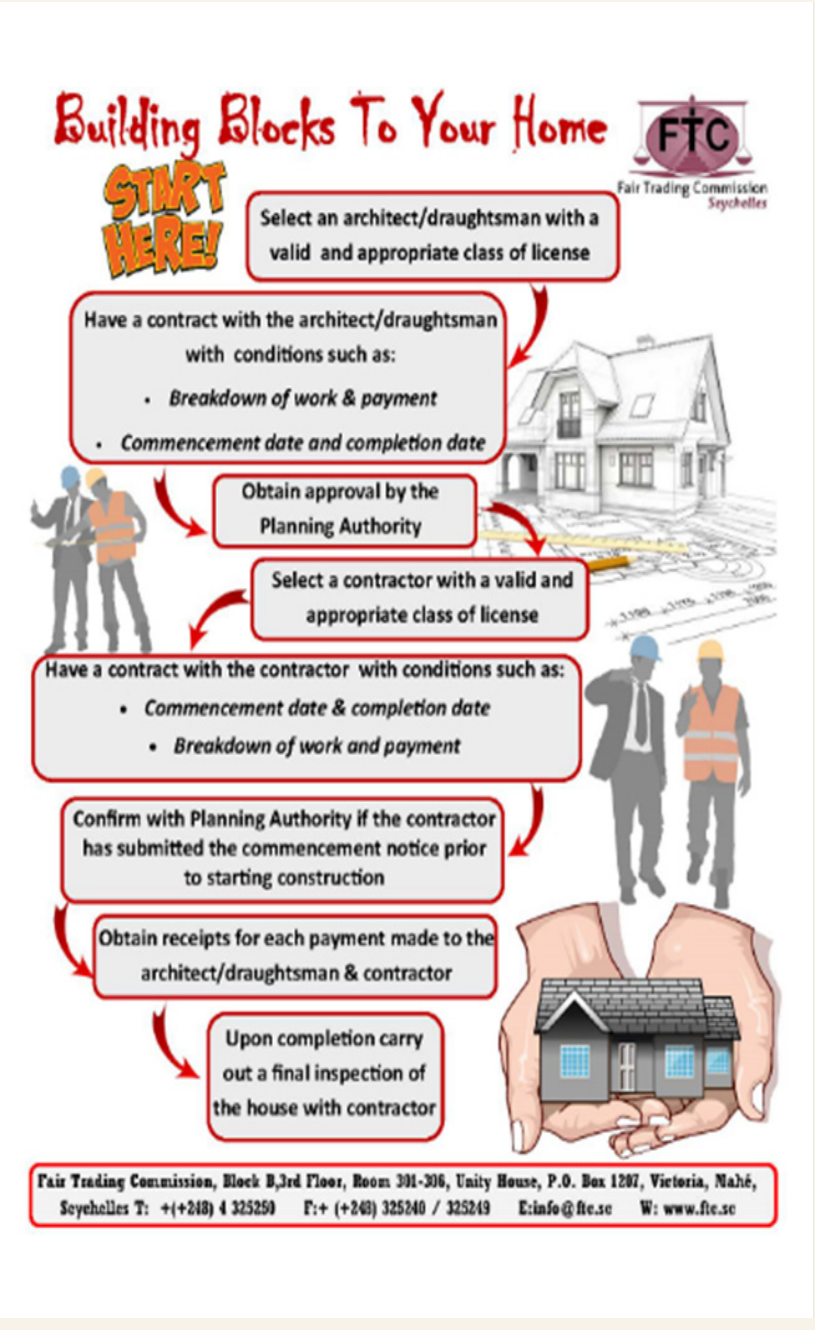
With the objective of enhancing the team spirit in our organization, a Team Building Activity was held in June at the Anse Marie Lore, Bel Ombre. The exercise was in collaboration with Mr Bernard Monnaie from the University of Seychelles. The overall aim was to boost staff morale and bring the togetherness among the staff members. Amongst the many activities that was held that day, each staff was treated to a 30 minutes massage where they got the chance to unwind and release stress.

NATIONAL DAY EXPO 2017

To celebrate the National Day this year an Exposition was organized on Praslin from the 24th to 25th June. Several governmental and non-governmental organizations, small and large businesses had set up stalls to showcase their work. The Fair Trading Commission did not miss out on the opportunity to educate consumers and businesses of their rights and responsibilities.

The areas of most prominent complaints were the main focus. On display was a very informative maquette demonstrating the essential elements of the roadmap when undertaking construction projects. The maquette illustrated the below:

1. Select and architect/draughtsman with a valid and appropriate class of License.
2. Have a contract with the architect/draughtsman with conditions such as:
   - Breakdown of work of work & payment
   - Commencement date and completion date.
3. Obtain approval for the plan by Planning Authority.
4. Select a contractor with a valid and appropriate class of License.
5. Have a contract with the contractor with conditions such as:
   - Breakdown of work & payment.
   - Commencement date and completion date.
   - Confirm with Planning Authority if the contractor has submitted the commencement notice prior to starting construction.
6. Obtain receipts for each payment made to the architect/draughtsman & contractor.



Two shop models were also exhibited, with one depicting a shop in compliance with the Consumer Protection Act and the other shop in breach of multiple sections of the Consumer Protection Act. Seven Sections of the CPA 2010 were explained in the local language with the use of posters to educate consumers and businesses.

- Section 19: Disclosure of Information
- Section 20: Disclosure of prices of goods and services
- Selling above displayed price and dual pricing
- Product labelling and trade description
- Expiry dates
- Sales records
- Warranty for unsuitable, defective and unsafe products

This also allowed the officers to explain the various provisions of the law and encourage the public to take ownership of their rights and inform the businesses or the Commission of any non-compliance. The Commission also took the opportunity to carry out a competition survey and also provide feedback to businesses following the Competition Conference.

WHAT NEXT FOR FTC ?

- Recruitment of 9 members to enhance the FTC family.
- To organise an unforgettable Competition Day.
- To enforce educational programs on TV, Radio & Social Media.
- Elevate customer services through training & delivery.
- Strategic planning

CONSUMER FEEDBACK

PROGRESSIVE

TEAM HIGHLY PROFESSIONAL

DYNAMIC

VERY INTERESTING CONFERENCE

ENCOURAGING

WELL ORGANISED EVENT

I have put a complaint against a construction company since last year, the work has been completed.
I have received my key on 29th August 2016.

I would like to thank you for your kind service to make my project completed.

Selmon Rajesh Joseph

STATISTICS

CONSUMER CASES RECORDED

2017 => 181

58% OF THESE COMPLAINTS PERTAINED TO GOODS

42% OF THESE COMPLAINTS PERTAINED TO SERVICES

REFUNDS: SCR 203,115.08
No. Refunds 30
No. Performed Services 12
No. Repair 2
No. Replaced 16
No. Settlement 6

Legal

LEGAL ADVICE	57
COMPLIANCE NOTICES	28
BOC CASES	12
PENDING BOC	9

COMPETITION

COMPETITION CASE	8
ENQUIRIES	4

Market Surveillance

INSPECTIONS	73
COMPLIANCE VISITS	38
ENQUIRIES	37

For more information

Vist us at:

Unity House
Block B
Third Floor

Join Us On facebook