



*Memorandum of Understanding on Cooperation between  
the Competition Commission of the Republic of Mauritius and  
the Fair Trading Commission of the Republic of Seychelles*

The “Competition Commission” of the Republic of Mauritius and the “Fair Trading Commission”, of the Republic of Seychelles (hereinafter referred to as “the Sides”), hereby express the wish to promote cooperation in the field of competition law enforcement and policy, aiming to create favourable conditions for the development of bilateral relations, based on the principles of equality and mutual benefit.

To that end, both Sides, without any intention to create a legally binding document, but with the purpose of fostering a closer cooperation in the exercise of their activities, have reached the following understanding:

1. Both Sides reiterate their willingness to promote and strengthen cooperation in the field of competition law enforcement and policy, to the benefit of both Sides.
2. This cooperation will be based on the following principles:
  - i) exchange of experience on the implementation of applicable legislative framework regulating business behaviour restricting competition including certain agreements and concerted practices between companies, abuses by monopolies and certain mergers and acquisitions of companies, and anticompetitive government regulation;
  - ii) exchange of experiences in the field of case investigations; and
  - iii) exchange of experience and views on competition policy issues.
3. Both sides shall:
  - i) hold regular consultative meetings on issues of competition and competition policy;
  - ii) exchange information on major concerns between the Sides ;
  - iii) exchange expert studies and consult with each other;
  - iv) notify the other of enforcement activities that may affect the important interests of the other agency;
  - v) exchange non-confidential materials on current situations, experiences, and new developments on legislation and enforcement of competition policy;
  - vi) exchange views with respect to multilateral competition initiatives, with particular attention to the fight against international hardcore cartels; and
  - vii) consider exchange of staff for the purpose of improving skills.

4. (a) Cooperation between the Sides under this Memorandum of Understanding is subject to the respective laws of each Side, in particular those protecting confidential information and data protection.

(b) All information exchanged by the two sides shall be subject to strict controls and safeguarded to ensure that the information is used in an authorized manner only.

(c) The cooperation should not significantly delay or place a disproportionate burden on the effective enforcement activities of either Side.

5. Both Sides will consider developing closer co-operation, and in particular the sharing confidential information, to the extent that is permitted by each Side's laws. Where such a closer co-operation takes place, each Side shall fully ensure confidentiality of all information communicated by the other Side within the Memorandum and shall not disclose any information received within the framework of the Memorandum unless the other Side has expressly agreed to the disclosure in writing.

6. (a) Wherever possible, the Sides will settle amicably any discrepancies and disagreement arising from cooperation under this Memorandum of Understanding.

(b) Any financial aspects relating to any activity to be carried out under this Memorandum of Understanding shall be agreed by both sides before the activity takes place.

7. The present Memorandum of Understanding will come into effect on the date of signature by both Sides and will be effective for five years and may be renewed by mutual agreement of the Sides in the written form, and signed by both Sides.

8. Termination of the present Memorandum of Understanding will not affect any programmes and projects started on the basis of it.

9. The terms of any law or bilateral, regional or international agreements to which the Sides or their countries are party will not be changed by this Memorandum of Understanding.

10. The present Memorandum of Understanding is signed in two authentic copies in English.

Signed in Geneva, Switzerland on July 9<sup>th</sup> 2013

For the Competition Commission  
of the Republic of Mauritius:

Mr. Rajendra Tagore Servansingh  
Vice Chairman

For the Fair Trading Commission,  
of the Republic of Seychelles:

Mr. Georges Tirant  
Acting Chief Executive Officer