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| ***cid:image001.png@01D47690.3635CA10*** | **NEHAWU**  **National Education Health & Allied Workers’ Union**  **OFFICE OF THE SECRETARIAT**  E-Mail: [Secretariat@nehawu.org.za](mailto:Secretariat@nehawu.org.za) | NEHAWU House  56 Marshall Street  Marshalltown  P.O. Box 10812  Johannesburg, 2000  Tel: (011) 833-2902  Fax:(011) 833-0757  Website: [www.nehawu.org.za](http://www.nehawu.org.za) |

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Committee Secretary

Standing Committee on Economic Development

08 November 2018

Dear Sir/ Madam

**COMPETITION AMENDMENT BILL, 2018**

Please receive correspondence from our union, the National Education Health and Allied Workers Union (NEHAWU), in respect of the Competition Amendment Bill.

We fully endorse the Competition Amendment Bill, 2018 and all its provisions.

The trajectory of South Africa’s economic and social transformation has been undermined and restricted by the present economic structure, in respect to ownership and control. This high level of concentration has been accompanied by internationalization, in which domestic monopolies relocated their domiciles abroad, especially Europe and North America, whilst others have become foreign companies through mergers and acquisitions.

These economic constraints have to be addressed as a matter of urgency if we are to advance a program of radical economic transformation, in line with the 54th National Congress of the ANC which identified “the need to reduce concentration of ownership and control in the economy and breaking up monopolies”. We are aware of the powerful vested interests that have been able to monopolise the wealth generated in the economy. We know that these sectors of business are intent on maintaining that control and do not want to see any progressive legislation that seeks to address this situation.

Our union believes some of the most important benefits from the amended legislation will be that it will undo the concentration in the economy, including the racially- skewed spread of firm ownership; promote investment; lead to a reduction in prices; and lead to a greater focus on jobs and the promotion of workers ownership.

We particularly support the provision in the legislation that deal with:

* Strengthening the role of the executive as workers and the electorate expect policy makers to be responsible for mergers and exemption policies and hold them accountable through parliament or the ballot box;
* The veto on mergers that may affect national security as there is no provision in our legislation which provides the legal basis for government to intervene in mergers with national security implications;
* An additional test to public interests criteria applied to mergers, namely the extent to which a merger will promote greater ownership, including by workers employed at the firms concerned;
* The increase in penalties of firms involved in cartels and collusion, and
* Strengthening the tool of markets inquiries to deal with economic concentration and that can help to de-concentrate the economy.

We urge that this amendment legislation be implemented urgently.

Yours Faithfully

Zola Saphetha

General Secretary