

Contents

Tables	v
Figures	vi
Foreword	vii
Acknowledgements	viii

Introduction: Reflecting on the maturing South African competition law regime ix
Kasturi Moodaliyar and Simon Roberts

Part 1 Competition law, economics and policy

- 1 Public-interest provisions in the South African Competition Act:
A critical review** 2
James Hodge, Sha'ista Goga and Tshepiso Moahloli
- 2 A framework for promoting competition in electronic communications:
Clarifying the role of the competition authorities and the sector regulator** 16
Kasturi Moodaliyar and Keith Weeks

Part 2 Mergers

- 3 Self-supply and indirect constraints within competition analysis** 30
Robert Lipschitz, Fatima Fiandeiro and Paul Anderson
- 4 Geographic market definition in retail mergers where a national
pricing policy is applied** 50
Andrew Myburgh, Shannon Knight and Fathima Sheik
- 5 Vertical arithmetic and its application in vertical mergers** 60
James Hodge, Sha'ista Goga and Jason Aproskie
- 6 Do vertical mergers facilitate upstream collusion?** 76
Liberty Mncube, Lindiwe Khumalo and Mfundo Ngobese

Part 3 Abuse of dominance

- 7 **The South African Airways cases: Blazing a trail for Europe to follow?** 94
Helen Jenkins, Gunnar Niels and Robin Noble
- 8 **Policy approaches to margin squeeze in the telecommunications sector in the US and EU, as applied in South Africa** 105
Ryan Hawthorne and Kate Morris
- 9 **Price discrimination in input markets: Analysing competitive effects following the Nationwide Poles case** 122
Uğur Akgün, Serge Moresi and Robert Stillman

Part 4 Cartels

- 10 **South Africa's corporate leniency policy** 136
Chantal Lavoie
- 11 **The wrong side of the tracks: What are the empirical differences between collusion, parallelism and competition?** 160
Patrick D. Smith
- 12 **The role of information exchange in facilitating collusion: Insights from selected cases** 181
Reena das Nair and Liberty Mncube

Contributors 207

Index 215