



COMESA Competition Commission

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Common Market for Eastern
and Southern Africa

NOTICE OF APPLICATION FOR AUTHORIZATION 1 OF 2023

CASE NO: CCC/A.20/2/1/2023

9 August 2023

NOTICE OF APPLICATION FOR AUTHORISATION UNDER ARTICLE 20 OF THE COMESA COMPETITION REGULATIONS WITH RESPECT TO THE PROPOSED EXPANSION OF THE JOINT BUSINESS AGREEMENT BETWEEN BRITISH AIRWAYS PLC, IBERIA LAE S.A. AND QATAR AIRWAYS GROUP Q.C.S.C

Notice is hereby given to interested stakeholders and the general public that pursuant to Article 20 of the COMESA Competition Regulations (“**the Regulations**”), the COMESA Competition Commission (the “**Commission**”) received an application for authorisation from British Airways Plc (BA), Qatar Airways Group Q.C.S.C (Qatar) and Iberia Líneas Aéreas de España (Iberia) (together, the Applicants) on 9 August 2023.

Article 20 of the Regulations prescribes that the Commission may grant an authorisation to undertakings to enter and/or give effect to contracts, arrangements or understandings even if they are anti-competitive where the Commission determines that there are public benefits outweighing the anti- competitive detriment of the contract, arrangement or understanding.

The Applicants

British Airways Plc

British Airways Plc (“BA”) is a global airline being the United Kingdom’s flag carrier and one of the world’s leading global premium carriers. Its principal place of business is London, with significant presence at Heathrow (LHR), Gatwick (LGW) and London City Airports. BA operates one of the most extensive international scheduled airline route networks globally. Pre-Covid, it carried more than 40 million customers a year and it has a fleet of nearly 280 aircraft. BA is part of the International Airlines Group S.A. (“IAG”), one of the world’s largest airline groups. Formed in January 2011, IAG is the parent company of Aer Lingus, BA, Iberia, Vueling and LEVEL. BA is also a member of the oneworld airline alliance.

Qatar Airways Group Q.C.S.C

Qatar Airways Group Q.C.S.C ("QR") is a member of the oneworld airline alliance. It was founded in 1997 and provides international air transportation services as the national carrier of the State of Qatar. It is one of the fastest growing airlines and operates one of the youngest fleets in the world with over 227 passenger and cargo aircraft flying to over 160 destinations from its hub at Doha International Airport (DOH). It currently has codeshare agreements with oneworld partners and a range of other carriers globally, with its Privilege Club loyalty program (which has now adopted Avios1 as its loyalty currency) having partnerships with a number of international airlines, hotels, car rental companies, banks and other partners worldwide.

Iberia Líneas Aéreas de España S.A Operadora

Iberia Líneas Aéreas de España S.A. Operadora ("Iberia") is Spain's largest airline and the leading carrier between Europe and Latin America. Similar to BA, it belongs to the IAG group and is also a member of the oneworld airline alliance. Along with Iberia Express and Iberia Regional Air Nostrum, it flies from its Madrid hub to approximately 43 countries around the world. The Iberia Group operates a fleet of nearly 140 aircraft.

The Application

The Applicants are seeking authorization for cooperation on;

- a. Scheduling,
- b. Selling and dealing
- c. Fares, pricing and inventory management,
- d. Coordination of frequent flyer programmes, and
- e. Joint handling and/or joint procurement of services

The Application will affect the following countries within the COMESA region; Democratic Republic of Congo, Djibouti, Ethiopia, Kenya, Mauritius, Seychelles, Somalia, Sudan, Uganda, Zambia and Zimbabwe.

The Commission hereby invites all interested stakeholders to submit representations by 8 September 2023. If you wish to make any representations or seek further details and/or clarifications, you may contact Mr. Isaac Tausha, Officer in Charge, Competition Division on Tel: +265 (0) 1 772 466 or E-mail: itausha@comesacompetition.org.

All representations submitted to the Commission will be treated with the strictest confidentiality and will only be used for the purposes of this evaluation.

~~Registrar~~
Registrar
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