



COMESA Competition Commission

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**Common Market for Eastern
and Southern Africa**

ACBP NOTICE OF INVESTIGATION 2 OF 2024

7 August 2024

NOTICE OF COMMENCEMENT OF INVESTIGATIONS INTO ALLEGED ANTI-COMPETITIVE CONDUCT BY YAMAHA MOTORS COMPANY LIMITED

Notice is hereby given to interested stakeholders and the general public that pursuant to Article 22 of the COMESA Competition Regulations (the “**Regulations**”), the COMESA Competition Commission (the “**Commission**”) has commenced investigations into potential violation of Article 16 of the Regulations by Yamaha Motors Co., Ltd. operating in the Common Market.

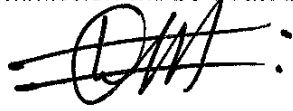
Article 16 of the Regulations prohibits all agreements which may affect trade between Member States and have as their object or effect the prevention, restriction or distortion of competition in the Common Market.

The Commission has reason to believe that Yamaha Motors Co., Ltd has concluded exclusive distributor agreements or arrangements with affiliates in Africa which affect trade between Member States and have as their object or effect the prevention, restriction or distortion of competition within the Common Market. The Commission will thus assess the conduct of Yamaha Motors Co., Ltd to determine its effects in the Common Market and apply appropriate measures as provided in the Regulations.

However, it should be noted that the commencement of investigations neither presupposes that the conduct being investigated has been determined as anti-competitive nor Yamaha Motors Co., Ltd has violated the Regulations. The Commission will, in accordance with the provisions of Part 3 of the Regulations, conduct an inquiry to determine whether the alleged conduct has as its object or effect the prevention, restriction or distortion of competition in the Common Market or in a substantial part of it.

The Commission hereby invites all interested stakeholders to submit representations by **6 September 2024**. If you wish to make any representations or seek further details and/or clarifications, you may contact our **Mr. Boniface Makongo, Director Competition Division** on Tel: +265 (0) 111 772 466 or E-mail: bmakongo@comesacompetition.org.

All representations submitted to the Commission will be treated with the strictest confidentiality.

A handwritten signature in black ink, consisting of a stylized 'D' followed by 'M' and 'B' with a colon at the end.

Dr Willard Mwemba
Director and Chief Executive Officer