



Advancing Regional Integration
through Competitive Markets
and Empowered Consumers

SCHEDULE OF FEES FOR SERVICES RENDERED BY THE COMMISSION

Pursuant to Regulation 10(1)(d) read together with Regulation 17(2) of the COMESA Competition and Consumer Protection Regulations, 2025

In exercise of the power conferred upon the Board under Regulation 10(1)(d) read together with Regulation 17(2) of the COMESA Competition and Consumer Protection Regulations, 2025 (“the Regulations”), the Board of the COMESA Competition and Consumer Commission (“the Commission”) hereby issues the Schedule of Fees payable in respect of services rendered by the Commission.

Services	Fee
Expedited Merger Review (EMR)	USD 120,000
Comfort Letter Request	USD 10,000
Advisory Opinion	USD 10,000
Other Services	USD 5,000

Notes

1. All fees prescribed under this Schedule shall be payable in United States Dollars (USD) unless otherwise determined by the Commission.
2. The guidance on the application, payment modalities, and scope of services under this Schedule is attached as Appendix A.

APPENDIX A

PROCEDURES FOR PROVISION OF SERVICES

A. EXPEDITED MERGER REVIEW

1. Pursuant to Regulation 44 of the Regulations, the Commission shall issue its decision on a merger notified within one hundred and twenty (120) days after receiving the notification. However, Undertakings may request for an expedited merger review. An expedited merger review shall only be undertaken where the Commission believes that there are compelling reasons for doing so and the transaction has no prospects of raising competition concerns. Where such a request is made, the following procedure shall be observed:
 - a) A request for an expedited merger review shall be submitted to the Commission for its consideration. In assessing the eligibility of a merger for an expedited review, the Commission shall consider the complexity and nature of the proposed merger and whether there is a request for referral from a Member State.
 - b) The request for any expedited review shall be made by the parties in the cover letter accompanying the merger notification form 1 at the time of notifying the merger.
 - c) The Commission shall, in 30 days¹ from the receipt of the merger notification determine whether a merger is eligible for an expedited review.
 - d) Once the Commission confirms the eligibility of the request for this service, the Commission shall issue an invoice of USD 120,000.
 - e) The request for an expedited merger review shall only be considered complete once payment is made in full.
 - f) As a general principle, the Commission will issue a decision on the application between the 30th and the 45th day from the date of notification of the merger in order to comply with the time periods provided under Regulation 45.
 - g) The Commission is expected to render its decision on such merger notification not later than 45 days from receiving the notification.

¹ Reference to days in this schedule means calendar days.

- h) In the expedited review process, the Commission shall in no case compromise the assessment procedures laid out in Chapter four of the Regulations.
- i) Mergers considered likely to raise competition concerns shall not benefit from expedited review process.
- j) A merger notification shall automatically not be eligible for an expedited review where there is a request for referral from a Member State pursuant to Regulation 45.
- k) The Commission shall have the sole discretion to determine whether a merger notification should be considered for expedited review.
- l) The Commission may revoke the eligibility of a merger for such service due to one of the following:
 - i. Parties to the merger are not responsive to additional information requested;
 - ii. The Commission receives information which was not available to it when it approved the eligibility of the transaction for the expedited service; or
 - iii. The Commission is not able to render the service for any unforeseen circumstances.
- m) The fees for the expedited merger review service are refundable where the Commission revokes the eligibility of a merger for this service in accordance with paragraph 1 (l) above. Such fees are not refundable for any other reasons.
- n) The Panel Responsible for Determination shall have a dedicated exclusive session for transactions eligible for this service.

B. COMFORT LETTER REQUEST

- 2. Regulation (9) (4) (d) of the Regulations provides that the Commission shall have the power to issue comfort letters. The procedure for a comfort letter request is hereby provided:
 - a. An acquiring party may, alone or jointly with other parties, request a comfort letter stating that the merger is not notifiable because it does not meet the notification requirements under the Regulations.

- b. A request for a comfort letter shall be through a comfort letter Form 2.
- c. Such a request should include any information and supporting documents that the parties believe is necessary for the Commission to evaluate the request.
- d. The request for comfort letter shall be accompanied with a fee of USD 10,000.
- e. Once the Commission confirms receipt of fees in full and complete information which shall enable it to evaluate the request, it shall issue a certificate of receipt and shall issue its decision on the request within 45 days from receipt of the request.
- f. Parties shall submit all the necessary information required to assist the Commission to review the application for a comfort letter.
- g. If the information submitted is not considered sufficient, the review period will not commence until sufficient information is submitted.
- h. Without limiting the generality of information required by the Commission, the following shall be submitted with the application:
 - a) Turnover of the merging parties in the financial year preceding the transaction
 - b) Asset value of the merging parties in the financial year preceding the date of the transaction
 - c) Member States where they have operations
 - d) Audited financial statements for the financial years preceding the transaction
- i. If the Commission provides a comfort letter based on material misstatement or omission in information or documents submitted with a comfort letter request, it may take such actions as are within its powers, including where appropriate:
 - i. revoking the comfort letter;
 - ii. finding the parties to have failed to notify the Commission of a notifiable merger;
 - iii. finding the parties to have carried out a merger in contravention of Chapter Four of the Regulations; or

- iv. exercising the Commission's powers under Regulation 41 (13) and 77 of the Regulations.

C. ADVISORY OPINIONS

- 3. Regulation 9 (4) (e) of the Regulations provides that the Commission shall have the power to issue non-binding advisory opinions. The procedure for advisory opinions shall be as follows:
 - a. Any Undertaking or person may request for an advisory opinion through a letter or any means deemed necessary by both the Commission and the undertakings concerned.
 - b. Such request for an advisory opinion shall be lodged with the Registrar together with:
 - i. Name and physical/electronic address of the entity requesting the advisory opinion
 - ii. any information and supporting documents that is necessary for the Commission to evaluate the request
 - iii. Proof of payment of the USD 10,000 as an application fee for the advisory opinion
 - c. The Commission shall evaluate the submission and issue the advisory opinion within 45 days from receipt of the application.
 - d. The Commission may extend of the time period stated in paragraph 3 (c) for a period of 30 days where the situation so requires.
 - e. An advisory opinion shall not be binding.