

# CCA Bulletin

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Special Edition 2022

# CCA AT NTLO YA DIKGOSI



Ntlo ya Dikgosi in session (File pic: credit Parliament of Botswana)

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Kgosi Tshipe Tshipe engaging Mr. Gideon Nkala during the session

The Competition and Consumer Authority (CCA) addressed Ntlo ya Dikgosi on Tuesday 18th January.

“The aim of the presentation was three-fold. First, it was to consult with Dikgosi in the wake of the recent decision by the Competition and Consumer Authority Board (CCAB) to close nine (9) district offices and to assure dikgosi that the CCA will continue to provide services to their communities even when their offices have closed in some districts,” revealed the CCA’s Director of Communications and Stakeholders Relations, Gideon Nkala.

He further stated that the other objective of the engagement with community leaders was to reinforce the CCA’s commitment to consumer welfare and protection of fair competition in the market place.

When he started his presentation, Nkala apologised for what seemed like late consultation of a critical partner such as Dikgosi when a decision had already been taken. Nkala said the intention was never to exclude but the protracted nature of the internal discussions made it almost impossible to engage earlier.

Speaking on behalf of Dikgosi, the presiding Chairperson of Ntlo ya Dikgosi on the day, Kgosi Tshipe said they accepted the apology.

In addressing the reason why the nine district offices were closed, Nkala said there was only one reason why the CCA Board took this decision.

“It was due to budgetary constraints,” he said.

He said nine offices had been closed in Kanye, Jwaneng, Tsabong, Hukuntsi, Ghanzi, Maun, Kasane, Selebi-Phikwe and Serowe. A number of dikgosi wanted to know whether there was nothing that could have been done to stop this action.

“Bogolo, ke eng lone losa tlogele di le tlhano(5) (why didn’t you at least leave five offices open?),” asked Kgosi Toto.

In response, Nkala said the Board considered all options including having these offices manned by one officer, which was not ideal but would have kept CCA offices open in the districts. He went on to tell dikgosi that the board extensively engaged Government to explore a number of possibilities but when it became clear that the situation was dire, particularly during this harsh economic climate they had no choice except to bite the bullet and take the unpopular decision of closing the nine offices and thus remaining with just two branches in Gaborone and Francistown.

Nkala assured dikgosi that the CCA is doing everything in its power to ensure that services in the districts are not disrupted by engaging with consumers and other clients through the medium of digital platforms including social media to ensure that consumers register complaints. Kgosi Gobuamang implored the CCA to visit dikgotla so that they can engage communities more.

Turning to the mandate of the organisation, Nkala told Ntlo ya Dikgosi that the

CCA implements two acts; the Competition Act and the Consumer Protection and he went on to show the highlights of each of the act ending with the success that his organisation has had in protecting the rights of consumers and protecting fair completion in the economy.

Dikgosi were generally concerned by what many called concentration of businesses in the hands of the few businesses and that small businesses were getting a rough end of the stick.

Kgosi Puso, who is the substantive Chairperson of Ntlo ya Dikgosi asked a question that seemed to reverberate amongst many a member’s observations and comments.

“We see some big businesses dominating the entire value chain and leaving nothing for the small business. Is this fair competition?”

In response Nkala said businesses have licenses to operate in the various sectors of the economy and it would be unlawful to stop them from operating unless they are seen to be impeding competition. He however said the CCA is mandated to carry out research studies to see if certain practices, including the practice complained of, could potentially be stifling economic growth of SMMEs and whether there is a need for a policy intervention.

Kgosi Mosojane encouraged the CCA to do more to ensure that consumer protection messages reach the rural populations so that they could benefit too.

# CCA RECRUITS NEW EMPLOYEES

The Competition and Consumer Authority has since December 2019 been tasked with enforcing the Consumer Protection Act in addition to enforcement of the Competition Act. To that end, the CCA has been on a recruitment drive for talented individuals to assist in implementing the consumer protection mandate. The officers will serve at the Gaborone head office and the newly established Francistown office which will open its doors in the near future. The CCA welcomed the following employees in January 2022:



**Lawrence Mothibi – Commercial Manager**

Lawrence Mothibi joins the CCA as Commercial Manager at the Gaborone Office. He was seconded to the CCA on 2nd December 2019 from the Department of Trade and Consumer Affairs under the Ministry of Investment, Trade and Industry, where he was serving as Principal Commercial Officer. Lawrence has served in different roles at the ministry including head of station at Tsabong, Selebi-Phikwe and Hukuntsi offices. Lawrence holds a BA in Economics and Environmental Science from the University of Botswana, and an MBA from Cavendish University in Zambia.



**Thabiso Mbongwe – Senior Commercial Analyst**

Thabiso Mbongwe joins the CCA's newly established Francistown office as Senior Commercial Analyst CCA. Ms. Mbongwe currently holds the position of Investigations Analyst at the Authority's Investigations, Policy Research and Advocacy Division. Ms. Mbongwe holds a Bachelor of Social Sciences with majors in Economics and Public Administration from the University of Botswana, a Postgraduate Diploma in Competition Law from Kings College, London, and an MBA from Northwest University, South Africa.



**Oageng Sekwababe – Commercial Analyst**

Oageng Sekwababe joins the CCA as Commercial Analyst at the Gaborone Office. He was seconded to the CCA on 2nd December 2019 from the Ministry of Investment, Trade and Industry, where he was serving as Commercial Officer I. In the ministry he has also served as Deputy Head of Station for Serowe, Selebi Phikwe and Maun offices under the Department of Trade and Consumer Affairs. Oageng holds a BA in Social Sciences with majors in Economics and Public Administration from the University of Botswana, and a Certificate in Law from Ba Isago university.



**Moremedi Gabosianelwe – Commercial Analyst**

Moremedi Gabosianelwe joins the CCA as Commercial Analyst at the Gaborone Office. He was seconded to the CCA in December 2019 from the Department of Trade and Consumer Affairs under the Ministry of Investment, Trade and Industry, where he was serving as Principal Commercial Officer II. His duties included enforcing the Consumer Protection Act, Trade Act and Liquor Regulations, investigating consumer complaints and educating consumers on their rights and responsibilities. Among others, Moremedi holds a BSc in Physics and Environmental Science from the University of Botswana, a Diploma in Law from Midlands State University Zimbabwe, and an MBA from the Management College of Southern Africa.



**Marang Modiagane - Assistant Commercial Analyst**

Marang Modiagane joins the CCA as Assistant Commercial Analyst at the Francistown office where she will be responsible for the protection of the interests of consumers through prevention of unfair business practices. She was seconded to the CCA in December 2019 from the Ministry of Investment, Trade and Industry. In her previous role with the ministry, she was based in Maun in the Department of Trade and Consumer Affairs. Prior to joining the ministry, she worked as Procurement Officer at Bokomo Botswana. Marang holds a Bachelor of Commerce Degree from the University of South Africa.



**Tumelo Motswiri - Assistant Commercial Analyst**

Tumelo Motswiri joins CCA as Assistant Commercial Analyst at the Gaborone Office. He has over five years of working experience in investigations, research and business development related roles. He previously held the positions of Intern and Temporary Assistant at the Authority's Investigations, Policy Research and Advocacy Division. Tumelo holds a Bachelor of Arts Degree (Hons) in Business Enterprise from the University of Derby and an Academic Development Programme (Business) from Monash University South Africa.



**Kamogano Thuche - Assistant Commercial Analyst**

Kamogano Thuche joins CCA as Assistant Commercial Analyst at the Francistown Office. She has previously worked as an intern at the Authority's Investigations, Policy Research and Advocacy Division. She has also held the positions of Temporary Research Assistant at Botswana National Productivity Centre and the University of Botswana's Faculty of Business. Kamogelo holds a Bachelor of Arts Economics from the University of Botswana.

# CCA ENGAGES DISTRICT LEADERSHIP

As the year came to a close in 2021, the CCA Board had a pressing matter that had taken much space in their in-tray; the closure of nine branches in Kanye, Jwaneng, Tsabong, Hukuntsi, Ghanzi, Maun, Kasane, Selebi-Phikwe and Serowe.

Before the curtain could be drawn on 2021, the CCA had to spring to action to inform the district leadership about the closure of offices and most importantly to show that services to thousands of consumers and businesses would not be disrupted.

"I must admit that this is not the most ideal consultation, ideally we should have engagements with key stakeholders like consumers, businesses and district leadership but this has not been possible due to Covid-19 restrictions and the intensive engagements that we had with internal parties," confessed the CCA Chief Executive Officer Ms Tebelelo Pule.

Pule said immediately the decision to close down the offices, the CCA was duty bound to district leadership.

In the letter that she wrote to District Commissioners and Council Secretaries, Pule assured the district leadership that the CCA would continue to serve residents in the affected districts remotely while apologising that the districts would be deprived of services that the CCA officers rendered as members of various district committees.

"We are quite aware that the CCA employees were part of the wider network of service and their departure is bound to create some service gaps in the district and not



CCA CEO: Ms. Tebelelo Pule

to mention the whole Government service delivery machinery, we profusely apologise for this," she said in her letter to district leadership.

Pule graciously thanked the Council leadership and District Commissioners for rendering support to the CCA in the various districts and she went on to implore the district leadership to continue to collaborate and guide the CCA in future district based projects and programmes that the CCA would embark upon in their areas of jurisdiction.

While our desire, and indeed the desire of our principals including Government has been to keep all the eleven offices open the funding situation has hampered our best efforts to be closer to the consumers and businesses.

After an almost two years of agonising deliberations, the Competition and Consumer Board was compelled to close down the CCA nine branches in view of the harsh budgetary constraints.

Every effort has been made to find ways of creatively salvaging

the situation and at worst buy time with the hope that the situation would improve over time but this was not to be.

We at the CCA are very much alive to the fact that the closure of these offices could result in lower levels of consumer welfare and low consumer confidence in the affected areas, but this does not have to be. We have put in place robust consumer engagement initiatives using digital platforms coupled with periodic engagements with consumers and business groups.

Furthermore, the Authority seeks to build and revamp consumer groups structures so that they take up the void left by the absence CCA offices and officials in most localities. All partnership initiatives with other entities are being actively explored to ensure that businesses and consumers are efficiently served.

In the wake of these closures, some officers of the erstwhile Consumer Affairs have been recruited through competitive process into the CCA,

while others have been absorbed by other Government Departments, no one has lost their job.

"We are however grateful for the support that you have always rendered to the CCA and to our officers, we will seek your instructive guidance on a number of issues and we pray that you will always lend your selfless support when we call again.

The CCA is ready and committed to work with yourselves to broaden the horizons of consumer welfare and to bring competitive markets in Botswana, Pule said"

# COMPETITION AND CONSUMER AUTHORITY CLOSES NINE DISTRICT OFFICES

The Competition and Consumer Authority informs consumers, businesses and the public that it has closed down nine district offices at the beginning of 2022. Prior to this decision the CCA had been operating eleven (11) offices around the country being; Gaborone, Kanye, Jwaneng, Tsabong, Hukuntsi, Ghanzi, Maun, Kasane, Francistown, Selebi-Phikwe, and Serowe: With effect from January 1st 2022 the Authority stopped operations from all the other offices save for two offices, namely Gaborone and Francistown.

## Why the Nine Offices were Closed

This has been a very difficult decision. The desire of the CCA board, Management, and indeed the desire of Government has been to keep all the eleven offices open. Budgetary constraints frustrated the Authority's best efforts to keep all the eleven offices open and to being closer to consumers and businesses. The decision to close the offices came after a lengthy protracted engagement. The governing body, the Competition and Consumer Board, at the end of the agonising deliberations was left with no option except to take the painful route of closing down the nine branches seeing that it was financially impossible to run all the eleven offices across the country. Every effort was made to find ways of creatively salvaging the situation including even dithering on the decision with the hope that the situation would improve over time but this unfortunately turned out to be untenable.

## Impact of office closure

The result of this action is multi-faceted. First and most importantly, the CCA has lost some of the talented employees who have been doing an excellent job in resolving consumer complaints across all these offices, thankfully all these employees have been absorbed in other departments and units in the public service.

Secondly, the closure of these offices could result in lower levels of consumer welfare and low consumer confidence in the affected areas, but this does not have to be. The CCA has put in place robust consumer engagement initiatives using digital platforms coupled with periodic engagements with consumers and business groups to ensure that the closure does not necessarily result in disruption of services.

In the short term, the Authority has ensured that consumers access almost the same services through digital platforms, social media and conventional communication systems. In addition to the regular telephone line, fax, website, Facebook and Twitter pages, the Authority has availed four more new lines, which can be used by consumers for registering complaints, and follow up on their existing matters through WhatsApp, SMS and calls. In the long term, the Authority seeks to build and revamp consumer groups structures so that they fill up the void left by the absence of CCA offices and officials in affected localities and districts. All partnership initiatives with other entities are actively explored to ensure that businesses and consumers are efficiently served even without the CCA's physical presence.

## Stakeholder Engagement

This issue affects a diversity of stakeholders and they all need to be taken on board. Government, through the Ministry of Investment, Trade and Industry has been informed. Other engagements with ministries, departments and agencies are on-going.

The Authority has informed businesses about the closure of offices through Business Botswana and there is a desire to collaborate with Business Botswana to tour some major centres across

Botswana, among other things to address business continuity in the wake of these office closures. District Administration, which at the apex is administered by District Commissioners and Councils have been informed and over time this message will be reinforced through public notices and engagements. Consumers, together with business, are the main beneficiaries of the CCA's services and they were the first to be informed about the decision to close some the district offices. The information was relayed to CCA officers in the districts and a closure notice circulated to all offices and placed on strategic noticeboards, including at entrances of the CCA offices. Further, the CCA platforms including website, facebook page have not only been used to announce the closure of offices but to relay messages showing that there is business continuity. Throughout the festive season and up to now, many consumers including those from villages and towns where CCA offices were closed, continue to receive assistance from the CCA using the intensified business continuity platforms.

## Continuous Engagement

The CCA has embarked on continuous engagement with the sole aim of ensuring that businesses and consumers receive due service. As a consequence, a number of requests for engagement have been set afoot including engagements with key stakeholders such as consumers, consumer associations, business, media, Government ministries, civic organisations, dikgosi and other community leaders. Active media engagement is a priority to ensure that the information reaches a wider spectrum of stakeholders.



# FREQUENTLY ASKED QUESTIONS

**Question: Is it true that the Competition and Consumer Authority has closed some of its offices around the country?**

**CCA:** Yes, the CCA has closed nine of its offices in the districts.

**Question: Which are these offices?**

**CCA:** These are Kanye, Jwaneng, Tsabong, Hukuntsi, Ghanzi, Maun, Kasane, Selebi-Phikwe and Serowe.

**Question: When were these offices closed?**

**CCA:** The offices were closed on January 1st, 2022.

**Question: Why did the CCA close down these offices?**

**CCA:** This was a very difficult decision which was forced on us by budgetary constraints. The CCA Board and indeed Government, through the Ministry of Investment, Trade and Industry is committed to service delivery, particularly consumer welfare. The district offices ensured that the consumer protection services and fair competition services are accessible to businesses and consumers and that is why we would have liked to keep the offices open but the harsh financial realities have compelled us to take this unfortunate decision.

**Question: How will this decision affect service delivery, particularly in affected towns and villages?**

**CCA:** We have done everything possible to ensure that the disruption to services is minimised as far as possible. We have strengthened the two remaining offices in Francistown and Gaborone to deal with consumer and competition issues by dividing the country into zones: Gaborone office will generally cater for the south of the country, while Francistown will take care of Northern Botswana.

Consumers and business were informed through media platforms about the closure but most importantly stakeholders were directed to digital platforms and other means to continue to access CCA services without disruption. These include telephone, fax lines, website, social media contacts, Whatsapp and short messages contact lines.

We are comforted that over the Christmas break, consumers have used these platforms to register new complaints and to follow-up on existing matters, including people from affected villages and towns such as Hukuntsi, Serowe, Kasane, Maun, Selebi-Phikwe and Ghanzi.

**Question: There are certainly some people out there who have not heard about the closure of some offices and what the CCA is doing to ensure continuity of services. What are you doing to reach out to these people?**

**CCA:** We are under no illusion that the message would reach everybody at the same. We have decided to embark on a continuous engagement with our stakeholders using a variety of media.

From now, we will be on radio, social media, print media, television, kgotla meetings and consulting with organised groups such as business and consumer groups, consulting with dikgosi, district leadership, ministries, departments and agencies.

**Question: what happened to the officers who were at the district offices?**

**CCA:** We are heartened to state that all of them have been absorbed in the public service and others were

recruited by the CCA. None, not one lost their job. This is to be celebrated.

**Question: Does it mean all the skill and experience that these employees amassed over the years, has gone to waste?**

**CCA:** No, the CCA has provided an open environment where employees could learn from each other through deliberate programmes. We have no doubt that some of the skills have been invested in the CCA. Besides, these individuals are not lost to wider consumer welfare ecosystem, there is an opportunity to interact and enrich consumer welfare programmes even outside formal CCA employment.

**Question: Can You Share The CCA Contacts?**

**Postal Address:** Private Bag 00101  
**Physical Address:** Plot 28  
Matsitama Road  
Main Mall, Gaborone  
**Telephone:** +267 3934278  
**Fax:** +267 3121013  
**Website:** [www.competitionauthority.co.bw](http://www.competitionauthority.co.bw)  
**Facebook:** Competition and Consumer Authority – Botswana  
**Twitter:** @CCABotswana

**SMS and WhatsApp:** +267 73616582  
+267 73616584  
+267 73616585  
+267 73616588

# CCA bulletin

## Editorial Team

**GIDEON NKALA:** [gideon.nkala@competitionauthority.co.bw](mailto:gideon.nkala@competitionauthority.co.bw)  
**GLADYS RAMADI:** [gladys.ramadi@competitionauthority.co.bw](mailto:gladys.ramadi@competitionauthority.co.bw)  
**KELEBOGILE NGWENYA:** [kelebogile.ngwenya@competitionauthority.co.bw](mailto:kelebogile.ngwenya@competitionauthority.co.bw)  
**MODIMOOSI MATEBESU:** [modimoosi.matebesu@competitionauthority.co.bw](mailto:modimoosi.matebesu@competitionauthority.co.bw)

## CONTACT US

**Plot 28, Matsitama Road, Main Mall, Gaborone, Botswana**

**Phone:** +267 3934278

**Fax:** +267 3121013

**Postal:** Private Bag 00101, Gaborone

**Facebook:** Competition Authority Botswana

**Twitter:** @CompetitionBots