

ATTENTION BUSINESSES

Are the businesses you deal with treating you fairly?

If a business you deal with tries to restrict how you operate in a way that is anti-competitive, they may be breaking the law.

A business might break the law if it places conditions on you that:

- *Prevent you from buying goods or services from other businesses;*
- *Prevent you from selling goods or services to other businesses;*
- *Restrict the way you sell things, including by requiring that you do not discount or re-sell things for less than a certain price;*
- *Prevent you from dealing with certain customers;*
or
- *Prevent you from re-selling the things you purchased from them in certain places.*

If a business you deal with makes you agree to conditions like these, they may be breaking the law.

If the Competition and Consumer Act 2016 is breached, this is punishable by fines for individuals and companies.

If you are worried you are being treated unfairly, contact MCIL at Level 3 ACC House, Apia 20441 or Salelologa Office, 51134.

POWERFUL BUSINESSES MUST NOT ABUSE THEIR POWER

Large businesses, or businesses without many competitors, can be very **powerful** in a market – they might be able to choose who they deal with, and control the terms and conditions.

Having substantial market power is not unlawful, but abusing this market power may breach the **Competition and Consumer Act 2016**.

If a powerful business behaves in a way that:

- *Leads to one or more of its competitors going out of business;*
- *Prevents new businesses from starting up, for example by refusing to supply them with things they need to do business; or*
- *Prevents a business from competing in another market, for example if the powerful business makes its customers agree not to deal with the other business;*

This might breach the Competition and Consumer Act 2016, if the behaviour damages competition in the market.

It is **not unlawful to compete** – all honest businesses try to beat their competitors by offering cheaper prices or better goods.

If a very powerful business uses its position to damage competition, this may breach the law and is **punishable by fines**.

MO LE AU FAIPISINISI

O talafeagai ma faamalieina oe i feutagaiga ma au paaga faapisinisi?

Afai o taumafai se pisinisi e faafaigata le faatinoina o ni feutagaiga faapisinisi o se tetee atu lea i faiga faatauvaga, ma o se solitulafono foi.

E solitulafono le pisinisi pe afai na te faia ni tuutuuga mo lau pisinisi e pei:

- *Taofia le faatauina mai o oloa ma auaunaga mai isi pisinisi;*
- *Taofia le faatauina atu o oloa ma auaunaga i isi pisinisi;*
- *Faafaigata auala mo le faatauina atu o oloa, e aofia ai le noatia i le faia o tau pau maualalo po o le toe faatau atu i se tau maualalo ifo i se tau o se oloa;*
- *Taofia le feutagai ma isi tagata faaaoga oloa, po o le*
- *Taofia mai lau pisinisi i le toe faatau o oloa na faatau mai i se vaega faapitoa.*

Afai o lua malilie faatasi ma se isi pisinisi i tuutuuga faapenei, o se solitulafono i lalo o le Tulafono o Faiga Faatauvaga o Fefaatauaiga ma le Puipuiga o Tagata Faaoga Oloa 2016.

E LĒ TATAU I PISINISI TETELE ONA FA'AAOGA SESE LE MALOSIAGA FA'APISINISI

O pisinisi tetele po o pisinisi e leai ni paaga faatauva, e avea ma pisinisi e **tele lona malosiaga** i le maketi o fefaatauaiga ma e mafai ona latou filifili i ni a latou paaga, ma puleaina tuutuuga ma aiaiga o ni maliega.

O le i ai o se malosiaga faapisinisi e le o se solitulafono, ae o le fa'aaoga sese o se malosiaga e faaitiitia ai le avanoa mo faiga faatauvaga e ono avea ai ma solitulafono i lalo o le Tulafono o Faiga Faatauvaga o Fefaatauaiga ma le Puipuiga o Tagata e Faaogaina Oloa ma Auaunaga 2016.

Afai e atagia amioga nei i se pisinisi e tele lona malosiaga i le maketi:

- *E ono tapunia ai le faatinoina o pisinisi a ana paaga;*
- *Taofia ai le faatuina o ni pisinisi fou, ona o le faa faigata ona faamatuu atu o tulaga manaomia mo le faatuina o se pisinisi; po o le*
- *Taofia o pisinisi mai le faatauva i isi maketi, e ala lea i le faaaoga o lenei malosiaga e faia ai se maliega ma tagata fa'aaoga oloa ia aua nei fai paaga ma isi pisinisi.*

E le o se **solitulafono le faatauva** ae a faaaoga sese loa e pisinisi tetele o latou malosiaga e faaitiitia ai le faatauvaga i le maketi o se solitulafono e tusa ai ma le Tulafono ma faasala ai i se **faasalaga tupe**.

Afai o e silafiaina se pisinisi o faaaoga sese lona malosiaga i le maketi, faafesootai mai le Matagaluega, Fogafale 3, Maota o Tau mo Faalavelave Faafuasei, Apia – 20441 po o le Ofisa Salelologa – 51134/51138.