



BUSINESS PROCESS DOCUMENT FOR FAIR COMPETITION COMMISSION

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Definition of Terms

Application roles	Used to enable access to specific data to only those users who connect through a particular application
Authentication	The process of verifying the identity of a user or devices before granting access to a system
Authorization	A process of verifying users' privileges before granting access to system resources or services
Functional requirement	A requirement that describes in detail tangible needs and/or requested behaviours of the proposed system. Specifically define business requirements and how users interact with the proposed system.
Non-functional requirement	A requirement that describes qualitative attributes of the proposed system.
FCC Officer	For the purpose of this document FCC Officer means any internal FCC user accessing the system
Trader	A person or entity who buys and sells goods, currency, or shares.
User	A person who utilizes the system

List of Abbreviations and Acronyms

API	Application Program Interface
DG	Director General
GePG	Government electronic Payment Gateway
HTTPS	Hypertext Transfer Protocol Secure
I&A	Identification and Authentication
ICT	Information and Communications Technology
IS	Integrated System
LGA	Local Government Authority
NIDA	National Identification Authority
NIN	National Identification Number
OTP	One Time Password
OGDs	Other Government Departments
PKI	Public Key Infrastructure
QAO	Quality Assurance Officer
RDBMS	Relational Database Management System
SSL	Secured Socket Layer
SOA	Service Oriented Architecture
SMS	Short Message Service
SRS	System Requirements Specifications
TRA	Tanzania Revenue Authority
TIN	Taxpayer Identification Number
TMA	Trademark Africa
USM	User Management
DRTP	Director of Restrictive Trade Practices
DCS	Director of Corporate Services
DRMA	Director of Research, Mergers and Advocacy
DAC	Director of Anti-Counterfeit

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Executive Summary

Through analysis we revealed significant process gaps hindering the FCC's efficiency and effectiveness.

Find bellow the high-level summary:

Challenge: The FCC's reliance on manual processes creates inefficiencies, delays, and potential errors. This hinders service delivery and compliance with regulations.

Findings: Analysis identified a lack of automation, data management challenges, and limited staff resources as key process gaps.

Solution: We propose a comprehensive re-engineering plan with automation at its core. This includes:

- Online application portal and Mobile App
- Automated billing and payment processing
- Workflow and tasks management service
- Machine Learning for document analysis
- Automated notification service
- Electronic signature and approvals
- Online back-office portal for FCC Officers to work on application and submit for approvals
- Automated data exchange with FCC stakeholders through system integrations
- Parameters and configurations management service
- Upgraded IT infrastructure
- Workforce development (Capacity building) and change management initiatives

Benefits:

- Increased efficiency and accuracy
- Enhanced transparency and communication
- Improved staff productivity and data-driven decision making
- Reduced costs and compliance risks

Outcome: A transformed FCC, operating with greater agility, efficiency, and transparency to better serve the public.

1 Introduction

1.1 Purpose

The purpose of this document is to analyse, and optimize existing FCC business processes (AS-IS) while providing a roadmap (TO-BE) for the implementation of new system (FIMS) with aid of new technologies. It offers detailed insights into operational and support processes workflows, enabling stakeholders to understand, evaluate, and enhance FCC efficiency and effectiveness.

1.2 Objectives

The objectives of this document to identify and document all core and supporting processes involved in FCC operations. To analysis of current existing processes, identification of gaps, and proposal of re-engineering strategies to reach the future state of business processes automation.

1.3 Scope

The scope of this document, elaborate the existing core and support business processes, processes analysis to identify gap, re-engineering of existing processes to identify future or to-be state by covering the below processes

1.4 Audience

The intended audience, including FCC management, FCC department, zone and units staff, Trademark Africa, selected system developers and other stakeholders involved in the automation project.

1.5 Importance of Re-engineering

Emphasize the importance of re-engineering efforts in achieving organizational objectives and supporting the success of the FIMS project.

2 AS-IS Business Processes

2.1 Overview

The current state of business processes within the Fair Competition Commission for core business processes are executed manually however there are some exist systems developed and owned by e-GA such as e-office, NEST and MUSE which assist or support core business for some part.

FCC core and support key activities are done manually; those activities are:

- Applicant to Lodge application
- Bill generation
- Recognition of payment
- Task assignment
- Document preview and recommendation
- Document flows within directorate/unit
- Document flows across directorates/units
- Document approvals and signing
- Notify applicant

The identified existing business processes are divided into core business processes and support business processes

2.1.1 Core business processes and sub processes

I. Merger

1. Application for Merger
2. Preliminary Review of Merger Application
3. Investigation of Merger Application
4. Clearance of Merger Application
5. Application for Exemption of Merger
6. Monitoring of Approved Merger, Conditional Approved Merger, Exempted Merger and Compliance Agreement related to Merger Decision
7. Notice of Revocation of Decision of Commission
8. Settlement Procedures
9. Amendments to Final Decision of Commission
10. Application for Abandonment of Merger
11. Payment of Exemption of Agreement

12. Preliminary Review of Application for Exemption of Agreement
13. Investigation of Application for Exemption of Agreement
14. Clearance of Application for Exemption of Agreement
15. Revocation of Exemption of Agreement Certificate
16. Request for opinion

II. Competition and Market Research

1. Mini Study
2. Initiation of Research Study
3. Conducting Research Study

III. Competition Advocacy

1. Review of the policy, bills or legislation
2. Public Awareness

IV. Consumer Protection

1. Review of standard form consumer Contracts
2. Complaints Handling
3. Complaint Investigation
4. Enforcement
5. Interim Compliance Order
6. Settlement

V. Investigation and Enforcement (Anti-Monopoly and Anti-Cartel)

1. Complaint Management
2. Complaint Investigation
3. Enforcement
4. Interim Compliance Order
5. Settlement

VI. Anti-Counterfeits Surveillance

1. Anti-Counterfeits Complaint
2. Raids
3. Daily Inspection

VII. Warehouse Management

1. Warehouse Management

VIII. Anti-Counterfeits Enforcement

1. Compoundment Procedure
2. Challenge of Seizure
3. Claim Hearing
4. Release of suspected Goods
5. Disposition of Counterfeits Goods

2.1.2 Support business processes and sub processes

I. Finance and accounts

1. Internal Payment
2. External Payment
3. External Payment for utilities (water bills, electricity bills, telephone bills)
4. Retirement for Internal Payment
5. Revenue Collection
6. Revenue Collection from Fines
7. Salary Advance
8. Extra Duty
9. Pet Cash requisition

II. Human Resources

1. Leave Application process
2. Staff Training process
3. Official Safari Application Process
4. Fleet Management Process

III. Record Management

1. Receive internal and external documents
2. Dispatch of document to external stakeholders

IV. Planning, monitoring and evaluation

1. Plan and budgeting
2. Monitoring and evaluation

V. Public Relation and Communication

1. Production of the Commission's newsletter
2. Preparation of Public Relations Writings (press releases, speeches, articles for journals and newspapers, as well as radio and television scripts)
3. Preparation of PR Events
4. Review of print and electronic media
5. Inquiry/Invitation Processing

VI. ICTU- Information and Communication Technology Services

1. Request for new Library books, reports and regulations
2. Update and maintain library register book (Institutional Public Register)
3. Dissemination process (Borrowing and Return)
4. Services and Maintenance
5. Change Management Request
6. Support and Services

7. Training and Awareness

VII. Legal Services

1. Determination(s) by the Commission
2. To represent FCC in cases which the FCC has been sued
3. To represent FCC in cases which the FCC is Sueing
4. Applications in Court/Tribunals

VIII. Audit

1. Preparation for Risk Based Annual Audit Plan
2. Audit Engagement Initiation
3. Preliminary Survey
4. Conducting Internal Audit
5. Monitoring
6. Approval of the Report

IX. Risk Management and Quality Assurance

1. Risk Identification Processes
2. Quality Assurance Services

X. Procurement Management

1. Annual Procurement Plan
2. Goods Delivery
3. General Store Functions of Receiving Goods and Goods Issue Note

2.1.3 User categories

From the existing business processes, we have identified the following stakeholders

SN	User Category	Users
1	Internal Stakeholders	Commission members, Director General, Directors, Managers, Heads of zone, Officers/Inspectors, Commission members
2	External stakeholders	Individual, Entity

Table1: User categories

3 Existing systems or tools used in FCC

Despite of manual operations and support processes exist in FCC, there are some systems used to support some of few processes in which these systems will be required to be integrated with the intended developed system. These systems are:

1. E-Office
2. MUSE
3. NEST
4. Email services
5. Active Directory

4 Gap Analysis

4.1 Methodology

The FCC's gap analysis compared their current manual processes (paper applications, manual billing, manual data sharing, manual approvals, manual task management etc.) with an ideal automated state (online portal, online approvals, online task management, auto-billing, etc.). This identified areas for improvement, like slow processing due to physical documents and manual processing, and highlighted opportunities for automation such as implementing an online applications & processing portal, electronic document management system and online billing.

The approach used to conduct the gap analysis, including data collection methods (AS-IS processes), analysis techniques, and stakeholder engagement strategies to identify cost benefit analysis.

4.2 Operational Gaps

The overall gap in FCC Operations come from the fact that it relays on manual processes that creates inefficiencies, delays, and potential for errors. From the reason that core and support activities at the FCC are done manually, it presents a significant opportunity for improvement by automating those processes.

Automating these tasks can lead to several benefits, including:

- i. Increased Efficiency: Automation can significantly reduce processing times, freeing up staff for more complex tasks.
- ii. Improved Accuracy: Manual processes are prone to errors. Automation can minimize errors and ensure consistent application of rules.
- iii. Enhanced Transparency: Automated systems can provide real-time tracking of applications and documents.
- iv. Better Customer Service: Faster processing times and fewer errors can improve the experience for applicants.

Find bellow the breakdown of the listed FCC general core and support processes activities and how automation could be applied:

- i. Applicant to Lodge application: An online portal can be created for applicants to submit applications electronically. This would eliminate the need for paper forms and streamline the application process.

- ii. Bill generation: Billing service can be integrated with the FCC's system to automatically generate bills upon application submission or after processing is complete. Also service will enable FCC system to integrate with GePG for control number request and receiving payment messages.
- iii. Recognition of payment: Online payment processing can be implemented to automatically identify and record payments from GePG.
- iv. Task assignment/management: Workflow management service can be used to automate task assignment based on pre-defined rules and staff availability.
- v. Document preview and recommendation: Machine Learning (ML) algorithms can be used to analyse documents and provide recommendations for approval or further processing.
- vi. Document flows: An electronic document management system (EDMS) can be implemented to manage the flow of documents within and across directorates/units electronically. This eliminates the need for physical copies and allows for real-time tracking.
- vii. Document approvals and signing: Electronic signatures can be implemented to streamline the approval process.
- viii. Notify applicant: Automated email or SMS notifications can be sent to applicants at key stages of the process.
- ix. FCC system integrations with external stakeholders for Data sharing

4.3 Challenges and opportunities of Automation

While automation offers significant benefits, there are also challenges to consider:

- i. Cost: Implementing and maintaining automation systems can be expensive.
- ii. Change Management: Transitioning to automated processes may require changes in staff workflows and training to all stakeholders (External and Internal) on features new systems, benefits and how to use it.
- iii. Data Security: Robust data security measures are crucial to protect sensitive applicant information.

Despite the challenges, automation presents a clear opportunity for the FCC to improve efficiency, accuracy, and customer service. A well-planned and implemented automation strategy can significantly improve FCC operations

The gap analysis table 1 bellow compares the current manual FCC activities with the desired automated state:

Activities	Current State (Manual)	Ideal State (Automated)	Gaps
Applicant to Lodge application	Paper forms, mailed or delivered	Online application portal	Lack of user-friendly online platform, potential digital divide for some applicants.
Bill generation	Manual generation and mailing of invoices	Automatic generation and online access to bills	Delays in receiving bills, potential for lost invoices.
Recognition of payment	Manual verification of payments (checks, money orders)	Online payment processing	Slow processing times, risk of human error in identifying payments.
Task assignment	Manual assignment by supervisors	Workflow management service for automated assignment	Inefficient allocation of tasks, potential for bottlenecks.
Document preview and recommendation	Manual review by staff	Machine Learning (ML) for document analysis & recommendation	Time-consuming review process, potential for inconsistencies in recommendations.
Document flows	Physical copies routed through departments	Electronic Document Management System (EDMS)	Inefficient physical document handling, delays in document location and retrieval. Delays in inter-departmental communication.

Activities	Current State (Manual)	Ideal State (Automated)	Gaps
Document approvals and signing	Paper-based approvals with physical signatures	Electronic signatures	Time-consuming approval process, potential for delays or lost documents.
Notify applicant	Manual notifications (letters, emails)	Automated email or SMS notifications	Delays in communication, potential for lost or missed notifications.
Data sharing with stakeholders	Manual data sharing through physical documents and letters	Automated data sharing through system integrations	Time consuming and data inconsistencies and data integrity

4.4 Technological Gaps:

Assess the adequacy of existing technology infrastructure and tools in supporting business processes, highlighting any limitations or deficiencies.

The current reliance on manual processes at the FCC suggests limitations or deficiencies in their existing technology infrastructure and tools. The detailed assessment is documented in infrastructure document that will be submitted as attachment to this document.

Here is a general assessment:

- **Limited Automation Capabilities:** The prevalence of manual tasks like application filing, bill generation, and document routing indicates a lack of automated systems and few outdated existing support systems that hindering efficiency.

- **Data Management:** Manual processes likely rely on paper-based filing or siloed electronic systems, making data retrieval, analysis, and integration for automation difficult.
- **Security Concerns:** Transitioning to an automated system would require a robust IT infrastructure to ensure secure storage and transmission of sensitive applicant data. The current system might not be equipped for this.
- **Digital Divide:** An online application portal might disadvantage those without reliable internet access, highlighting a potential gap in digital infrastructure.

Overall, the existing technology infrastructure at FCC seems inadequate to support the desired level of automation in core and support activities.

Here are some additional points to consider:

- **Integration Challenges:** Integrating new automation systems with existing legacy infrastructure could be complex and expensive.
- **User Adoption:** Staff resistance to new technology or lack of training on new systems could hinder the effectiveness of automation efforts.

Recommendations:

- To adopt the recommendations from the infrastructure document which contains assessment of the IT infrastructure, including hardware, software, and data management capabilities.
- To work on Identified areas where processes optimization must be done, system upgrades or replacements are necessary to support automation initiatives.
- Develop a plan for data migration and system integration to ensure smooth implementation of new technologies.
- Invest in training programs to equip staff with the skills needed to operate and utilize new automated systems.

By addressing these limitations, the FCC can create a technology infrastructure that supports efficient and secure business processes.

4.5 Compliance Gaps

The FCC's reliance on manual processes for core activities raises potential concerns regarding compliance with regulatory requirements, industry standards, and internal policies. Here's a breakdown of the risks:

Regulatory Requirements:

- **E-Government Initiatives:** Manual processes might make it difficult to ensure proper record-keeping and retrieval as mandated by e-GA. Delays in processing applications or difficulty locating documents could hinder responsiveness to public information requests.
- **Data Security Measures:** Storing sensitive applicant data on paper or in unsecured electronic systems could violate data security regulations.

Industry Standards:

- **Efficiency and Transparency:** Manual processes likely fall short of industry standards for efficient processing times and transparent communication with applicants. Delays and lack of real-time tracking could be a concern.

FCC Internal Policies:

- **Accuracy and Consistency:** FCC Manual processes are prone to errors, potentially leading to inconsistencies in application processing and decision-making, which could violate internal policies for fairness and accuracy.
- **Time period to deliver services.** Due to the existence of manual processes, FCC failed to meet the minimum time to offer service to customer
- **Accessibility:** Paper-based applications could create barriers for applicants with disabilities, potentially violating accessibility standards.

Overall, the manual approach might expose the FCC to risks of non-compliance with regulations and internal policies.

4.6 Resource Gaps

The FCC's reliance on manual processes suggests potential issues with resource allocation and utilization, impacting process performance.

Staffing Levels

- Manual tasks require more staff: The FCC current manual system likely requires a larger workforce to handle tasks like application processing (eg merger, consumer protection, anti-counterfeit etc), document routing, and data entry. This may lead to inefficient use of personnel who could be performing more value-added activities.
- Skill Gaps: Staff skilled in manual processes may lack the expertise needed to operate and manage automated systems.

Budget Constraints

- Limited resources for automation: FCC budgetary limitations might hinder investment in automation technology, software, and staff training, hindering process improvement efforts.

Overall Impact on Process Performance

- Inefficiency: Manual tasks are generally slower than automated processes, leading to delays in application processing, bill generation, and communication with applicants.
- Errors: Manual data entry and document handling (eg e-Office) are prone to errors, potentially impacting application outcomes and requiring rework.
- Low Productivity: Staff may be overloaded with manual tasks, limiting their ability to focus on complex problem-solving or analysis.

5 Re-engineering and Economic Impact

5.1 Proposed Re-Engineering Strategies for FCC Process Improvement

The identified gaps in the FCC's current manual processes call for a strategic re-engineering approach to achieve greater efficiency and effectiveness. Here's an outline of the proposed changes:

A. Automation of Core Activities

- i. Implement an online application portal for applicants to submit applications electronically.
- ii. Integrate billing service with GePG for automatic bill generation and online payment processing.
- iii. Implement workflow management service for automated task assignment based on pre-defined rules and staff availability.
- iv. Develop Machine Learning (ML) algorithms to analyse documents and provide recommendations for approval or further processing.
- v. Implement an Electronic Document Management System (EDMS) to manage the flow of documents electronically within and across directorates/units.
- vi. Implement online back-office portal for FCC Officers to work on applications and submit for approvals
- vii. Implement parameters management service, where by FCC Officers can change parameters such as fee rates, rules etc.
- viii. Utilize electronic signatures to streamline approvals.
- ix. Automate applicant notifications through emails or SMS at key stages of the process.
- x. Implement system integrations with key stakeholders to automate data exchange
- xi. Implement authentication and authorization service to FCC system

B. Infrastructure and Technology Upgrades

- i. Upgrade the infrastructure and technology as recommended in infrastructure document to accommodate the automated FCC system
- ii. FCC to prioritize investments in cybersecurity measures to safeguard sensitive applicant information.

C. Workforce Development

- i. FCC to Explore options for redeploying staff to higher-value activities once automation is implemented.
- ii. Develop training programs to equip staff with the skills needed to operate and utilize new automated systems.

D. Change Management

- i. Develop a clear communication plan to keep stakeholders informed about the proposed changes and their benefits.
- ii. Address potential employee concerns regarding job security and provide training opportunities for staff to adapt to the new workflows.
- iii. Implement a pilot program to test new technologies and processes before full-scale deployment.

Overall Benefits

By implementing these re-engineering strategies, the FCC can achieve significant improvements in its core and support activities. This will lead to:

- i. **Increased Efficiency:** Automation can significantly reduce processing times and free up staff for more complex tasks.
- ii. **Improved Accuracy:** Automated processes minimize errors and ensure consistent application of rules.
- iii. **Enhanced Transparency:** Automated systems can provide real-time tracking of applications and documents.
- iv. **Better Customer Service:** Faster processing times and fewer errors can improve the experience for applicants.
- v. **Reduced Costs:** Automation can lead to long-term cost savings by minimizing manual labor and rework.

- vi. Improved Compliance: Automated systems can streamline data management and record-keeping, reducing risks of non-compliance.

This re-engineering approach offers a roadmap for the FCC to transform its processes and become a more efficient, effective, and transparent organization.

5.2 Technology Integration

Here is how technology and the FCC system platform can be leveraged to support the proposed re-engineered FCC processes and enhance operational performance:

I. Online Application Portal

An online portal built into the FCC system platform will allow applicants to submit applications electronically. This eliminates paper forms, reduces processing time, and streamlines data collection.

II. Integrated Billing and Payment Systems

Billing service in FCC system can be integrated with the GePG to automatically generate bills with control number upon application submission or after processing is complete. Online payment processing can be integrated as well, allowing for secure and faster payments.

III. Workflow/task Management Service

Workflow management software can be integrated with the FCC platform to automate task assignment. Based on pre-defined rules (e.g., application type, urgency) and staff availability, tasks will be automatically routed to the appropriate personnel, improving efficiency and reducing bottlenecks.

IV. Machine Learning (ML) for Document Analysis

The FCC platform can be enhanced with Machine Learning algorithms to analyse incoming documents. These algorithms can extract key information, identify potential issues, and even provide recommendations for approval or further processing. This frees up staff time for more complex tasks requiring human judgment.

V. Electronic Document Management System (EDMS)

An EDMS implemented within the FCC platform will enable electronic storage, retrieval, and management of all documents. This eliminates the need for physical copies, facilitates document sharing across departments, and allows for real-time tracking of documents.

VI. **Electronic Signatures**

The FCC platform can incorporate e-signature capabilities, allowing for secure and streamlined document approvals. This eliminates the need for physical signatures and paper shuffling, significantly reducing processing times.

VII. **Automated Notifications**

The FCC platform can be designed to send automated email or SMS notifications to applicants at key stages of the process. This keeps applicants informed, improves transparency, and reduces the need for manual communication.

VIII. **Data Analytics and Reporting**

The FCC platform can be designed to capture data throughout the application process. This data can be analysed to identify performance bottlenecks, track trends, and measure the effectiveness of the re-engineered processes. Management can be able to make informed decision due to the availability of real time information through FCC dashboards. This data-driven approach allows for continuous improvement and optimization.

5.3 FCC System integrations with other stakeholders

As the FCC modernizes its processes, integrating its systems with other stakeholders will be crucial.

This could involve:

- **Government Agencies:** Establishing secure data connections with other government agencies (e.g., BRELA, TeSWS, TRA, e-GA Enterprise Service Bus, etc.) could allow for automatic verification of applicant information, streamlining the application process.
- **Industry Partners:** Integration with industry databases could expedite background checks or qualification verifications for certain license applications.

Overall, leveraging technology in this way will transform the FCC's operations, leading to:

- **Faster Processing Times:** Automation streamlines tasks, reduces manual effort, and expedites application processing.
- **Improved Accuracy:** Automated processes minimize errors and ensure consistent application of rules.
- **Enhanced Transparency:** Real-time tracking and automated notifications keep applicants informed throughout the process.
- **Increased Productivity:** Staff are freed from repetitive tasks and can focus on higher-value activities.
- **Data-driven Decision Making:** Data analysis provides valuable insights for optimizing processes and resource allocation.

By strategically leveraging technology and its system platform, the FCC can achieve a significant transformation in its operational performance.

5.4 Economic Analysis

The re-engineering initiatives for the FCC present a significant opportunity to improve efficiency, accuracy, and transparency. While there are upfront costs, the long-term benefits in terms of cost savings, increased revenue potential, and improved customer service can lead to a positive ROI. By carefully considering the costs, benefits, risks, and mitigation strategies, the FCC can make a well-informed decision about moving forward with re-engineering its processes.

I. Cost-Benefit Analysis of Re-Engineering Initiatives for FCC

Benefits:

- Increased Efficiency:** Automation can significantly reduce processing times, leading to faster application turnaround and potentially increased application volume. This could generate additional revenue for the FCC.
- Reduced Costs:** Automation can minimize manual labour costs associated with data entry, document handling, and task management (eg handling of merger applications). Streamlined processes can also lead to reductions in paper usage and physical storage requirements.
- Improved Accuracy:** Automated processes minimize human error, leading to fewer application rejections and rework (eg automatic billing and payment system). This translates to cost savings and avoids potential legal challenges.

- iv. **Enhanced Transparency:** Real-time tracking and automated notifications can improve communication with applicants, reducing inquiries and complaints. This can save staff time and resources.
- v. **Increased Productivity:** Staff can be redeployed from repetitive tasks to higher-value activities like complex analysis and customer service, potentially leading to improved outcomes.

Costs:

- i. **Initial Investment:** Implementing new technologies, software licenses, and system integrations requires significant upfront costs.
- ii. **Change Management:** Training staff on new systems and processes will incur costs, and there might be initial resistance to change.
- iii. **Maintenance and Upgrades:** Ongoing maintenance and potential upgrades to the new systems will require budget allocation.
- iv. **Data Security:** Implementing robust data security measures to protect sensitive applicant information is crucial but can be expensive

II. Return on Investment (ROI)

Quantifying the ROI for re-engineering initiatives requires specific data on current processing times, staffing levels, error rates, and potential revenue increases. We have managed to obtain cost and time an FCC customer took to accomplish doing application at FCC (Attached in appendix.....). However, here's a framework for estimating ROI:

- **Cost savings:** Estimate the reduction in labor costs, paper usage, and rework associated with automation.
- **Revenue increases:** Consider potential increases in application volume or processing efficiency fees due to faster processing times (e.g. Merger applications).
- **Implementation costs:** Include the initial investment in technology, training, and change management.

III. Risk Assessment

- i. Technology Risks: There is a risk that new technologies might not function as expected, leading to additional costs and delays.
- ii. Integration Challenges: Integrating new systems with existing infrastructure can be complex and costly.
- iii. Data Security Risks: Cybersecurity breaches can expose sensitive applicant information, leading to legal and reputational consequences.
- iv. Change Management Risks: Resistance to change from staff can hinder the successful implementation of new processes.

Mitigation Strategies

- i. Conduct a thorough feasibility study to assess technological needs and potential integration challenges.
- ii. Implement robust data security measures and conduct regular security audits.
- iii. Develop a comprehensive change management plan with clear communication, training programs, and incentives for staff adoption.

5.5 Stakeholder Engagement

The main goal is to effectively engage stakeholders throughout the re-engineering process to facilitate a smooth organizational transition towards automated workflows and improved FCC operational performance.

Target Audiences:

- i. FCC Staff: This group is most directly impacted by the changes. They need clear communication, training, and support to adapt effectively.
- ii. Applicants: These stakeholders rely on FCC services. They need transparent communication about potential changes and timelines.
- iii. Management Teams: Leaders need to be champions of the change, providing direction and resources.

5.6 Monitoring and Evaluation

To measure the success of the FCC's re-engineering efforts, a set of Key Performance Indicators (KPIs) and evaluation criteria will be crucial. These will track progress, identify areas for improvement, and demonstrate the overall effectiveness of the implemented changes.

Focus Areas:

- i. Efficiency: Measure improvements in processing times for applications, bills, and approvals. Also measure the cost reduction of applicant to lodge application.
- ii. Accuracy: Track reduction in error rates associated with data entry or manual data processing, document handling, and decision-making.
- iii. Transparency: Monitor improvements in applicant and industry partner communication through automated notifications and real-time tracking.
- iv. Staff Productivity: Evaluate how staff time is reallocated from repetitive tasks to higher-value activities.
- v. Cost Savings: Track reductions in operational costs due to automation and streamlined processes.

6 TO-BE Processes

The Fair Competition Commission (FCC) plays a critical role in promoting and protecting effective competition in trade and commerce. However, a current reliance on manual processes for core activities hinders the ability to serve the public effectively. Delays in application processing, limited transparency, and potential for human error create inefficiencies and frustrations for both applicants and staff.

This section outlines a comprehensive plan for re-engineering the current processes to obtain FCC's TO-BE processes. By embracing automation, data-driven decision making, and a user-centric approach, we aim to achieve a future where:

- **Applicants experience**
 - i. Faster processing times and streamlined communication.
 - ii. Increased transparency and real-time tracking of applications.
 - iii. A user-friendly online portal for submitting applications and managing their accounts.

- **FCC staff can**
 - i. Focus on higher-value activities requiring human expertise.
 - ii. Work with more accurate and readily available data for decision-making.
 - iii. Benefit from improved workflows and streamlined tasks.

- **The FCC as a whole:**
 - i. Operates with greater efficiency and reduced operational costs.
 - ii. Enhances compliance with regulatory requirements and industry standards.
 - iii. Becomes a more responsive and transparent organization.

This blueprint presents a roadmap for modernizing the FCC's operations. By embracing these changes, we can ensure that the FCC remains at the forefront of communications technology, serving the public with agility, efficiency, and transparency. **Appendix 2** elaborate all proposed FCC TO-BE processes step-by-step with more details.

7 Conclusion

7.1 Summary of FCC Process Re-Engineering Blueprint:

Key Findings:

1. The FCC's reliance on manual processes for core activities like application lodging, document assessment and vetting, bill generation, task management, approvals, communication with applicant, manual data exchange with key stakeholders and document routing leads to inefficiencies, delays, and potential errors.
2. The current system lacks automation capabilities and suffers from data management limitations, hindering compliance with regulations and industry standards.
3. Manual processes limit staff productivity and potentially lead to skill gaps as new technologies emerge.

Recommendations:

1. Implement a comprehensive automation strategy across core and supporting activities, leveraging technologies like online application portals and FCC mobile App, automated billing and payment processing, workflow and tasks management services, machine learning for document analysis, automatic notification, digital signature and approvals, automatic data exchange through integrations and electronic document management systems.
2. Upgrade the existing IT infrastructure to support automation initiatives and ensure robust data security.
3. FCC to conduct a workforce analysis to identify skill gaps and develop training programs to equip staff with the necessary skills for operating new technologies.
4. FCC to implement a change management plan with clear communication, training, and support mechanisms to facilitate a smooth transition for staff.

Proposed Re-Engineering Initiatives:

1. Develop an online application portal and FCC Mobile App for electronic submissions.
2. Integrate billing and payment processing systems with GePG.
3. Implement workflow management service for automated task assignment.
4. Utilize Machine Learning algorithms to analyze documents and suggest recommendations.
5. Establish an Electronic Document Management System (EDMS) for electronic document storage and retrieval.

6. Integrate e-signatures for streamlined document approvals.
7. Automate applicant notifications through emails or SMS.
8. Integrates FCC system with key stakeholders systems through Enterprise Service Bus

Expected Benefits:

1. Increased efficiency: Faster processing times, reduced manual effort.
2. Improved accuracy: Minimized errors, consistent application of rules.
3. Enhanced transparency: Real-time tracking, improved communication.
4. Increased productivity: Staff redeployed to higher-value tasks.
5. Data-driven decision making: Improved insights for continuous improvement.
6. Reduced costs: Savings from automation and streamlined processes.
7. Improved compliance: Mitigated risks of non-compliance.

By implementing these recommendations and re-engineering initiatives, the FCC can transform its operations and become a more efficient, effective, and transparent organization.

7.2 Next Steps in the FCC System (FIMS) Project

Following the blueprint outlined for re-engineering the FCC system, here's a breakdown of the next steps:

Phase 1: Planning and Preparation:

1. Project Team Formation: Establish a dedicated project team with representatives from various departments (IT, Operations, User Services) to oversee the re-engineering efforts.
2. Detailed Project Plan: Develop a comprehensive project plan outlining specific tasks, timelines, resource allocation, and budget for each re-engineering initiative.
3. Technology Selection: Conduct a thorough evaluation of existing technologies and identify the most suitable solutions for each automation component (online portal, workflow software, etc.).
4. Vendor Selection: Through a competitive bidding process, select vendors who can provide the required technology solutions, implementation services, and ongoing support.
5. Change Management Plan Development: Develop a detailed change management plan outlining communication strategy, training programs, and support mechanisms for staff during the transition.

Phase 2: Implementation and Rollout:

1. System Development and Integration: Work with the chosen vendors to develop and integrate the new technologies into the existing FCC system.
2. Data Migration: Develop a plan for migrating existing data (applications, documents) to the new electronic systems, ensuring data integrity and security.
3. Pilot Testing: Prior to full rollout, conduct pilot tests in a controlled environment to identify and address any technical issues or workflow challenges.
4. User Training: Deliver comprehensive training programs for staff on new technologies, processes, and procedures.
5. Staged Rollout: Implement the re-engineered processes in phases, starting with a pilot group and gradually expanding across the organization.

Phase 3: Ongoing Monitoring and Evaluation (Continuous):

1. Performance Monitoring: Establish a system for tracking the defined KPIs (processing times, error rates, staff productivity) to measure the effectiveness of the re-engineered processes.
2. Data Analysis: Regularly analyse data collected through the KPIs to identify areas for improvement and optimize processes based on usage patterns.
3. User Feedback: Gather feedback from staff and applicants through surveys, focus groups, and help desk reports to identify user experience issues and areas for further refinement.
4. Continuous Improvement: Utilize data and feedback to continuously update and refine the re-engineered processes, ensuring they remain efficient, user-friendly, and compliant with regulations.

8 Appendices

Appendix 1: AS-IS Processes

Appendix 2: TO-BE Processes

Appendix 1
AS-IS Processes

1 PROCESSES FLOWS AS-IS

1.1 Research, Merger and Advocacy

1.1.1 Merger

1.1.1.1 Application for Merger

Name of Process	Application for Merger
Process Number	FCC_CBP_RMA_01
Process Description	This process entails consideration of merging parties' provisional declaration of merger fee
Process Boundaries	Start Point: Merging firms conduct self-assessment End Point: Proof of Payment
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director of Research, Merger and Advocacy ▪ Applicant ▪ Law Firm ▪ Accountant
Stakeholders	Law Firms, FCC, BRELA, TRA
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Registered companies
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	N/A
Process Input	Assessment/declaration
Process Flow	<ol style="list-style-type: none"> 1. Applicant fill provisional declaration of merger fees form and submit to FCC 2. Officer issue control number and send it to applicant

	3. Applicant make payment and submit proof of payment and proceed with process number FCC_CBP_RMA_02
Process Output	Payment receipt
Measurable Outcome	Number of Provisional Declarations submitted
Exceptions to Normal Process Flow	Not Applicable
Control Points and Measurements	Control number

1.1.1.2 Preliminary Review of Merger Application

Name of Process	Preliminary Review of Merger Application
Process Number	FCC_CBP_RMA_02
Process Description	This process entails preliminary review of submitted Merger Application to assess its completeness and issue either Notice of Incomplete or Complete Filing
Process Boundaries	<p>Start Point: Merging firms fill and submit Application for Merger Clearance Form (FCC-8) and related documents</p> <p>End Point: Director of Research, Mergers and Advocacy issue Notice of Complete or Incomplete Filing</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Director of Corporate Services ▪ Merger and Exemptions Manager ▪ Economist(s) or Legal Officer(s) ▪ Record Officer ▪ Applicant/Merging Firms

Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Payment of Merger Application fee
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Complete or incomplete application for merger clearance
Process Input	<ol style="list-style-type: none"> 1. Application for Merger Clearance Form (FCC-8) and its related document 2. Confidentiality Claim Form (FCC-2) 3. Provision Declaration (Self-Assessment) and proof of payment of merger application fee
Process Flow	<ol style="list-style-type: none"> 1. Applicant fills and submits the Application for Merger Clearance Form (FCC-8), FCC-2 if necessary and related documents and submit to FCC 2. Record Officer receive submitted application for merger clearance form and related documents 3. Record Officer assign reference number to submitted application for merger clearance and issue a copy to Applicant 4. Record Officer submit the application for merger clearance to Director General for preview 5. Director General assign previewed application for merger clearance to Director of Research, Merger and advocacy for further processing 6. Director of Research, Merger and advocacy assign the application for merger clearance to Division of Corporate Affairs for payment assessment, verification and issuance of payment receipt 7. Director of Corporate Services assign the submitted Merger Clearance (FCC-8) Form and related documents to Finance Manager for processing and validating payment

	<ol style="list-style-type: none">8. Manager of Finance assign the submitted Merger Clearance (FCC-8) Form and related documents to Accountant/Financial Analyst for payment verification, its adequacy and issuance of payment receipt (Government Exchequer Receipt) if payment is reflected in FCC's account.9. Assigned Accountant/Financial Analyst upon verification, returned Merger Clearance (FCC-8) Form and related documents to Finance Manager with recommendation on verification and issuance of payment receipt (Government Exchequer Receipt) if payment is seen in the system.10. Manager of Finance upon satisfy with recommendation made therein by Accountant/Financial Analyst, returned the file to Director of Corporate Service endorsing recommendation of Accountant/Financial Analyst.11. Director of Corporate Services return submitted Merger Clearance (FCC-8) Form and related documents to Director of Research, Merger and advocacy with assessed payment details and recommendations.12. Director of Research, Merger and advocacy assign application for merger clearance to Merger and Exemptions Manager to review completeness of filed documents13. Merger and Exemptions Manager assign application for merger clearance to Economist(s) or Legal Officer(s) and supervise the review of completeness of filed documents14. Economist(s) or Legal Officer(s) screen to review completeness of the submitted application for merger clearance15. If the submitted application for merger clearance is not complete, Economist(s) or Legal Officer(s) recommend to Merger and Exemptions Manager for issuance of Notice of Incomplete Filing (FCC-12)16. Merger and Exemptions Manager recommend to Director of Research, Merger and advocacy for issuance of Notice of Incomplete Filing
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	<p>17. Director of Research, Merger and advocacy sign and issue Notice of Incomplete Filing to merging firms with reasons of which information/document is missing during filing</p> <p>18. Where the Notice of Incomplete is issued because FCC has no jurisdiction to investigate the matter, the Director of Research, Mergers and Advocacy return all the Merger notification to the Acquiring Firm that submitted notification and Applicant shall not file any further document concerning the merger. However, filling fees shall be forfeited.</p> <p>19. Where the merging firm neglects within stipulated time to provide missing information or documents as Commission may requires, the Commission shall consider the merger as abandoned and Abandonment process follows</p> <p>20. Merging Firms submit requested documents and relevant missing details as per issued Notice of Incomplete Filing</p> <p>21. Economist(s) or Legal Officer(s) review submitted documents and relevant missing details as per issued Notice of Incomplete Filing</p> <p>22. If the submitted application for merger clearance is complete, Economist(s) or Legal Officer(s) recommend to Merger and Exemptions Manager for issuance of Notice of Complete Filing (FCC-11)</p> <p>23. Merger and Exemptions Manager recommend to Director of Research, Merger and advocacy for issuance of Notice of Complete Filing</p> <p>24. Director of Research, Merger and advocacy sign and issue Notice of Complete Filing and assign Record Officer to dispatch the merging firms</p> <p>25. Record Officer dispatch Notice of Complete Filing to merging firms</p>
Process Output	<p>Issued Notice of either Complete of Incomplete Filing for Merger Application</p> <p>Notice of Incomplete Filing Form (FCC-12)</p> <p>Notice of Complete Filing Form (FCC-11)</p>

	Notice of Abandonment of Merger (FCC-9)
Measurable Outcome	Number of Issued Notice of either Complete or Incomplete Filing Number of Issued Notice of Abandonment of Merger (FCC-9)
Exceptions to Normal Process Flow	In case of zone <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Application for Merger Clearance Form (FCC-8) and related documents ▪ Provision Declaration (Self-Assessment)

1.1.1.3 Investigation of Merger Application

Name of Process	Investigation of Merger Application
Process Number	FCC_CBP_RMA_03
Process Description	This process entails investigation of merger application, which commence immediately after issuance of Notice of Examination of Merger (90 Days Prohibition Notice FCC 14A) and terminates when Merger Analysis Report is submitted to Commission for deliberations
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to initiate investigation of merger application</p> <p>End Point: Economist(s) or Legal Officer(s) archive and maintain a repository of Merger Analysis Report submitted to Management for deliberation</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Procurement Management Unit

	<ul style="list-style-type: none"> ▪ Head of Communication and Public Relation Unit ▪ Information and Communications Technology Manager ▪ Economist(s) or Legal Officer(s)
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Consumer Associations, industry experts, hired consultant(s), third party with material and pecuniary interest, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Section 11 (3) of Fair Competition Act, 2003 ▪ Rule 36(1) and 37(1) of the Competition Rule, 2018
Pre-Conditions	Issued Notice of Examination of Merger Application (Issuance of 90 Days Prohibition Notice to Merging Firms.)
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Authorization to proceed with publication of notice to the Public ▪ Need for clarity or Additional Information ▪ Need for stakeholders' engagement ▪ If initial period for review ends ▪ If 90 Days prohibition ends
Process Input	<ol style="list-style-type: none"> 1. FCC 8 and its related document 2. Public Notice 3. Procurement Requisition Form 4. Notice of Intention to Participate (FCC- 10) 5. Additional Merger Information (FCC-13) 6. 90 Days Prohibition Notice (FCC-14A) 7. 30 Days Extension Certificate (FCC-14B)
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to initiate investigation of merger application

	<ol style="list-style-type: none">2. Merger and Exemptions Manager crosscheck and assign merger application to Economist(s) or Legal Officer(s) Economist(s) or Legal Officer(s) for investigation3. Economist(s) or Legal Officer(s) screen a merger application, establish data and information gap as well as potential stakeholder for engagement4. Economist(s) or Legal Officer(s) Economist(s) or Legal Officer(s) prepare Public Notice and submit to Merger and Exemptions Manager5. Merger and Exemptions Manager review and submit prepared Public Notice to Director of Research, Merger and Advocacy6. Director of Research, Merger and advocacy request authorization for publication from the Director General7. Director General authorise or recommend for improvement the request for publication of the prepared Public Notice8. For recommended improvements, Director of Research, Merger and Advocacy perform corrective actions as per recommendations9. For authorised Public Notice, Director of Research, Merger and Advocacy direct Merger and Exemptions Manager to submit approved Public Notice to Procurement Manager as well as Information and Communications Technology Manager and Head of Communication and Public Relation Unit for publication10. Merger and Exemptions Manager direct Economist(s) or Legal Officer(s) to fill Procurement Requisition Form for approval to proceed with publication of approved Public Notice11. Economist(s) or Legal Officer(s) fill and submit Procurement Requisition Form to Merger and Exemptions Manager12. Merger and Exemptions Manager submit approved Public Notice and filled Procurement Requisition Form to Procurement Manager, as well as submit approved Public Notice to Information and Communications Technology Manager and to the Head of Communication and Public Relation Unit for publication for publication
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	<ol style="list-style-type: none">13. Economist(s) or Legal Officer(s) or record officer receives public comments and objection submitted by Third Party in duly filled Notice of Intention to Participate (FCC-10), when applicable and submit to DG for preview14. Economist(s) or Legal Officer(s) analyse the objection under FCC-10 and prepare economic and legal opinion as to whether the said objection/complaint/opinion should be entertained or not.15. In case of a need to entertain an objection received from the public through FCC-10, Economist(s) or Legal Officer(s) shall recommend on whether public oral hearing is warranted or objection will be entertained by a way of written submission by each party.16. Economist(s) or Legal Officer(s) prepare and submit economic and legal opinion of the assigned FCC-10 to Mergers and Exemptions Manager for review17. Mergers and Exemptions Manager review the submitted legal and economic opinion and submit the reviewed opinion to Director of Research, Mergers and Advocacy.18. Director of Research, Mergers and Advocacy review the submitted legal opinion and submit to Director General for decision.19. Director General attend and decide whether the complaint should be entertained in accordance with prepared legal and economic opinion.20. If the Director General decides not to entertain complaint, steps 38-42 shall be followed with reply "Management Decision Not to Entertain Objection". FCC-10 process is terminated thereafter.21. If the DG decides to entertain reasons submitted under FCC-10, It shall direct the Director of Research, Mergers and Advocacy to notify the Third Party who submitted the said FCC-10 and Merging Firm to respond to the argument under FCC-10.22. Director of Research, Mergers and Advocacy inform the Mergers and Exemptions Manager to draft a reply of the said FCC-10 to
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	<p>Third Party and Notify Merging Firm on the reasons submitted under FCC-10</p> <p>23. Mergers and Exemptions Manager notify Economist(s) or Legal Officer(s) to draft a notification to Third Party and Merging Firm</p> <p>24. Economist(s) or Legal Officer(s) draft a notification and submit to Mergers and Exemption Manager for Review</p> <p>25. Mergers and Exemption Manager Review the notifications and send to the Director of Research, Mergers and Advocacy / Director General for review and Approval</p> <p>26. Director of Research, Mergers and Advocacy / Director General review sign and send to Records / registry Officer for Dispatch</p> <p>27. Registry/ Records Officer dispatch signed acknowledgement letter to Third Party and signed transmittal letter with attached FCC-10 and its annexures to Merging Firm.</p> <p>28. Merging Firm submit reply to the FCC-10</p> <p>29. Record Officer Submit to Director General for preview</p> <p>30. Director General assign to the Director of Research, Mergers and Advocacy for processing</p> <p>31. Director of Research, Mergers and Advocacy assign Mergers and Exemptions Manager for processing</p> <p>32. Mergers and Exemptions Manager assign Economist(s) or Legal Officer for processing</p> <p>33. During investigation period, in case where Economist(s) or Legal Officer(s) is of the opinion that there is a Need for clarity or Additional Information, Economist(s) or Legal Officer(s) prepare Request for Additional Merger Information (FCC-13) and submit to Mergers and Exemptions Manager</p> <p>34. Merger and Exemptions Manager review prepared Request for Additional Merger Information and submit to Director of Research, Merger and Advocacy</p> <p>35. Director of Research, Merger and Advocacy sign and issue Request for Additional Merger Information and assign Record Officer to dispatch to merging firms</p>
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	<p>36. Record Officer dispatch Request for Additional Merger Information to merging firms</p> <p>37. During investigation period, in case where Economist(s) or Legal Officer(s) is of the opinion that there is a need for certain stakeholders' engagement, Officer(s) Economist(s) or Legal Officer(s) collect required information from relevant stakeholders</p> <p>38. Economist(s) or Legal Officer(s) prepare Merger Analysis Report and submit to Merger and Exemptions Manager</p> <p>39. Merger and Exemptions Manager review prepared Merger Analysis Report and submit to Director of Research, Merger and Advocacy</p> <p>40. Director of Research, Merger and Advocacy review prepared Merger Analysis Report and submit to Director General for review</p> <p>41. Director General review prepared Merger Analysis Report, approve and send back to DRMA for submission to management</p> <p>42. DRMA send a merger analysis report to the Legal Service Manager for deliberation at Management level. submission of papers to the Management process lifecycle (Deliberation by the Management)</p> <p>43. Economist(s) or Legal Officer(s) archive and maintain a repository of Merger Analysis Report submitted to Management for deliberation</p> <p>44. Where it appears that at a 90th days from the date of issuance of notice of examination of merger (90 Days Prohibition Notice) a merger analysis report has not been deliberated and decided at the Commission level, Economist(s) or Legal Officer(s) prepare 30 Days Extension Certificate (FCC-14B) and submit to Merger and Exemptions Manager</p> <p>45. Merger and Exemptions Manager review prepared 30 Days Extension Certificate and submit to Director of Research, Merger and Advocacy</p> <p>46. Director of Research, Merger and Advocacy submit to Director General for preview and endorsement</p>
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	<p>47. Director General review, provide go ahead or send it back for corrections</p> <p>48. If Director General provide go ahead, Director of Research, Merger and Advocacy sign and issue 30 Days Extension Certificate to merging firms</p> <p>49. If time extension allowed under 30 Days Extension Certificate issued is expired and merger analysis report has not been deliberated and/or decided at the Commission level, Economist(s) or Legal Officer(s) prepare the stopping the counting the 30 days' extension order and submit to Merger and Exemptions Manager</p> <p>50. Merger and Exemptions Manager review and submit to Director of Research, Merger and Advocacy</p> <p>51. Director of Research, Merger and Advocacy review and submit to Director General</p> <p>52. Director General review, approve and send back to DRMA for transmission to management for inputs. Then process FCC_CBP_RMA_04 proceed</p> <p>53. If the reason for stoppage for counting order has been resolved, Economist(s) or Legal Officer(s) Economist(s) or Legal Officer(s) prepare Merger Analysis Report and an Order setting aside the "stoppage counting of 30 days extension order" and submit to Merger and Exemptions Manager for review</p> <p>54. Merger and Exemptions Manager review prepared Merger Analysis Report and Order that set aside "stoppage the counting of 30 days extension order" and submit to Director of Research, Merger and Advocacy</p> <p>55. Director of Research, Merger and Advocacy review prepared Merger Analysis Report and Order that set aside "stoppage the counting of 30 days extension order" and submit to Director General for review</p> <p>56. Director General review prepared Merger Analysis Report and Order that set aside "stoppage the counting of 30 days extension order", approve and send back to DRMA for submission to management</p>
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	57. Economist(s) or Legal Officer(s) archive and maintain a repository of Merger Analysis Report submitted to Management for deliberation
Process Output	Merger Analysis Report Decision by Director General Not to Entertain Third Party Objection
Measurable Outcome	Number of Merger Analysis Report
Exceptions to Normal Process Flow	In case of zone 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Issuance of Public Notice ▪ Repository of Merger Analysis Report ▪ Time Extension requests

1.1.1.4 Clearance of Merger Application

Name of Process	Clearance of Merger Application
Process Number	FCC_CBP_RMA_04
Process Description	This process entails clearance of merger whereby the Commission make an assessment of the merger analysis report which contain economic and legal argument explaining whether there is breach of Fair Competition Act as a result of a Merger; and if so whether exemption of merger is warranted. It do so by Commission to review submitted merger analysis report/ stopping the counting of 30 days extension order and issue either merger clearance certificate or notice of prohibition of the merger and reasons for the decision or stopping the counting of 30 days extension order
Process Boundaries	Start Point: Secretary to the Commission receive Merger Analysis Report submitted by Director of Research, Merger and Advocacy for management input/comments. It also receives an Order that either requesting Commission to Stop Counting 30 Days Extension or an Order

	<p>set aside “stoppage the counting of 30 days extension for Commission review and signature only if 30 days extension certificate Notice expired</p> <p>End Point: Secretary to the Commission document details of the cleared Merger Applications in Public Register</p>
Process Owner	Secretary to the Commission
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Management ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Merging Firms
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Third Parties with material and pecuniary interest includes but not limited to Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Submitted Management Merger Analysis Report
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Management to Recommend for Improvement or adopt Merger Analysis Report and recommendation made therein; ▪ Commission Recommend for Improvement or Adopt Merger Analysis Report to become “Reasons for Commission Decision” ▪ Commission Decide Proposed Merger with or without conditions; or ▪ Commission Decide to prohibit Merger Application
Process Input	<ol style="list-style-type: none"> 1. Transcript of Oral Hearing Proceedings 2. Decision of Commission to Entertain or Not to Entertain Third Party Objection Under FCC-10

	<ol style="list-style-type: none"> 3. Decision of Commission to Stop Counting of 30 Days Extension under FCC-14B 4. Merger Clearance Certificate (FCC-18) 5. Notice of Prohibition of Merger (FCC-15) 6. Reasons for Commission Decision 7. Merger Clearance Register
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy submit approved report to 'Secretary to the Commission' for transmission to the management for inputs 2. Management review submitted Merger Analysis Report and adopt or recommend for improvement 3. If Management recommend for Improvement, Secretary to the Commission transmit the reviewed Merger Analysis Report to Director of Research, Merger and Advocacy for improvement 4. If Management adopt the Merger Analysis Report, Secretary to the Commission transmit adopted Merger Analysis Report to the Commission (i.e. FCC Board) for review, deliberation and if possible, decision. submission of papers to the commission process lifecycle (Determination by the Commission) 5. The Commission review, consider and deliberate transmitted Merger Analysis Report. On event where there will be FCC-10 and based on economic and legal analysis made therein show that such FCC-10 shall be entertained, the Commission, during deliberation, will decide whether it shall hold oral hearing session to hear argument of Third-Party Intention to Participate in Merger determination Process (submitted earlier under FCC-10) at the same meeting together with Merging Firm. This will occur only if there is submission of FCC-10 and Director General has decided earlier to entertain the Third-Party Submission or the Third Party has Appeal Decision of Director General to the Chairman of Commission. 6. Where the Commission decide to hear the Merging Parties and Third Parties separately, jump to step 13 7. Where the Commission decide to conduct Oral Hearing Session, it shall, at the recommendation of Director General, identify

	<p>significant stakeholder(s) relevant to the case; and formulate key issues for discussion in relation to the proposed merger based on the submission made earlier under FCC-10.</p> <ol style="list-style-type: none">8. Director of Research, Mergers and Advocacy review and address any comment that Commission makes under Draft Analysis Report presented and in consultation with Legal Services Manager, identified key stakeholders relevant to participate in oral hearing session. Director of Research, Mergers and Advocacy also formulate key issues and present the same to Director General for review.9. Director General review the revised Merger Analysis Report, formulated key issues for case and proposal for key stakeholders to be invited in oral hearing session.10. Legal Services Manager at the direction of Director General will thereafter, cause oral hearing to be conducted and invite relevant expert(s) for transcription services (transcriber).11. If the Third Party and significant stakeholder(s) invited appear for oral representation, the Commission will conduct oral hearing and Secretary to the Commission prepare transcript of the oral hearing proceedings at the meeting and submit to Director of Research, Merger and Advocacy to incorporate the finding to Merger Analysis Report.12. If the Third Party and Significant Stakeholder failed to appear to the oral hearing session, the Commission will have discretion to adjourn, reschedule or halt the entire oral hearing session and/or decide another mode of hearing such as hearing session by a way of written submission (see paragraph 13 herein below).13. Where the Commission decide to hear merging parties and third parties separately, it shall order for parties to make written submission with both parties given opportunities to reply of each argument presented under written submission made by parties.14. Director of Research, Merger and Advocacy utilize findings gathered from oral and written submissions made and improve the revised Merger Analysis Report as per directives given by the Commission. After improvement to the report be made, and at the direction of Director General, Director of Research, Mergers
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	<p>and Advocacy shall forward the improved version of the report to Legal Services Manager</p> <p>15. Secretary to the Commission, will thereafter, at the Direction of Director General transmit revised Merger Analysis Report to Commission for decision.</p> <p>16. The Commission shall thereafter, make decision whether there is likely to be, a breach of the Fair Competition Act arising from the proposed merger (see 17-23).</p> <p>17. Where the Commission, after deliberation of the merger analysis report be of the opinion there is NO likelihood of breach of Fair Competition Act arising out of the proposed merger, they shall approve the merger without any condition.</p> <p>18. Where the Commission, after deliberation of the merger analysis report be of the opinion there is likelihood of breach of Fair Competition Act arising out of the proposed merger, but those effect can be mitigated by certain conditions, they shall approve the merger subject to specific condition(s) designed to remedy observed competition effect.</p> <p>19. Where the Commission, after deliberation of the merger analysis report be of the opinion there is likely breach of Fair Competition Act arising out of the proposed merger and those effect observed cannot be cured by any proposed condition, they shall need to consider whether an exemption is warranted because of existence of specific benefit articulated by merging firms during oral proceedings in line with provision of public interest benefit articulated under the Fair Competition Act.</p> <p>20. Where the Commission, after deliberation of the merger analysis report be of the opinion that proposed merger shall be exempted, because the merger will likely harm competition and there is also existence of peculiar benefits listed under Section 13(1) (b) OR (c) of Fair Competition Act, the Commission may advise the Merging parties to apply for exemption of merger application. <i>Application for exemption of Merger process lifecycle follows</i></p> <p>21. Where the Commission, after deliberation of the merger analysis report be of the opinion there is likely breach of Fair Competition Act arising out of the proposed merger and those effect</p>
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	<p>observed cannot be cured by any proposed set of condition(s), AND public benefit arise out of the proposed merger, cannot be, at the Commission opinion, outweighs adverse competition effects caused by the proposed merger, the Commission shall declare merger prohibited.</p> <p>22. To each decision made under 17-21, the Legal Services Manager shall issue Merger Clearance Certificate (FCC-18) and reasons for decision assign Record Officer to dispatch to Merging Firms and third party (if applicable) ; or</p> <p>23. For prohibited Merger Application, The Secretary to the Commission shall prepare Notice of Prohibition of Merger (FCC-15) and reasons for decision and assign Record Officer to dispatch to Merging Firms and third party (if applicable)</p> <p>24. Record Officer dispatch the documents for step 22 or 23 to merging firms and third party (if applicable)</p> <p>25. The Secretary to the Commission follows procurement process to publish a notice of Commission decision to the Public Registrar (Gazette) and notify ICT unit to publish on the official Website of the Commission</p> <p>26. Head of Public Relation Unit will produce Press Release informing the Public on the Decision of Commission</p>
Process Output	<ul style="list-style-type: none"> ▪ Merger Clearance Certificate (FCC-18) ▪ Notice of Prohibition of Merger (FCC-15) ▪ Reasons for Decision ▪ Updated Public Register ▪ Stopping the counting of 30 days extension order ▪ Order Set aside Stoppage Order of the 30 days Extension.
Measurable Outcome	Number of issued Merger Clearance Certificate or Notice of Prohibition of Merger
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General

	2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Registration of Decision to the Public Register and to the official website of the Commission ▪ Reasons for Commission Decision

1.1.1.5 Application for Exemption of Merger

Name of Process	Application for Exemption of Mergers
Process Number	FCC_CBP_RMA_05
Process Description	This process entails merging parties' application of exemption to the merger which, at the opinion of the Commission, such merger has ability to harm competition in the relevant market.
Process Boundaries	<p>Start Point: Merging firms fill and submit Application for Exemption of Merger and related documents</p> <p>End Point: Secretary to the Commission document details of the cleared exempted merger in Public Register and to the official website of Commission</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Secretary to the Commission ▪ Economist(s) or Legal Officer(s) ▪ Merging firms
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Merger Analysis Report deliberated by the Commission indicating that the proposed merger is likely to harm competition.

Frequency of Occurrence	Whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ One-year issuance of Merger Exemption Certificate or Notice of Prohibition of Merger ▪ Decision of Commission ▪ Plan and/or program of monitoring Exempted Merger
Process Input	1. Merger Analysis Report
Process Flow	<ol style="list-style-type: none"> 1. Applicant fills the Application for Exemption of Merger and related documents and submit to FCC 2. Record Officer receive submitted exemption for merger application form and related documents 3. Record Officer assign reference number to submitted application for merger clearance and issue a copy to Applicant 4. Record Officer submit the application for exemption for merger application to Director General for preview 5. Director General preview and assign application for exemption for merger application to Director of Research, Merger and advocacy for further processing 6. Director of Research, Merger and advocacy preview and assign the exemption for merger application to Mergers and Exemptions Manager for assessment 7. Merger and Exemptions Manager "may" assign exemption for merger application to Economist(s) or Legal Officer(s) for analysis. OR Merger and Exemptions Manager, taking into account complexity of the matter may attend the matter himself/herself 8. Merger and Exemptions Manager review recommendation of Economist(s) or Legal officer(s), improve the report and recommend to Director of Research, Merger and Advocacy 9. Director of Research, Merger and Advocacy submit the Merger Analysis Report with recommendation on application to exemption of merger to Director General for approval

	<ol style="list-style-type: none">10. Director general, may choose to call for management meeting to deliberate the Merger Analysis Report OR submit the same direct to Legal Services Manager for onward transmission to Commission for deliberation. Submission of papers to the commission process lifecycle (Determination by the Commission) OR submission of papers to the Management process lifecycle (Deliberation by the Management) follows11. Where the Merger Analysis Report with recommendation on Exemption of Merger is tabled at Management, the Management review submitted report and adopt or recommend for improvements12. If Management recommend for improvements, Director of Research, Merger and Advocacy improve the report and resubmit to Management13. If Management adopt the report, Secretary to the Commission transmit adopted report to the Commission for decision14. The Commission review and consider submitted Merger Analysis Report that have recommendation for application of exemption for merger application made earlier.15. If the transmitted Merger Analysis Report that have recommendation for application of exemption for merger application is not adopted, The Commission, through Secretary to the Commission return transmitted monitoring report with directives to Management16. Secretary to the Commission transmit Merger Analysis Report that have recommendation for application of exemption for merger application with Commission's directives to Director of Research, Merger and Advocacy17. Director of Research, Merger and Advocacy improve the Merger Analysis Report that have recommendation for application of exemption for merger application as per Commission's directives and resubmit to Secretary to the Commission18. Secretary to the Commission retransmit Merger Analysis Report that have recommendation for application of exemption for merger application to the Commission for decision
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	19. If the transmitted monitoring report is adopted, the Commission take note on compliance status as per adopted monitoring report
Process Output	Merger Exemption Certificate Reasons for Commission Decision Notice of Prohibition of Merger
Measurable Outcome	Number of Merger Exemption Certificate Number of Notice of Prohibition of Merger
Exceptions to Normal Process Flow	In case of zone 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Annual Monitoring and Evaluation Framework for the Exempted Merger

1.1.1.6 Monitoring of Approved Merger, Conditional Approved Merger, Exempted Merger and Compliance Agreement related to Merger Decision

Name of Process	Monitoring of Conditional Merger Clearance
Process Number	FCC_CBP_RMA_06
Process Description	This process entails monitoring of decision regarding merger that have conditions on it. It involves generation of plan and/or program for monitoring of approved and conditional approved merger, Compliance Agreement and Exempted Merger. Periodic Monitoring report is prepared thereafter to inform the Commission status of complying with conditions agreed.
Process Boundaries	Start Point: Director of Research, Merger and Advocacy receive approved and conditional approved merger, Compliance Agreement and Exempted Merger and its respective Reasons for Commission Decision from Legal Services Manager

	End Point: The Commission take note and/or give specific and broad directives after deliberate on compliance status as per adopted monitoring report
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Legal Services Manager ▪ Economist(s) or Legal Officer(s)Economist or Legal Officer ▪ Merging firms
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Merger Clearance Certificate with or without conditions; Notice of Prohibition of Merger; or Merger Exemption Certificate, Compliance Agreement and Exempted Merger Certificate
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Director General/Commission to ADOPT/ACCEPT Monitoring Report with its recommend recommendation therein.
Process Input	<ol style="list-style-type: none"> 1. Merger Clearance Certificate (FCC-18) with conditions 2. Plan and/or program of monitoring Conditional Approved Merger 3. Monitoring report
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy receive Merger Clearance Certificate with conditions or Merger Exemption Certificate and reasons for decision from the Secretary to the Commission

	<ol style="list-style-type: none">2. For Notice of Prohibition of Merger and its respective Reasons for Decision, Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to close the merger application3. Merger and Exemptions Manager receive the directives and assign Economist or legal officer to close the merger application.4. Assigned Economist or legal officer receive the directives and mark the application of merger clearance as closed5. For Merger Clearance Certificate and reasons for decision, Director of Research, Merger and Advocacy directs Merger and Exemptions Manager to monitor merging firms' implementation of the Merger approval condition(s) or condition(s) under Merger Exemption Certificate6. Merger and Exemptions Manager assign issued Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger to respective Economist or legal officer for purpose of making decision as to whether there is a need to monitor compliance of merger approval conditions.7. Assigned Economist or legal officer examined and decide whether there are specific conditions and compliance order under Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger that their implementation need to be monitored.8. On event where Economist(s) or Legal Officer(s) will satisfy that there is no requirement for monitoring given Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger, Economist(s) or Legal Officer(s) mark the application for merger clearance as closed9. On event where Economist(s) or Legal Officer(s) satisfy that there is a requirement for monitoring given Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger, Assigned Economist(s) and/or legal officer (s) prepare plan and/or program of monitoring said Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger.
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	<ol style="list-style-type: none">10. Assigned Economist or legal officer submit prepared plan and/or program of monitoring conditions under Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger and submit to Mergers and Exemption Manager.11. Merger and Exemptions Manager review submitted plan and/or program of monitoring Conditional Approved Merger and where agree with the submitted plan and monitoring programme recommend the same to Director of Research, Merger and Advocacy.12. Director of Research, Merger and Advocacy review the submitted plan and/or program of monitoring Conditional Approved Merger and if agree with the submitted plan and monitoring programme, and if the said plan has budgetary implication, recommend the same to the Director General for approval before any further step.13. Notwithstanding provision of 12 above, on event where the said plan does not have budgetary implication, Director of Research, Mergers and Advocacy may have discretion to sanction recommended monitoring plan without seeking Director General approval14. Director General, upon review of the draft monitoring plan and programme with or without budgetary implication may approve or recommend for improvements of the plan and/or program for monitoring conditions under Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger15. Where the Director General recommend for draft monitoring plan be improved, Director General return the matter to Director of Research, Merger and Advocacy perform corrective actions as recommended and submit the same to the Director General for approval, else approve the monitoring plan and assign Director of Research, Mergers and Advocacy for implementation16. Director of Research, Mergers and Advocacy direct Mergers and Exemption Manager to formulate team of officers conversant with the matter to carry out the said monitoring activity.
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	<p>17. Mergers and Exemptions Managers formulate team and notify respective officers to carry out the said activity.</p> <p>18. The team which will comprise economist(s) and/or legal officers conversant with the matter perform monitoring of Conditional Approved Merger as per sanctioned plan and/or program.</p> <p>19. Appointed economist(s) and/or legal officers prepare and submit to Mergers and Exemption Manager, comprehensive monitoring report after consultation with merging firm and all those responsible for compliance with implementation of conditions under Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger Economist(s) or Legal Officer(s)</p> <p>20. Merger and Exemptions Manager review submitted monitoring report and if agreed with the content of the report, recommend the same to Director of Research, Merger and Advocacy.</p> <p>21. Director of Research, Merger and Advocacy review and if agreed with the content of the report, submit the monitoring report to Director General for approval</p> <p>22. Director general approve the monitoring report and “may” assign to Legal Services Manager for onward transmission to Management Meeting for their input and deliberation.</p> <p>23. Management review submitted monitoring report and adopt or recommend for improvements</p> <p>24. If Management recommend for improvements, Director of Research, Merger and Advocacy improve the report and resubmit to Management</p> <p>25. If Management adopt the report, Secretary to the Commission transmit adopted monitoring report to the Commission for decision</p> <p>26. The Commission review and consider submitted monitoring report</p> <p>27. If the transmitted monitoring report is not adopted, The Commission return transmitted monitoring report with directives to Management</p>
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	<p>28. Secretary to the Commission transmit monitoring report with Commission's directives to Director of Research, Merger and Advocacy</p> <p>29. Director of Research, Merger and Advocacy improve the monitoring report as per Commission's directives and resubmit to Secretary to the Commission</p> <p>30. Secretary to the Commission retransmit monitoring report to the Commission for decision</p> <p>31. If the transmitted monitoring report is adopted, the Commission take note on compliance status as per adopted monitoring report and issue specific and broad directives where necessary.</p>
Process Output	Monitoring Report
Measurable Outcome	Number of Monitoring Report decided by the Commission.
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Implementation progress report

1.1.1.7 Notice of Revocation of Decision of Commission

Name of Process	Notice of Revocation of Merger
Process Number	FCC_CBP_RMA_07
Process Description	This process entails issuance of notice of Commission's intention to revoke its own decision related to merger that was earlier approved with or without condition as a result of merging firm's breach of an obligation that was part of an approval or conditional approval of merger. This include amongst other things, if the merger was approved with or without conditions based on wrong information and/or deceit

Process Boundaries	<p>Start Point: Secretary to the Commission receive a Report detailing Status of Compliance or non-compliance status of approved or conditional approval mergers; and Exempted Merger.</p> <p>End Point: Secretary to the Commission document details of issued Notice of Revocation of Merger in Public Register and to the Official Website of the Commission</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Merging Firms ▪ Information and Communication Technology Manager ▪ Procurement Manager ▪ Head of Public Relation and Communication
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<p>Decision of Commission of approved or conditional approval mergers; Exempted Merger and Decision of Commission in regard to Exemption of Agreement.</p> <p>Report detailing Status of Compliance or non-compliance status of approved or conditional approval mergers; or Exempted Merger.</p> <p>Adopted monitoring report framework</p> <p>Compliance Agreement or Compliance Order if applicable</p>
Frequency of Occurrence	Whenever need arise

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ Administrative Letter detailing status of compliance of approved or conditional approval mergers; or Exempted Merger ▪ Issuance of Notice of Apparent Breach of Merger Condition(s) in widely circulated newspapers, official commission’s website and in Public Register. ▪ Merging Firm’s Response on Notice of Apparent Breach of Merger ▪ Accept or Reject Settlement Application ▪ Invite Merging Firm for Consultation of Settlement Plan ▪ INVITE the merging firm to consult with Commission on regard to apparent breach with the aim of establishing a Settlement Plan satisfactory to the Commission for which all obligations of the firm with respect to the approval or conditional approval may be settled ▪ Approve or Reject Ground for Argument ▪ Signing Compliance Agreement or Compliance Order ▪ Revoke the Decision to Approve or Conditionally Approve Merger and Publish the same in widely circulated newspapers, official commission’s website and in Public Register
<p>Process Input</p>	<ol style="list-style-type: none"> 1. Notice of Apparent Breach (FCC-16) 2. Application for Settlement 3. Request to Review Notice of Apparent Breach 4. Compliance Agreement 5. Public Register
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Secretary to the Commission receive detailed monitoring report with recommendation on the status of compliance of the Conditional Merger <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i> 2. If status of decision of the Commission on the Compliance of the conditional merger is noted to be compliant, Secretary to the Commission communicate the decision on the status of compliance to the Merging firms through normal administrative letter.

	<ol style="list-style-type: none">3. If the Commission observe that there is non-compliance of merger approval conditions OR Commission become aware that the merger was approved based on incorrect information or deceit, the Commission deliberate and decide whether to issue Notice of Apparent Breach (FCC-16) BEFORE taking any further action to revoke merger approval or conditional approval.4. Where the Commission decide to issue a Notice of Apparent Breach, Director of Research, Mergers and Advocacy may direct Mergers and Exemption Manager to draft a Notice of Apparent Breach for review.5. Mergers and Exemption Manager draft a Notice of Apparent Breach and submit to the Director of Research, Mergers and Advocacy.6. Director of Research, Mergers and Advocacy submit a Notice of Apparent Breach to Director General.7. Director General transmit the same to Legal Services Manager for onward submission to Commission for signature.8. Legal Services Manager assign Record Officer to dispatch the signed Notice of Apparent Breach to Merging firm and proceed to publish in public register and to the widely circulated newspapers.9. Record Officer dispatch the signed Notice of Apparent Breach to Merging firm10. Within ten working days after issuance of FCC-16, Merging Firm may apply for Settlement and submit to the Commission a Settlement plan to remedy breach OR request to review the Notice of Apparent Breach from Merging Firms on the ground that the merging firm has substantially complied with its obligations with respect to the approval or conditional approval of the merger. Settlement Procedures follows11. Where the Merging Firms fails to respond to the Notice of Apparent Breach of Merger Approval Conditions within ten (10) working days after its issuance, Secretary to the Commission may, at the direction of the Commission, issue to the merging firm, a Notice of Revocation of Merger (FCC-17) and publish this
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	<p>Notice to the Commission’s Official website and in widely circulating newspapers.</p> <p>12. If the Merging Firms respond to Notice of Apparent Breach; Merging Firm may apply for settlement and submit to the Commission a settlement plan to remedy the breach; or request the Commission to review the notice of apparent breach on the ground that the firm has substantially complied with its obligation with respect to the approval or conditional approval of merger.</p> <p>13. Applicant, within 10 working days fills and submits the Application for Settlement and submit settlement plan to FCC or request the Commission to review the notice of apparent breach.</p> <p>14. Record Officer receive submitted Application for Settlement/request for review of FCC-16.</p> <p>15. Record Officer submit the said Application for Settlement/request to Director General for preview</p> <p>16. Director General assign previewed Application for Settlement/request to Director of Research, Merger and advocacy for further processing</p> <p>17. Director of Research, Merger and advocacy “may” assign the said application/request to Mergers and Exemptions Manager for assessment OR Director of Research, Merger and advocacy, taking into account complexity of the matter may attend the matter himself/herself</p> <p>18. Director of Research, Merger and Advocacy submit the detailed report with recommendation to the Director General as whether the Commission should ACCEPT proposed settlement plan; or REJECT the proposed settlement plan</p> <p>19. Director general, may cause Legal Services Manager to call management meeting to deliberate the said detailed report. <i>submission of papers to the management process lifecycle (Deliberation by the Management process)</i></p> <p>20. Legal Services Manager submit detail report to Management and Management review submitted report and adopt or recommend for improvements</p>
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	<p>21. If Management recommend for improvements, Director of Research, Merger and Advocacy improve the report and resubmit to Management</p> <p>22. If Management adopt the report, Secretary to the Commission transmit adopted report to the Commission for decision <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>23. The Commission review and consider submitted Report that have recommendation for whether to ACCEPT proposed Settlement Plan or REJECT Settlement Plan.</p> <p>24. If the submitted Report that have recommendation for settlement is REJECTED, The Commission, through Legal Services Manager INVITE the merging firm to consult with Commission on regard to apparent breach with the aim of establishing a Settlement Plan satisfactory to the Commission for which all obligations of the firm with respect to the approval or conditional approval may be settled.</p> <p>25. If the submitted Report that have recommendation for settlement is ACCEPTED, the procedure related to settlement triggered in until when draft Compliance Agreement is concluded.</p> <p>26. The Commission, through Legal Services Manager convert a detailed report to make it a final COMPLIANCE AGREEMENT which contains terms acceptable by both parties.</p> <p>27. Secretary to the Commission produce a copy of Compliance Agreement or Compliance Order and place it in Public Register, and in the case of Compliance Order, a copy be served to the merging firm by the Record Officer</p> <p>28. If the Commission accept the proposed settlement plan, the Legal Services Manager, at the direction of Commission issue Compliance Agreement/Order and monitor its compliance</p> <p>29. Where the Commission observed that Settlement negotiation has failed or merging firm are unable to agree to meet or fails to meet as agreed with the Commission or merging firm act in a manner calculated to frustrate the efforts of the Commission to monitor compliance with a settlement plan or firm fail to employ</p>
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	its best efforts to substantially comply with settlement plan, the Secretary to the Commission may, at the direction of the Commission, issue to the merging firm, a Notice of Revocation of Merger (FCC-17) and publish this Notice to the Commission's Official website, Public Register and in widely circulating newspapers.
Process Output	<ul style="list-style-type: none"> ▪ Notice of Apparent Breach of Merger ▪ Compliance Agreement/Order ▪ Notice of Revocation of Merger (FCC-17) Decision ▪ Application for Settlement ▪ Request to Review Notice of Apparent Breach ▪ Updated Public Register
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of issued Notice of Apparent Breach ▪ Number of issued Compliance Agreement ▪ Number of issued Notice of Revocation of Merger (FCC-17)
Exceptions to Normal Process Flow	Not Available
Control Points and Measurements	Merger Revocation Register

1.1.1.8 Settlement Procedures

Name of Process	Settlement
Process Number	FCC_CBP_RMA_08
Process Description	This process entails engagement of merging firm for settlement after Commission's issuance Notice of Apparent Breach of Merger Approval Conditions
Process Boundaries	<p>Start Point: Receiving application for settlement from the Applicant</p> <p>End Point: Dispatching Settlement Compliance Agreements to Applicant</p>

Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Legal Services Manager ▪ Mergers and Exemptions Manager ▪ Economist(s) or Legal Officer(s) ▪ Record Officer ▪ Applicant
Stakeholders	Any third party, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023
Pre-Conditions	Notice of Apparent Breach of Merger Approval Conditions
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ The Commission grants or reject the application for Settlement ▪ The Commission accept or reject the Settlement Plan ▪ The Commission approve or reject Settlement Report
Process Input	1. Application for settlement
Process Flow	<ol style="list-style-type: none"> 1. Record Officer receive the Settlement Application and submit to the Director General for preview and assignment 2. Director General preview the Settlement application and assign to Director of Research, Mergers and Advocacy to prepare submission paper 3. Director of Research, Mergers and Advocacy preview the Settlement Application and assign to the Mergers and Exemptions Manager

	<ol style="list-style-type: none">4. Mergers and Exemptions Manager preview the settlement application and assign the Economist(s) or Legal Officer for analysis and preparation of submission paper5. Economist(s) or Legal Officer(s) analyse the settlement application, prepare submission paper and submit to the Mergers and Exemptions Manager for review.6. Mergers and Exemptions Manager review the submission paper and submit to Director of Research, Mergers and Advocacy for review7. Director of Research, Mergers and Advocacy review the submission paper and submit to the Director General for approval or for submission to the commission for approval8. If Director General recommend submission to the commission, sub-process for submission of papers to the commission (Determination by the Commission) follows9. If the Director General Approves the settlement application skip to step 1310. If the Commission reject the application for settlement, the Commission orders the Secretary to the Commission to serve the Order to strike out the application for settlement to the Applicant11. Secretary to the Commission assign Record Officer to dispatch Order to strike out the application for settlement to Applicant12. Record Officer dispatch Order to strike out the application for settlement to Applicant13. If the Commission/DG grants the application for Settlement, the Commission/DG orders the Applicant to submit Settlement Plan within a specified period of time14. Record Officer receive the Settlement Plan and submit to the Director General for preview15. Director General preview the Settlement Plan and assign to Director of Research Mergers and Advocacy for assignment and preparation of analysis report
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	<ol style="list-style-type: none">16. Director of Research Mergers and Advocacy preview the Settlement Plan and assign to the Mergers and Exemptions Manager to act on instruction provided17. Mergers and Exemptions Manager preview the settlement and assign to the Economist(s) or Legal Officer for preparation of Analysis report18. Economist(s) or Legal Officer analyse the Settlement Plan, prepare and submit Analysis Report to the Mergers and Exemptions Manager for review19. Mergers and Exemptions Manager review the Analysis Report and submit to Director of Research, Mergers and Advocacy for review20. Director of Mergers, Research and Advocacy review the Analysis Report and submit to the Director General for approval21. Director General approve the Analysis Report and submit to the Commission for determination. sub-process for submission of papers to the commission (Determination by the Commission) follows22. If the Commission rejects the Settlement Plan, the Commission orders the Applicant to resubmit a fresh Settlement Plan addressing specific issues as provided in the Order23. If the Commission accept the Settlement Plan as it is, proceed with step number 24 of this process24. If the Commission accept the Settlement Plan with reservations, the Commission direct the Director General to constitute a technical team for scrutinization of Settlement Plan and submit the report within 30 days25. Director General assign Director of Research, Mergers and Advocacy to prepare Terms of Reference and instrument of appointment for the technical team to scrutinize Settlement Plan26. Director of Research, Mergers and Advocacy assign Mergers and Exemptions Manager to prepare Terms of Reference and instrument of appointment for the technical team to scrutinize Settlement Plan
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	<p>27. Mergers and Exemptions Manager assign Economist(s) or Legal Officer(s) to prepare Terms of Reference and instrument of appointment for the technical team to scrutinize Settlement Plan</p> <p>28. Economist(s) or Legal Officer(s) prepare draft Terms of Reference, instrument of appointment, proposed names of technical team members and Submit to the Mergers and Exemption Manager for review and consideration</p> <p>29. Mergers and Exemption Manager review Terms of Reference, instrument of appointment, proposed names of technical team members and submit to the Director of Research, Mergers and Advocacy for review and consideration</p> <p>30. Director of Research, Mergers and Advocacy Review Terms of Reference, instrument of appointment, proposed names of technical team members and submit to the Director General for approval and Appointment</p> <p>31. The Director General review and approve Terms of Reference, Instrument of Appointment and Appoint the technical team.</p> <p>32. The Technical Team prepare and submit Negotiation Plan to the Director General for approval</p> <p>33. The Director General review and approve the negotiation plan</p> <p>34. If approved, the Technical Team engage in settlement process with the applicant and prepare settlement report evidencing applicant's agreement to terms of settlement or reason(s) for settlement failure</p> <p>35. The Technical Team submit prepared Settlement Report to Director General for approval</p> <p>36. Director General approve the prepared Settlement Report and assign Secretary to the Commission to submit to the Commission for determination</p> <p>37. Secretary to the Commission submit Settlement Report using <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>38. The Commission review the Settlement Report and provide decision</p>
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	<p>39. For rejected Settlement Report, Enforcement process complete life cycle</p> <p>40. For approved Settlement Report, the Commission direct the Director General to prepare Settlement Compliance Agreement</p> <p>41. Director General assign the Director of Research Mergers and Advocacy to prepare draft Settlement Compliance Agreement</p> <p>42. Director of Research Mergers and Advocacy preview and assign to the Mergers and Exemptions Manager to prepare a draft Settlement Compliance Agreement</p> <p>43. Mergers and Exemptions Manager preview and assign to the Economist(s) or Legal Officer(s) to prepare a draft Settlement Compliance Agreement</p> <p>44. Economist(s) or Legal Officer(s) prepare a draft Settlement Compliance Agreement and submit to the Mergers and Exemptions Manager for review</p> <p>45. Mergers and Exemptions Manager review draft Settlement Compliance Agreement and submit to Director of Research, Mergers and Advocacy for review</p> <p>46. Director of Research, Mergers and Advocacy review the draft Settlement Compliance Agreement and submit to the Director General for approval</p> <p>47. Director General approve and assign Secretary to the Commission submit to the Commission for approval</p> <p>48. Secretary to the Commission submit approved Investigation Report using submission of papers to the commission process lifecycle (Determination by the Commission)</p> <p>49. The Commission approve and sign Settlement Compliance Agreement and direct Secretary to the Commission to seek Applicant signatures</p> <p>50. Secretary to the Commission seek Applicant signature and assign Record Officer to dispatch Settlement Compliance Agreement to Merging firms/Parties to the agreement.</p> <p>51. Record Officer dispatch Settlement Compliance Agreements to Applicant</p>
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Process Output	Settlement Compliance Agreement Settlement Plan Analysis Report Negotiation Plan Settlement Report
Measurable Outcome	Number of issued Settlement Compliance Agreement
Exceptions to Normal Process Flow	In case of zone 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Settlement plan ▪ Negotiation Plan

1.1.1.9 Amendments to Final Decision of Commission

Name of Process	Request for Amendment of Merger Clearance Certificate and its Reasons for Commission Decision
Process Number	FCC_CBP_RMA_09
Process Description	This process entails application made by merging firm to request Commission in regard to the recent decision made in regard to merger application, amend its final decision for purposes of correcting a clerical or typographical error or error of calculation; rectifying an accidental slip or omission; or clarifying an ambiguity.
Process Boundaries	Start Point: Applicant submit request of amendment of final decision of commission End Point: Commission correct a clerical or typographical error or error of calculation; rectifying an accidental slip or omission; or clarifying an ambiguity.
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General (DG)

	<ul style="list-style-type: none"> ▪ Director of Research, Merger and Advocacy (DRMA) ▪ Merger and Exemptions Manager ▪ Applicant ▪ Law Firm ▪ Record Officer
Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none"> ▪ Rule 26 of the Competition Rules, 2018
Pre-Conditions	<p>Merger Clearance Certificate (Form FCC.18)</p> <p>Reasons for Commission Decision</p>
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Signed Addendum or Order of Commission
Process Input	<p>Letter from Merging firm</p> <p>Merger Clearance Certificate (Form FCC.18)</p> <p>Reasons for Commission Decision</p>
Process Flow	<ol style="list-style-type: none"> 1. Applicant submit a letter requesting a Commission to correct a clerical or typographical error or error of calculation; rectifying an accidental slip or omission; or clarifying an ambiguity from its recent decision and merger clearance certificate issued. 2. Record Officer receive a letter from the Applicant/law firm/merging firm. 3. Record Officer assign reference number to submitted letter and issue reference to applicant. 4. Record Officer submit a letter to Director General for preview 5. Director General assign a letter to Director of Research, Merger and advocacy for further processing 6. Director of Research, Mergers and Advocacy review and assign a letter to Merger and Exemptions Manager

	<ol style="list-style-type: none"> 7. Merger and Exemptions Manager review and assign to Economist(s) or Legal officer(s) for draft of reply letter or to advise on modality of correction 8. Where assigned Economist(s) or Legal Officer(s) is of the opinion that there is indeed a clerical or typographical error or error of calculation; or a need of rectifying an accidental slip or omission; or a phrase that need to be clarifying an ambiguity, advise the matter to the Mergers and Exemption Manager 9. Economist(s) or Legal Officer(s) prepare modality for rectification of error noted either through addendum or draft Commission Order. 10. Merger and Exemptions Manager review and submit to draft to Director of Research, Mergers and Advocacy for further processes 11. Director of Research, Mergers and Advocacy review and submit to Director General for review and approval for onward submission to Commission 12. On event where Director General agree with Director of Research, Mergers and Advocacy submission, assign the matter to Secretary of Commission for submission to Commission <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i> 13. Commission will deliberate and on the event they agree, signed addendum or Commission Order. 14. Secretary of Commission transmit the signed document to Director of Research, Mergers and Advocacy 15. Director of Research, Mergers and Advocacy assign records officer to dispatch the letter together with signed addendum or Commission Order to merging firm/applicant/law firm. 16. Records Officer receive and dispatch the same to Applicant 17. Legal Services Manager is updating Public Register on the refer changes to public register where necessary.
Process Output	<p>Administrative letter to merging firm</p> <p>Signed Addendum by Commission or signed Commission Order</p>

	Update of Public Register and Official Website of Commission.
Measurable Outcome	Number of letter requesting amendment of final decision of Commission.
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Admistrative Letter to Merging firm.

1.1.1.10 Application for Abandonment of Merger

Name of Process	Application for Abandonment of Merger
Process Number	FCC_CBP_RMA_10
Process Description	This process entails application made by merging firm under Form FCC. 9 that it has abandoned the approved merger transaction or ongoing merger and has no intention to implement it
Process Boundaries	<p>Start Point: Applicant submit Notice of Abandonment under Form FCC.9</p> <p>End Point: Director General signed letter confirming abandonment.</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General (DG) ▪ Director of Research, Merger and Advocacy (DRMA) ▪ Merger and Exemptions Manager ▪ Applicant ▪ Law Firm ▪ Record Officer
Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none"> ▪ Rule 45 of the Competition Rules, 2018

Pre-Conditions	Notice of Complete Filing (Form FCC.11) or Merger Clearance Certificate (Form FCC.18)
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Signed letter confirming abandonment.
Process Input	Assessment/declaration
Process Flow	<ol style="list-style-type: none"> 1. Applicant submit a Notice of Abandonment of Merger Application which is currently under examination or which has already approved by the Commission 2. Record Officer receive a Notice of Abandonment of Merger Application 3. Record Officer assign reference number to submitted request for opinion and issue reference to applicant. 4. Record Officer submit a Notice of Abandonment of Merger Application to Director General for preview 5. Director General assign a Notice of Abandonment of Merger Application to Director of Research, Merger and advocacy for further processing 6. Director of Research, Mergers and Advocacy review and assign a Notice of Abandonment of Merger Application to Merger and Exemptions Manager 7. Merger and Exemptions Manager review and assign to Economist(s) or Legal officer(s) for draft of reply letter 8. Economist(s) or Legal Officer(s) review and draft reply letter informing merging parties that the parties to the merger shall remain in the same position as if the merger had never been notified; and the filing fee paid in respect of that merger shall be forfeited to the Commission. 9. Economist(s) or Legal Officer(s) prepare submit draft reply letter to Merger and Exemptions Manager

	<p>10. Merger and Exemptions Manager review and submit to Director of Research, Mergers and Advocacy for further processes</p> <p>11. Director of Research, Mergers and Advocacy review and submit to Director General for review and signature</p> <p>12. Director of Research, Mergers and Advocacy assign records officer to dispatch the letter.</p> <p>13. Records Officer receive and dispatch opinion to Applicant</p> <p>14. Economist or legal officer(s) in charge of merger database update the database on the notice of abandonment.</p> <p>15. Legal Services Manager is updating Public Register on the refer notice of abandonment for those merger which already approved.</p>
Process Output	<p>Administrative letter to merging firm</p> <p>Update of Public Register and Official Website of Commission.</p>
Measurable Outcome	Number of Notice of abandonment submitted.
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Administrative Letter to Merging firm.

1.1.1.11 Payment of Exemption of Agreement Fee

Name of Process	Payment of Exemption of Agreement Fee
Process Number	FCC_CBP_RMA_11
Process Description	This process entails Parties to the Agreement requesting control number for payment of fee for application of agreement.

Process Boundaries	<p>Start Point: Parties to the Agreement pay fee for application of agreement</p> <p>End Point: Proof of Payment</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director of Research, Merger and Advocacy ▪ Applicant ▪ Law Firm ▪ Accountant
Stakeholders	Law Firms, FCC,
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Agreement between two parties that warranting Exemption for Agreement
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Issuance of Control Number to the Parties in Agreement
Process Input	Request of control number from Parties to the Agreement, GePG
Process Flow	<ol style="list-style-type: none"> 1. Applicant request a control number to the FCC 2. Officer issue control number and send it to applicant 3. Applicant make payment and submit proof of payment and proceed with process number FCC_CBP_RMA_12
Process Output	Payment receipt (Government Exchequer Receipt)
Measurable Outcome	Government Exchequer Receipt
Exceptions to Normal Process Flow	Not Applicable

Control Points and Measurements	Control number
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1.1.1.12 Preliminary Review of Application for Exemption of Agreement

Name of Process	Preliminary Review of Application for Exemption of Agreement
Process Number	FCC_CBP_RMA_12
Process Description	This process entails issuance of either notice of material incompleteness or provision of information on specific exemption sought and/or notice of complete filing upon FCC satisfied that all information submitted under application for exemption of agreement are materially complete.
Process Boundaries	<p>Start Point: Parties submitting an application for exemption of agreement through dully filled Application for Exemption of Agreement Form (FCC-3)</p> <p>End Point: Director of Research, Merger and Advocacy sign and issue Notice of Complete Filing to Parties</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Economist(s) or Legal Officer(s) assigned for a case ▪ Parties under the Agreement
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Exchequer Receipt of Payment/ Proof of Payment of Fee for Application of Exemption for Agreement.
Frequency of Occurrence	Whenever need arises

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ Notice of Complete (FCC-4C) or Incomplete Notice (FCC-4A) for Application of Exemption of Agreement ▪ Administrative letter on the Notice of Abandonment of the Application for Exemption of Agreement. ▪ Notice of Provision of Information on Specific Exemption Sought (FCC-4B) ▪
<p>Process Input</p>	<p>Application for Exemption of Agreement Form (FCC-3) and its related documents</p> <p>Confidentiality Claim Form (FCC-2)</p>
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Parties Intending to make or giving effect on agreement notify the Commission through Application for Exemption of Agreement (FCC-3) Form and its related/supportive document 2. Record Officer receive submitted Application for Exemption of Agreement Form and its related/supportive documents 3. Record Officer assign reference number to submitted Application for Exemption of Agreement Form and related documents and issue a copy to Applicant 4. Record Officer submit Application for Exemption of Agreement Form and related documents to Director General for preview 5. Director General assign previewed submitted Application for Exemption of Agreement Form and related documents to Director of Research, Merger and advocacy for further processing 6. Director of Research, Merger and Advocacy assign the submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Division of Corporate Affairs for payment verification and issuance of payment receipt (Government Exchequer Receipt) 7. Director of Research, Merger and Advocacy assign the submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Finance Manager for processing and validating payment

	<ol style="list-style-type: none">8. Manager of Finance assign the submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Accountant/Financial Analyst for payment verification and issuance of payment receipt (Government Exchequer Receipt)9. Assigned Accountant/Financial Analyst upon verification, returned Application for Exemption of Agreement (FCC-3) Form and related documents to Finance Manager with recommendation on verification and issuance of payment receipt (Government Exchequer Receipt) if payment is seen in the system.10. Manager of Finance upon satisfy with recommendation made therein by Accountant/Financial Analyst, returned the file to Director of Corporate Service endorsing recommendation of Accountant/Financial Analyst.11. Director of Corporate Services return submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Director of Research, Merger and advocacy with assessed payment details and receipt if paid correctly.12. Director of Research, Merger and Advocacy assign submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Merger and Exemptions Manager to review completeness of filed documents13. Merger and Exemptions Manager assign application for submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Economist(s) or Legal Officer(s)14. Economist(s) or Legal Officer(s) screen to review completeness of the submitted Application for Exemption of Agreement (FCC-3) Form and related documents15. If the submitted Application for Exemption of Agreement Form and related documents is not complete or the application does not provide specific exemption sought, Economist(s) or Legal Officer(s) recommend to Merger and Exemptions Manager for issuance of Notice of Material Incompleteness (FCC-4A) Form or Provision of Information on Specific Exemption Sought (FCC-4B) Form respectively
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	<ol style="list-style-type: none">16. Merger and Exemptions Manager recommend to Director of Research, Merger and Advocacy for issuance of Notice of Material Incompleteness or Provision of Information on Specific Exemption Sought17. Director of Research, Merger and Advocacy recommend to Director General for issuance of Notice of Material Incompleteness or Provision of Information on Specific Exemption Sought18. Director General take note and send back to Director of Research, Merger and Advocacy for signature and issuance to parties or send back for corrections19. Director of Research, Merger and Advocacy effect corrections if any, sign and issue Notice of Material Incompleteness or Provision of Information on Specific Exemption Sought to Parties within 14 days from the first date of receipt of Application for Exemption of Agreement.20. If parties fail to respond to Notice of Material Incompleteness Form or Provision of Information on Specific Exemption Sought or both within 30 working days after date of issuance, the application to exemption for agreement is abandoned.21. The Director of Research, Merger and Advocacy issue a letter and assign Record Officer to dispatch to the Parties explaining the abandonment of the application for exemption sought22. Record Officer dispatch the letter to the Parties23. If parties respond to Notice of Material Incompleteness Form or Provision of Information on Specific Exemption Sought or both within 30 working days after date of issuance but does not meet requirement set out, Director of Research, Mergers and Advocacy require the Parties to provide required information where necessary under FCC-4B24. If Parties fail to submit required information within 30 days from the date of issuance of Notice, Director of Research, Merger and Advocacy consider the agreement abandoned and proceed to issue a letter to the Parties explaining the abandonment of the application for exemption sought
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	<p>25. If Parties submit the required information, proceed with step number 25 to 29 herein below</p> <p>26. If the submitted Application for Exemption of Agreement Form and related documents is complete, Economist(s) or Legal Officer(s) recommend to Merger and Exemptions Manager for issuance of Notice of Complete Filing (FCC-4C)</p> <p>27. Merger and Exemptions Manager recommend to Director of Research, Merger and Advocacy for issuance of Notice of Complete Filing</p> <p>28. Director of Research, Merger and Advocacy recommend to Director General for issuance of Notice of Complete Filing</p> <p>29. Director General take note and send back to DRMA for signature and issuance to parties or send back for corrections</p> <p>30. Director of Research, Merger and Advocacy effect corrections if any, sign and issue Notice of Complete Filing to Parties within 14 days from the first date of receipt of Application for Exemption of Agreement</p>
Process Output	<ul style="list-style-type: none"> ▪ Issued Notice of Complete Filing for Exemption of Agreement (FCC-4C) ▪ Notice of Material Incompleteness (FCC-4A) Form ▪ Provision of Information on Specific Exemption Sought (FCC-4B) ▪ Letter of Abandonment of Application of Exemption Though.
Measurable Outcome	Number of Issued Notice of Complete Filing for Exemption of Agreement
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Application for Exemption of Agreement Form

1.1.1.13 Investigation of Application for Exemption of Agreement

Name of Process	Investigation of Application for Exemption of Agreement
Process Number	FCC_CBP_RMA_13
Process Description	This process entails investigation of application for exemption of agreement, which commence immediately after issuance of notice of complete filing for application for exemption of agreement and terminates when report of application for exemption agreement is submitted to management for deliberations
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy assign Application for Exemption of Agreement to Merger and Exemptions Manager to initiate investigation</p> <p>End Point: Economist(s) or Legal Officer(s) archive and maintain a repository of Application for Exemption of Agreement submitted to Management for deliberation</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Procurement Manager ▪ Information and Communications Technology Manager ▪ Merger and Exemptions Manager ▪ Economist(s) or Legal Officer(s) ▪ Record Officer
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Issued Notice of Complete Filing for Application for Exemption of Agreement
Frequency of Occurrence	Whenever need arises

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ Management Adopt a report or recommend for improvement ▪ Issuance of Notice of Additional Information ▪ Need for stakeholders' engagement
<p>Process Input</p>	<p>a completed submission of Application for Exemption of Agreement made under FCC-3 and all of its related/supportive document</p>
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy assign Application for Exemption of Agreement to Mergers and Exemptions Manager to initiate investigation 2. Merger and Exemptions Manager crosscheck and assign Application for Exemption of Agreement to Economist(s) or Legal Officer(s) for investigation 3. Economist(s) or Legal Officer(s) screen an Application for Exemption of Agreement and establish data and information gap as well as potential stakeholder for engagement 4. Economist(s) or Legal Officer(s) prepare Public Notice and submit to Merger and Exemptions Manager 5. Merger and Exemptions Manager review and submit prepared Public Notice to Director of Research, Merger and Advocacy 6. Director of Research, Merger and advocacy request authorization for publication from the Director General 7. Director General authorize or recommend for improvement the request for publication of the prepared Public Notice 8. For recommended improvements, Director of Research, Merger and Advocacy perform corrective actions as per recommendations 9. For authorized Public Notice, Director of Research, Merger and Advocacy directs Merger and Exemptions Manager to submit approved Public Notice to Procurement Manager as well as Information and Communications Technology Manager and Head of Communication and Public Relation Unit for publication 10. Merger and Exemptions Manager directs Economist(s) or Legal Officer(s) to fill Procurement Requisition Form for approval to proceed with publication of approved Public Notice

	<ol style="list-style-type: none">11. Economist(s) or Legal Officer(s) fill and submit Procurement Requisition Form to Merger and Exemptions Manager12. Merger and Exemptions Manager submit approved Public Notice and filled Procurement Requisition Form to Procurement Manager, as well as submit approved Public Notice to Information and Communications Technology Manager for publication which will subsist for a period of 30 days from the date of its publication at the Commission’s official website and in widely circulated newspaper13. Where there is comment or objection from public, record officer receives public comments and objection submitted by Third Party in duly filled Notice of Intention to Participate (FCC-10), when applicable and submit to DG for preview14. Economist(s) or Legal Officer(s) analyse the objection under FCC-10 and prepare economic and legal opinion as to whether the said objection/complaint/opinion should be entertained or not.15. In case of a need to entertain an objection received from the public through FCC-10, Economist(s) or Legal Officer(s) shall recommend on whether public oral hearing is warranted or objection will be entertained by a way of written submission by each party.16. Economist(s) or Legal Officer(s) prepare and submit economic and legal opinion of the assigned FCC-10 to Mergers and Exemptions Manager for review17. Mergers and Exemptions Manager review the submitted legal and economic opinion and submit the reviewed opinion to Director of Research, Mergers and Advocacy.18. Director of Research, Mergers and Advocacy review the submitted economic and legal opinion and submit to Director General for decision.19. Director General attend and decide whether the complaint should be entertained in accordance with prepared legal and economic opinion.20. If the Director General decides not to entertain complaint, steps 37-40 shall be followed with reply “Management Decision Not
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	<p>to Entertain Objection". FCC-10 process is terminated thereafter.</p> <ol style="list-style-type: none"> 21. If the Director General decides to entertain reasons submitted under FCC-10, It shall direct the Director of Research, Mergers and Advocacy to notify the Third Party who submitted the said FCC-10 and Merging Firm to respond to the argument under FCC-10. 22. Director of Research, Mergers and Advocacy inform the Mergers and Exemptions Manager to draft a reply of the said FCC-10 to Third Party and Notify Merging Firm on the reasons submitted under FCC-10 23. Mergers and Exemptions Manager notify Economist(s) or Legal Officer(s) to draft a notification to Third Party and Merging Firm 24. Economist(s) or Legal Officer(s) draft a notification and submit to Mergers and Exemption Manager for Review 25. Mergers and Exemption Manager Review the notifications and send to the Director of Research, Mergers and Advocacy / Director General for review and Approval 26. Director of Research, Mergers and Advocacy / Director General review sign and send to Records / registry Officer for Dispatch 27. Registry/ Records Officer dispatch signed acknowledgement letter to Third Party and signed transmittal letter with attached FCC-10 and its annexures to Merging Firm. 28. Merging Firm submit reply to the FCC-10 29. Record Officer Submit to Director General for preview 30. Director General assign to the Director of Research, Mergers and Advocacy for processing 31. Director of Research, Mergers and Advocacy assign Mergers and Exemptions Manager for processing 32. Mergers and Exemptions Manager assign Economist(s) or Legal Officer for processing 33. During investigation period, in case where Economist(s) or Legal Officer(s) is of the opinion that there is a Need for clarity or
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	<p>Additional Information, Economist(s) or Legal Officer(s) prepare Request for Additional Information (FCC-13) and submit to Mergers and Exemptions Manager</p> <p>34. Merger and Exemptions Manager review prepared Request for Additional Information and submit to Director of Research, Merger and Advocacy</p> <p>35. Director of Research, Merger and Advocacy sign and issue Request for Additional Merger Information to merging firms</p> <p>36. During investigation period, in case where Economist(s) or Legal Officer(s) is of the opinion that there is a need for certain stakeholders' engagement, Economist(s) or Legal Officer(s) collect required information from relevant stakeholders.</p> <p>37. Economist(s) or Legal Officer(s) prepare Exemption to Agreement Report and submit to Merger and Exemptions Manager</p> <p>38. Merger and Exemptions Manager review prepared Exemption to Agreement Report and submit to Director of Research, Merger and Advocacy</p> <p>39. Director of Research, Merger and Advocacy review prepared Exemption to Agreement Report and submit to Director General for review</p> <p>40. Director General review prepared Exemption to Agreement Report, approve and send back to DRMA for submission to Secretary Commission to form part of agenda in management meeting <i>submission of papers to the management process lifecycle</i></p> <p>41. Economist(s) or Legal Officer(s) archive and maintain a repository of Exemption to Agreement Report submitted to Management for deliberation</p> <p>42. If period under 90 Days Prohibition Notice issued is expired (exactly the 90th day from the first date of its issuance) and merger analysis report has not been deliberated and decided at the Commission level, Economist(s) or Legal Officer(s) prepare 30 Days Extension Certificate (FCC-14B) and submit to Merger and Exemptions Manager</p>
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	<p>43. Merger and Exemptions Manager review prepared 30 Days Extension Certificate and submit to Director of Research, Merger and Advocacy</p> <p>44. Director of Research, Merger and Advocacy submit to Director General for preview and endorsement</p> <p>45. Director General review, provide go ahead or send it back for corrections</p> <p>46. If Director General provide go ahead, Director of Research, Merger and Advocacy sign and issue 30 Days Extension Certificate to parties under agreement.</p> <p>47. Economist(s) or Legal Officer(s) archive and maintain a repository of Application for Exemption Agreement submitted to Management for deliberation</p>
Process Output	<ul style="list-style-type: none"> ▪ Report of Application for Exemption of Agreement ▪ Public Notice ▪ Procurement Requisition Form ▪ 90 Days Prohibition Notice ▪ 30 Days Extension Notice
Measurable Outcome	Number of Report of Application for Exemption of Agreement
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Issuance of Public Notice ▪ Repository of Application for Exemption of Agreement

1.1.1.14 Clearance of Application for Exemption of Agreement

Name of Process	Clearance of Application for Exemption of Agreement
Process Number	FCC_CBP_RMA_14

Process Description	This process entails clearance of application for exemption of agreement whereby the commission review submitted application for exemption of agreement report and issue either exemption certificate or Notice of Refusal to grant exemption and reasons for decision to parties
Process Boundaries	<p>Start Point: Secretary to the Commission receive Report of Application for Exemption of Agreement submitted by Director of Research, Merger and Advocacy for management inputs</p> <p>End Point: Secretary to the Commission document details of the Application for Exemption of Agreement in Exemption of Agreement Register</p>
Process Owner	Secretary to the Commission
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Management ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Parties
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Submission Report of Application for Exemption of Agreement
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Adopt Report of Application for Exemption of Agreement or recommend for Improvement ▪ Grant or prohibit the Application for Exemption of Agreement
Process Input	Report of Application for Exemption of Agreement
Process Flow	<ol style="list-style-type: none"> 1. Secretary to the Commission receive Report of Application for Exemption of Agreement submitted by Director of Research, Merger and Advocacy for management inputs 2. Management review submitted Report of Application for Exemption of Agreement and adopt or recommend for improvement

	<ol style="list-style-type: none"> 3. If Management recommend for Improvement, Secretary to the Commission transmit the reviewed Report of Application for Exemption of Agreement to Director of Research, Merger and Advocacy for improvement 4. If Management adopt the report, Secretary to the Commission transmit adopted Report of Application for Exemption of Agreement to the Commission (i.e., FCC Board) for decision submission of papers to the commission process lifecycle (Determination by the Commission) 5. The Commission review and consider transmitted Report of Application for Exemption of Agreement 6. If transmitted Report of Application for Exemption Agreement is adopted, proceed with step number 12-16 herein below 7. If transmitted Report of Application for Exemption of Agreement is not adopted, the Commission return transmitted Report of Application for Exemption of Agreement with directives to Management 8. Secretary to the Commission transmit Report of Application for Exemption of Agreement with Commission's directives to Director of Research, Merger and Advocacy 9. Director of Research, Merger and Advocacy improve the Report of Application for Exemption of Agreement as per directives given by the Commission and forward to Secretary to the Commission 10. Secretary to the Commission retransmit improved Report of Application for Exemption of Agreement to the Commission 11. The Commission review, consider and deliberate transmitted Report of Application for Exemption of Agreement. On event where there will be FCC-10 and based on economic and legal analysis made therein show that such FCC-10 shall be entertained, the Commission, during deliberation, will decide whether it shall hold oral hearing session to hear argument of Third-Party Intention to Participate in Exemption for Agreement determination Process (submitted earlier under FCC-10) at the same meeting together with Parties. This will occur only if there is submission of FCC-10 and Director General has decided earlier to entertain the Third-Party Submission or the Third
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	<p>Party has Appeal Decision of Director General to the Chairman of Commission.</p> <ol style="list-style-type: none">12. Where the Commission decide to hear the Parties and Third Parties separately, jump to step 1913. Where the Commission decide to conduct Oral Hearing Session, it shall, at the recommendation of Director General, identify significant stakeholder(s) relevant to the case; and formulate key issues for discussion in relation to the Application for Exemption of Agreement based on the submission made earlier under FCC-10.14. Director of Research, Mergers and Advocacy in consultation with Legal Services Manager, identified key stakeholders relevant to participate in oral hearing session. Director of Research, Mergers and Advocacy also formulate key issues and present the same to Director General for review.15. Director General review the revised Report of Application for Exemption of Agreement, formulated key issues for case and proposal for key stakeholders to be invited in oral hearing session.16. Legal Services Manager at the direction of Director General will thereafter, cause oral hearing to be conducted and invite relevant expert(s) for transcription services (transcriber).17. If the Third Party and significant stakeholder(s) invited appear for oral representation, the Commission will conduct oral hearing and Secretary to the Commission prepare transcript of the oral hearing proceedings at the meeting and submit to Director of Research, Merger and Advocacy to incorporate the finding to Report of Application for Exemption of Agreement.18. If the Third Party and Significant Stakeholder failed to appear to the oral hearing session, the Commission will have discretion to adjourn, reschedule or halt the entire oral hearing session and/or decide another mode of hearing such as hearing session by a way of written submission (see paragraph 13 herein below).19. Where the Commission decide to hear merging parties and third parties separately, it shall order for parties to make written submission with both parties given opportunities to reply of each argument presented under written submission made by parties.
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	<p>20. Director of Research, Merger and Advocacy utilize findings gathered from oral and written submissions made and improve the revised Merger Analysis Report as per directives given by the Commission. After improvement to the report be made, and at the direction of Director General, Director of Research, Mergers and Advocacy shall forward the improved version of the report to Legal Services Manager</p> <p>21. Secretary to the Commission, will thereafter, at the Direction of Director General transmit revised Report of Application for Exemption of Agreement to Commission for decision.</p> <p>22. The Commission shall thereafter, make decision whether there is proposed agreement constitute constitute a prohibited practice and hence warranted exemption.</p> <p>23. Where the Commission, after deliberation of Report of Application for Exemption of Agreement be of the opinion that exemption for agreement thought does not constitute a prohibited practice as contemplated by section 12 of the Act, the Commission shall issue a notice of refusal to grant an exemption on Form FCC. 5.</p> <p>24. Where the Commission, after deliberation of Report of Application for Exemption of Agreement be of the opinion that exemption for agreement thought constitute, a prohibited practice as contemplated by section 12 of the Act, the Commission issue a notice to grant an exemption on Form FCC. 19.</p> <p>25. To each decision made under 23-24, the Legal Services Manager shall issue Exemption Certificate (FCC-19) or Notice of Refusal to grant exemption (FCC-5) and reasons for decision to Parties under Agreement; or</p> <p>26. Secretary to the Commission upon issuances of 25 make available to merging firms and third party (if applicable) copy of Commission Reasons for Decision; and</p> <p>27. Publish a notice of its decision the Public Register (Gazette) and to official Website of the Commission.</p> <p>28. Head of Public Relation Unit will produce Press Release informing the Public on the Decision of Commission.</p>
Process Output	<ul style="list-style-type: none"> ▪ Exemption Certificate (FCC-19) ▪ Notice of Refusal to Grant Exemption (FCC-5)

	<ul style="list-style-type: none"> ▪ Reasons for decision ▪ Monitoring report framework
Measurable Outcome	Number of issued Exemption Certificate or Notice of Refusal to Grant Exemption
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Exemption of Agreement Register ▪ Reasons for Decision

1.1.1.15 Revocation of Exemption of Agreement Certificate

Name of Process	Revocation of Exemption Certificate
Process Number	FCC_CBP_RMA_15
Process Description	This process entails consideration of board paper and confirm in writing to the applicant continuation of the exemption as previous granted or revoke exemption certificate by issuing notice of revocation of exemption
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy prepare and submit a draft Board Paper to the Management on the reasons as to why Certificate of Exemption should be revoked</p> <p>End Point: Secretary to the Commission document details of Notice of Revocation of Exemption in Revocation of Exemption Register</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Management ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Economist(s) or Legal Officer(s) ▪ Management ▪ Head of Public Relation and Communication ▪ Procurement Manager

	<ul style="list-style-type: none"> ▪ Information and Communication Technology Manager
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Exemption Certificate (FCC-19) issued earlier ▪ Monitoring framework
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Adopt or recommend for improvement of Board Paper ▪ Need for further information ▪ Revoked or confirmed Exemption Certificate
Process Input	<ul style="list-style-type: none"> ▪ Approved Application of Exemption Report ▪ Reasons for revocation of exemption certificate ▪ Monitoring Report
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy prepare and submit a draft Board Paper to the Legal Service Manager for his onward submission to Management for the deliberation of the reasons as to why Certificate of Exemption should be revoked <i>submission of papers to the Management process lifecycle (Deliberation by Management)</i> 2. Management receives draft Board Paper for revocation of Exemption Certificate submitted by Director of Research, Merger and Advocacy for management inputs 3. Management review submitted Board Paper and adopt or recommend for improvement 4. If Management recommend for improvement of Board Paper, Director of Research, Merger and Advocacy consider management comments and resubmit Board Paper to Secretary to the Commission 5. Secretary to the Commission receive submitted Board Paper, and proceed with step number 6 herein below 6. If Management adopt Board Paper, Secretary to the Commission transmit adopted Board Paper to the Commission for decision

	<p><i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <ol style="list-style-type: none"> 7. The Commission review and consider transmitted Board Paper 8. If the Commission is contemplating revoking an exemption granted, the Commission advise the Person Concerned in writing before taking further steps 9. Secretary to the Commission publish notice in widely circulated newspaper and in Commission’s Official website 10. Secretary to the Commission receive Written Submissions (FCC from the public and other interested Parties, when applicable 11. If there is a need for further information, Secretary to the Commission request required details from the Parties to the exempted agreement or any other third Parties using FCC-13 form 12. If there is no need for further information, Secretary to the Commission incorporate details of the Written submission and retransmit the Board Paper to the Commission 13. The Commission consider transmitted Board Paper and confirm or revoke the Exemption Certificate 14. For confirmed Exemption Certificate, the Commission confirm in writing to the applicant continuation of the exemption as previous granted 15. For revoked Exemption Certificate, the Commission issue Notice of Revocation of Exemption (FCC-6) Form to Parties 16. Secretary to the Commission document details of Notice of Revocation of Exemption in Revocation of Exemption Register
Process Output	<p>Notice of Revocation of Exemption</p> <p>Board Paper</p> <p>Written Submissions from Parties</p>
Measurable Outcome	<p>Number of Issued Notice of Revocation of Exemption</p>

Exceptions to Normal Process Flow	Not Applicable
Control Points and Measurements	Revocation of Exemption Register

1.1.1.16 Request for opinion

Name of Process	Request for opinion/review of agreement
Process Number	FCC_CBP_RMA_16
Process Description	This process entails application for opinion whether the intended merger is notifiable under FCA (Fair Competition Act)
Process Boundaries	Start Point: Applicant submit request for control number End Point: Opinion
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General (DG) ▪ Director of Research, Merger and Advocacy (DRMA) ▪ Director of Corporate Service (DCS) ▪ Merger and Exemptions Manager ▪ Applicant ▪ Law Firm ▪ Accountant ▪ Record Officer
Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Registered companies

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Control Number
Process Input	Assessment/declaration
Process Flow	<ol style="list-style-type: none"> 1. Applicant submit a request for control number 2. Officer issue control number and send to applicant 3. Applicant make payment, submit proof of payment and request for opinion to FCC 4. Record Officer receive submitted application for request of opinion and related documents 5. Record Officer assign reference number to submitted request for opinion and issue a copy to Applicant 6. Record Officer submit the request of opinion to Director General for preview 7. Director General assign previewed request for opinion to Director of Research, Merger and advocacy for further processing 8. Director of Research, Merger and advocacy assign the request for opinion to Division of Corporate Service for payment assessment, verification and issuance of payment receipt 9. After verification, DCS send request to DRMA for processing 10. DRMA review and assign to Merger and Exemptions Manager 11. Merger and Exemptions Manager review and assign to Merger analyst 12. Economist(s) or Legal Officer(s) review and request for additional information from applicant where applicable 13. Economist(s) or Legal Officer(s) prepare draft opinion and submit to Merger and Exemptions Manager 14. Merger and Exemptions Manager review and submit to DRMA for further processes

	15. DRMA review and submit to DG for review and approval 16. DG review, approve and send to DRMA for further processes 17. DRMA assign records officer to dispatch opinion 18. Records Officer receive and dispatch opinion to Applicant
Process Output	Opinion
Measurable Outcome	Number of opinions dispatched
Exceptions to Normal Process Flow	In case of zone 3. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 4. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	Approvals

1.1.2 Competition and Market Research

Competition and Market Research services intends to carry out inquiries studies and research into matters relating to competition and the protection of the interests of consumers in order to understand competition status in respective markets and inform advocacy as well as investigation functions. Competition and Market Research includes the following business processes: -

1. Mini Study
2. Initiation of Research Study and
3. Conducting Research Study

1.1.2.1 Mini Study

Name of Process	Mini Study
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Process Number	FCC_CBP_CMR_10
Process Description	This process entail procedure to conduct mini study for idea or proposals for market inquiry which are not well known (Internal driven)
Process Boundaries	Start Point: Director of Research, Mergers and Advocacy assess the idea or proposals for market inquiry for research End Point: Research Officer record details of the mini study in the Studies and Research Register
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Research Manager ▪ Research Officer
Stakeholders	Ministry of Industry and Trade, MDAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018
Pre-Conditions	List of recorded ideas, work plan and proposals for market inquiry for research
Frequency of Occurrence	whenever need arises
Decisions associated with the process	Idea or proposals for market inquiry is known or not well known
Process Input	<ol style="list-style-type: none"> 1. Intention to Conduct a Mini Study 2. Checklist and/or Questionnaires
Process Flow	<ol style="list-style-type: none"> 1. Director of Research Mergers and Advocacy assess the idea or proposals for market inquiry for research 2. If the idea or proposals for market inquiry is well known, Initiation of Research Process complete life cycle follows

	<ol style="list-style-type: none"> 3. If the idea or proposals for market inquiry is not well known, Director of Research, Mergers and Advocacy prepare an Intention to Conduct a Mini Study 4. The Director of Research, Mergers and Advocacy assign the Manager for Research to prepare Intention to Conduct a Mini Study 5. The Research Manager assign research officer to prepare Intention to Conduct a Mini Study 6. Research Officer prepare and submit Intention to Conduct a Mini Study to the Research Manager for review and recommendation 7. Research Manager review Intention to Conduct a Mini Study and submit to the Director of Research, Mergers and Advocacy 8. Director of Research, Mergers and Advocacy submit prepared Intention to Conduct a Mini Study document to the Director General for approval 9. Director General review Intention to Conduct a Mini Study, approve and assign to Director of Research, Mergers and Advocacy for implementation 10. Director of Research, Mergers and Advocacy receive approved Intention to Conduct a Mini Study document and appoints the team to carry out the study 11. Team prepare lead questions and document in checklist and/or questionnaires for mini study 12. Team submit prepared Checklist and/or Questionnaires to Research Manager for review 13. Research Manager review prepared Checklist and/or Questionnaires and submit to Director of Research Mergers and Advocacy for approval 14. Director of Research Mergers and Advocacy approve prepared Checklist and/or Questionnaires and assign to Team for conducting mini study 15. Team conduct field data collection and analysis in collaboration with the concerned stakeholders
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	<p>16. Team prepare the Mini Study Report and submit to Research Manager for review</p> <p>17. Research Manager review prepared Mini Study Report and submit to the Director of Research Mergers and Advocacy</p> <p>18. Director of Research Mergers and Advocacy review the mini study report and recommend to the Director General</p> <p>19. If approved, Director General provide view on the idea or proposal for market inquiry and assign to the Director of Research Mergers and Advocacy for conducting full scale study</p> <p>20. Director of Research, Mergers and Advocacy receive and assign the provided view on the idea or proposal for market inquiry to Research Manager</p> <p>21. Research Manager receive and assign the provided view on the idea or proposal for market inquiry to Research Officer</p> <p>22. Research Officer record details of the mini study in the Study and Research Register</p>
Process Output	Mini Study Report
Measurable Outcome	Number of Mini Study Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Studies and Research Register

1.1.2.2 Initiation of Research Study

Name of Process	Initiation of Research Study (Internal/External Driven)
Process Number	FCC_CBP_CM_11
Process Description	This process entails initiation of research study as per need identified by FCC, request of the Regulatory Body or Order of the Minister

Process Boundaries	<p>Start Point: Regulatory Body consult the Commission in advance on the subject matter and scope of the research study or Order of Minister to initiate the research study</p> <p>End Point: Director General appoints the team to conduct research study</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Minister of Industry and Trade ▪ The Commission ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Regulatory Body ▪ Research Manager ▪ Research Officer ▪ Record Officer
Stakeholders	Ministry of Industry and Trade, MDAs, LGAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Mini Study Report ▪ Request from Regulatory Body ▪ Order from the Minister
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Research Study Initiated by Regulatory Body, FCC or Order of the Minister ▪ Regulatory Body adopt or did not adopt Terms of Reference ▪ Commission adopt or reject strategy paper
Process Input	<ol style="list-style-type: none"> 1. View of the Commission on the subject matter and scope 2. Mini Study Report 3. Request from Regulatory Body

	4. Order of the Minister
Process Flow	<p>Start Case 1: Research Study Initiated by Regulatory Body</p> <p>23. Record Officer receive submitted request from regulatory Body for conducting a research</p> <p>24. Record Officer assign reference number to submitted request and issue a copy to the submitter</p> <p>25. Record Officer submit the request for conducting research to Director General for preview</p> <p>26. The Director General instruct the Secretary to the Commission to submit request to the Commission (<i>process lifecycle for submission of papers to the commission follows-Determination by the Commission</i>)</p> <p>27. The Commission provide a view on the Subject matter and scope of the research study</p> <p>28. Director General communicates the View of the Commission on the subject matter and scope of the research study to Director of Research, Mergers and Advocacy</p> <p>29. Director of Research, Mergers and Advocacy receive View of the Commission and assign to Research Manager</p> <p>30. Research Manager receive View of the Commission and assign to Research Officer to prepare Terms of Reference</p> <p>31. Research Officer prepare draft Terms of Reference and submit to Research Manager for Review</p> <p>32. Research Manager review prepared draft Terms of Reference and submit to Director of Research, Mergers and Advocacy for review</p> <p>33. Director of Research, Mergers and Advocacy review and submit the draft Terms of Reference to the Director General for approval</p> <p>34. Director General approve the draft Terms of Reference and assign to the Director of Research, Mergers and Advocacy for engagement of the Regulatory Body</p> <p>35. Director of Research, Mergers and Advocacy engage Regulatory Body on Terms of Reference</p>

	<p>36. If Regulatory Body did not adopt Terms of Reference, Director of Research, Mergers and Advocacy incorporates comments/inputs of the Regulatory Body to produce Final Terms of Reference</p> <p>37. If Regulatory Body adopt Terms of Reference, Director of Research, Mergers and Advocacy mark adopted Terms of Reference as final</p> <p>38. Director of Research, Mergers and Advocacy proceed with step number 14 herein below</p> <p>End Case 1: Research Study Initiated by Regulatory Body</p> <p>Start Case 2: Research Study Initiated by FCC</p> <p>39. Director of Research Mergers and Advocacy assign Research Manager to prepare draft Strategy Paper</p> <p>40. Research Manager assign Research officer to prepare draft Strategy Paper</p> <p>41. Research Officer prepare draft Strategy Paper and submit to Research Manager for review</p> <p>42. Research Manager review and submit to Director of Research Mergers and Advocacy for review</p> <p>43. Director of Research Mergers and Advocacy review draft Strategy Paper and submit to the Director General for review and approval</p> <p>44. Director General review the submitted draft Strategy Paper, approve, and assign to Secretary to the Commission</p> <p>45. Secretary to the Commission transmit draft Strategy Paper to the Commission following process for submission of paper to the Commission life cycle (Determination by the Commission)</p> <p>46. The Commission consider and determine submitted draft Strategy Paper</p> <p>47. Secretary to the Commission pass decision of the Commission and draft Strategy Paper to Director of Research Mergers and Advocacy</p>
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	<p>48. For non-adopted Strategy Paper, Director of Research Mergers and Advocacy note decision of the Commission</p> <p>49. For adopted Strategy Paper, Director of Research Mergers and Advocacy receive decision of the Commission and appoints the team to conduct research study</p> <p>End Case 2: Research Study Initiated by FCC</p> <p>Start Case 3: Research Study Initiated by Order of the Minister</p> <p>50. Minister Order the Director General to initiate the study on idea or proposal for market inquiry</p> <p>51. Director General receives the Order of the Minister to initiate the study and assign to Director of Research, Mergers and Advocacy</p> <p>52. Director of Research, Mergers and Advocacy receive Order of the Minister and liaise with Ministry to expedite the assignment, when applicable</p> <p>53. Director of Research, Mergers and Advocacy select the team for conducting research and submit to DG for consideration</p> <p>54. Director General appoint the team to conduct the research study</p> <p>End Case 3: Research Study Initiated by Order of Minister</p>
Process Output	Strategy paper
Measurable Outcome	Number of strategy papers
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> ▪ For Research Study Initiated by Order of Minister, some of research team members may not be appointed by Director General ▪ Director General may use external specialist to conduct research where appropriate <p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Strategy Paper ▪ Terms of Reference

	<ul style="list-style-type: none"> ▪ Order from the Minister ▪ Request from the Regulatory Body
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1.1.2.3 Conducting Research Study

Name of Process	Conducting Research Study
Process Number	FCC_CBP_CM_12
Process Description	This process entails procedure for conducting research study and prepare research study report
Process Boundaries	<p>Start Point: Team prepare Checklist and/or Questionnaires as tools for data collection</p> <p>End Point: Research Officer record details of the Final Research Study Report and decision of the Commission in Studies and Research Register</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Research Manager ▪ Research Officer
Stakeholders	Ministry of Industry and Trade, MDAs, LGAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Approved strategy paper
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Commission Approve Final Study report

Process Input	Strategy Paper
Process Flow	<ol style="list-style-type: none"> 1. Team prepare Checklist and/or Questionnaires as tools for data collection 2. Team submit prepared Checklist and/or Questionnaires to Research Manager for review 3. Research Manager review prepared Checklist and/or Questionnaires and submit to Director of Research, Mergers and Advocacy for approval 4. Director of Research, Mergers and Advocacy approve prepared Checklist and/or Questionnaires and assign to Team for conducting research study 5. Team conduct field data collection in collaboration with the concerned stakeholders 6. Team conduct data cleaning & analysis and prepare the draft Research Study Report and submit to Research Manager for review 7. Research Manager review prepared draft Research Study Report and submit to the Director of Research, Mergers and Advocacy 8. Director of Research, Mergers and Advocacy review the draft Research Study Report and recommend to Director General 9. Director General review the submitted draft Research Study Report, approve, and direct DRMA to carry out stakeholder engagement in order to validate study findings 10. Director of Research, Mergers and Advocacy instruct the Research Manager to carry out stakeholder engagement in order to validate study findings. 11. Research Manager prepare and submit the draft research study report to DRMA incorporating comments from stakeholder engagement. 12. Director of Research, Mergers and Advocacy review and submit the draft research study report to Director General. 13. Director General review the submitted draft Research Study Report, approve, and assign to Secretary to the Commission

	<p>14. The Secretary to the commission prepares notice and submit the document to the management for discussion and recommendation(s) (follows submission of paper to the Commission life cycle)</p> <p>15. If Management recommend for Improvement, Secretary to the Commission transmit to the Director of Research, Mergers and Advocacy for improvement</p> <p>16. If Management adopt the research study report, Secretary to the Commission prepare notice for the commission meeting and submit the same to the Commission (i.e., FCC Board) together with documents for determination</p> <p>17. Secretary to the Commission transmit draft Research Study Report to the Commission for determination</p> <p>18. The Commission consider and determine submitted draft Research Study Report</p> <p>19. Secretary to the Commission pass decision of the Commission and Final Research Study Report to Director of Research, Mergers and Advocacy for further steps</p> <p>20. Director of Research, Mergers and Advocacy receive decision of the Commission and Final Research Study Report, and assign to Research Manager</p> <p>21. Research Manager receive decision of the Commission and Final Research Study Report and assign to Research Officer</p> <p>22. Research Officer record details of the Final Research Study Report and decision of the Commission in Studies and Research Register</p>
Process Output	Final Research Study Report
Measurable Outcome	Number of Final Research Study Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General

Control Points and Measurements	Study and Research Register
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1.1.3 Competition Advocacy

Competition Advocacy activities entails those activities related to promotion of competitive environment for economic activities by means of non-enforcement mechanism, mainly through relationship with relevant stakeholders and by increasing public awareness for the benefit of competitions. Competitive economy targets various Policy Makers to influence adoption of competitive regime and raise public awareness regarding the benefit of competition to the economy. Competition advocacy includes the following business processes: -

- i. Review of the policy, bills or legislation; and
- ii. Public Awareness.

1.1.3.1 Review of Policy, Bills or Legislation

Name of Process	Review of Policy, Bills or Legislation
Process Number	FCC_CBP_CA_13
Process Description	This process entails review of policy, bills or legislation initiated by either external parties or FCC to assess their effect on competition and consumer welfare
Process Boundaries	<p>Start Point: Party submit request to review policy, bills or legislation and related documents or Advocacy Officer identify the need to review policy, bills or legislation</p> <p>End Point: Advocacy Officer document details of the Decision of the Commission and Analysis Report in Advocacy Database</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Secretary to the Commission

	<ul style="list-style-type: none"> ▪ Advocacy Manager ▪ Advocacy Officer ▪ Record Officer
Stakeholders	Ministry of Industry and Trade, Parliament of Tanzania, Attorney General, Regulatory Authorities, Consumer Associations, Industry Associations, Media House, Business Community and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ Guideline for Policy and Legislation Analysis ▪ Merchandize Mark Act,1963 as amended in 2012
Pre-Conditions	Not applicable
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Review of policy, bills or legislation Initiated by Parties or FCC ▪ Collected desk search information are enough or not enough ▪ Commission reject or accept Analysis Report
Process Input	1. Request for bill, policy or legislation review
Process Flow	<p>Start Case 1: Review of policy, bills or legislation Initiated by Parties</p> <ol style="list-style-type: none"> 1. Party submit request to review policy, bills or legislation and related documents 2. Record Officer receive request to review policy, bills or legislation 3. Record Officer assign reference number and submit request for policy, bills or legislation review to Director General for preview 4. Director General preview request to review policy, bills or legislation and assign to Director of Research, Mergers and Advocacy 5. Director of Research, Mergers and Advocacy receive the directives and assign to Advocacy Manager for policy, bills or legislation review

	<ul style="list-style-type: none">6. Advocacy Manager receive the directives and assign to Advocacy Officer for policy, bills or legislation review7. Advocacy Officer receive the directives for policy, bills or legislation review and proceed with step number 7 herein below <p>End Case 1: Review of policy, bills or legislation Initiated by Parties</p> <p>Start Case 2: Review of policy, bills or legislation Initiated by FCC</p> <ul style="list-style-type: none">8. Advocacy Officer identify the need to review policy, bills or legislation9. Advocacy Officer prepare proposal for policy, bills or legislation review10. Advocacy Officer submit prepared proposal for policy, bills or legislation review to Advocacy Manager for review11. Advocacy Manager review prepared proposal for policy, bills or legislation review and submit to Director of Research, Mergers and Advocacy for approval12. Director of Research, Mergers and Advocacy approve the submitted proposal for policy, bills or legislation review and assign to Advocacy Manager13. Advocacy Manager receive approved proposal for policy, bills or legislation review and assign to Advocacy Officer for action <p>End Case 2: Review of policy, bills or legislation Initiated by FCC</p> <ul style="list-style-type: none">14. Advocacy Officer collect desk search information required for policy, bills or legislation review15. Advocacy Officer analyse collected information and policy, bills or legislation16. If collected desk search information are enough, Advocacy Officer proceed with step number 14 to 25 herein below17. If collected desk search information are not enough, Advocacy Officer engage key stakeholders18. Advocacy Officer visit key stakeholders and collect additional information
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	<ol style="list-style-type: none">19. Advocacy Officer analyse additional information collected from key stakeholders as well as policy, bills or legislation under review20. Advocacy Officer prepare Analysis Report for policy, bills or legislation and submit to Advocacy Manager21. Advocacy Manager review Analysis Report for policy, bills or legislation and submit to Director of Research, Mergers and Advocacy for review22. Director of Research, Mergers and Advocacy review Analysis Report for policy, bills or legislation and submit to Director General for approval23. Director General approve Analysis Report for policy, bills or legislation and assign to Secretary to the Commission24. The Secretary to the commission prepares notice and submit the document to the management for discussion and recommendation(s)25. If Management recommend for Improvement, Secretary to the Commission transmit to the Director of Research, Mergers and Advocacy for improvement26. If Management adopt the Analysis Report for policy, bills or legislation, Secretary to the Commission prepare notice for the commission meeting and submit the same to the Commission (i.e., FCC Board) together with documents for determination27. The Commission review transmitted Analysis Report for policy, bills or legislation and provide decisions28. If the Commission reject Analysis Report, Secretary to the Commission transmit Decision of the Commission and Analysis Report to Director of Research, Mergers and Advocacy for reference29. If the Commission approve the Analysis Report, Secretary to the Commission transmit Decision of the Commission and Analysis Report to Director of Research, Mergers and Advocacy for reference and to Party for further processing
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	<p>30. Director of Research, Mergers and Advocacy receive Decision of the Commission and Analysis Report and assign to Advocacy Manager for reference</p> <p>31. Advocacy Manager receive Decision of the Commission and Analysis Report and assign to Advocacy Officer for reference</p> <p>32. Advocacy Officer document details of the Decision of the Commission and Analysis Report in Advocacy Register</p>
Process Output	<p>Proposal for policy, bills or legislation review</p> <p>Analysis Report for policy, bills or legislation</p> <p>Updated Advocacy Register</p>
Measurable Outcome	Number of Analysis Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<p>Advocacy Register</p> <p>Notice for the commission meeting</p>

1.1.3.2 Public Awareness

Name of Process	Public Awareness
Process Number	FCC_CBP_CA_14
Process Description	This process entails procedure to conduct public awareness session to promote competition culture in the economy
Process Boundaries	<p>Start Point: Stakeholders or Advocacy Officer identify the need to perform Public Awareness</p> <p>End Point: Advocacy Officer document details of the Public Awareness Session in Advocacy Register</p>
Process Owner	Director of Research, Mergers and Advocacy

Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Advocacy Manager ▪ Advocacy Officer ▪ Record Officer ▪ Head of Public Relations and Communication ▪ Information and Communication Technology Manager ▪ Procurement Manager
Stakeholders	Ministry of Industry and Trade, Parliament of Tanzania, Attorney General, Regulatory Authorities, Consumer Associations, Industry Associations, Media Houses, Business Community, Law Firms and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ Guideline for Policy and Legislation Analysis ▪ Advocacy Strategy 2023 ▪ Merchandize Mark Act,1963 as amended in 2012
Pre-Conditions	Public awareness Notice
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Public Awareness Session Report contain or does not contain issues that require investigation
Process Input	Final Research Study Report Public Awareness Needs
Process Flow	<p>Start Case 1: Public Awareness Initiated by Research or External Parties</p> <ol style="list-style-type: none"> 1. Director of Research, Mergers and Advocacy assign decision of the Commission and Final Research Study Report to Advocacy Manager

	<ol style="list-style-type: none"> 2. Research Manager receive decision of the Commission and Final Research Study Report and assign to Advocacy Officer for implementation 3. Advocacy Officer proceed with step number 9 herein below <p>End Case 1: Public Awareness Initiated by Research or External Parties</p> <p>Start Case 2: Public Awareness Initiated by Advocacy Department</p> <ol style="list-style-type: none"> 4. Advocacy Officer identify the need to perform Public Awareness 5. Advocacy Officer prepare proposal for conducting Public Awareness and Execution Plan 6. Advocacy Officer submit prepared proposal for conducting Public Awareness and Execution Plan to Advocacy Manager for review 7. Advocacy Manager review prepared Proposal for conducting Public Awareness and Execution Plan and submit to Director of Research, Mergers and Advocacy for review 8. Director of Research, Mergers and Advocacy review Proposal for conducting Public Awareness and Execution Plan and submit to Director General for approval 9. Director General approve the proposal to conduct Public Awareness and its Execution Plan, and assign to Director of Research, Mergers and Advocacy for implementation 10. Director of Research, Mergers and Advocacy assign approved proposal to conduct Public Awareness and its Execution Plan to Advocacy Manager 11. Advocacy Manager receive approved proposal to conduct Public Awareness and its Execution Plan, and assign to Advocacy Officer for implementation <p>End Case 2: Public Awareness Initiated by Advocacy Department</p> <ol style="list-style-type: none"> 12. Advocacy Officer prepare draft Invitation Letter for stakeholders to participate in Public Awareness session 13. Advocacy Officer submit draft Invitation Letter to Advocacy Manager for review
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	<ol style="list-style-type: none">14. Advocacy Manager review prepared draft Invitation Letter and submit to Director of Research, Mergers and Advocacy for review15. Director of Research, Mergers and Advocacy review draft Invitation Letter and submit to Director General for signature16. Director General sign Invitation Letter, assign to Record Officer for dispatch and to Advocacy Officer for further processing17. Record Officer dispatch signed Invitation Letter to respective Stakeholders18. Advocacy Officer prepare draft Budget and Presentation Material for Public Awareness Session and submit to Advocacy Manager for review19. Advocacy Manager review prepared draft Budget and Presentation Material and submit to Director of Research, Mergers and Advocacy for approval20. Director of Research, Mergers and Advocacy review and approve Budget and Presentation Material and assign to Advocacy Officer for Public Awareness Session21. Advocacy Officer conduct Public Awareness Session using approved Presentation Material22. Advocacy Officer identify Stakeholders who did not appear, so that they will be invited in next Public Awareness Session23. Advocacy Officer prepare Public Awareness Session Report and submit to Advocacy Manager review24. Advocacy Manager review submitted Public Awareness Session Report and submit to Director of Research, Mergers and Advocacy25. Director of Research, Mergers and Advocacy review submitted Public Awareness Session Report and submit to Director General for decision26. Director General review Public Awareness Session Report and provide decision27. If the Public Awareness Session Report contain issues that require investigation and has been approved, Director General assign the
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	<p>Decision to Director of Restrictive Trade Practices for implementation</p> <p>28. If the Public Awareness Session Report does not contain issues that require investigation, Director General assign the Public Awareness Session Report and Decision to Director of Research, Mergers and Advocacy for reference</p> <p>29. Director of Research, Mergers and Advocacy assign the Public Awareness Session Report and Decision to Advocacy Manager for reference</p> <p>30. Advocacy Manager assign the Public Awareness Session Report and Decision to Advocacy Officer</p> <p>31. Advocacy Officer document details of the Public Awareness Session in Advocacy Register</p>
Process Output	Public Awareness Session Report
Measurable Outcome	Number of Public Awareness Session Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Updated Advocacy Register

1.2 Restrictive Trade Practices

1.2.1 Consumer Protection

The consumer protection services address matters related to protecting consumers from unfair and misleading market conducts in line with Fair Competition Act, 2003 (FCA). These services include the following business processes: -

- i. Review of standard form consumer Contracts;
- ii. Complaints Handling;
- iii. Complaint Investigation;

- iv. Enforcement;
- v. Interim Compliance Order; and
- vi. Settlement.

1.2.1.1 Review of Standard Form Consumer Contract

Name of Process	Review of Standard Form Consumer Contract
Process Number	FCC_CBP_CP_14
Process Description	This process entails review of the submitted dully filled standard form contract and related documents as well as issuance of sealed certificate for approved standard form contract to Applicant
Process Boundaries	<p>Start Point: Submission of dully filled Standard Form Contract (SFC-1) and related documents</p> <p>End Point: Issuance of sealed certificate for approved Standard Form Contract to Applicant</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Consumer Protection Manager ▪ Secretary to the Commission ▪ Consumer Protection Officer ▪ Record Officer ▪ Applicant
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TCRA, , BRELA, Consumer Associations, e-GA, Business Community and Development Partners
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulation, 2014
Pre-Conditions	Registered business under the laws of mainland Tanzania
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approved or rejected recommendations of the Summary Review ▪ Approved and rejected Summary Review after consultation
Process Input	Standard Form Contract (SFC-1) and other legal documents
Process Flow	<ol style="list-style-type: none"> 1. Applicant submit dully filled Standard Form Contract (SFC-1) and related documents for application of reviewing Standard Form Consumer contract 2. Record Officer receive submitted Standard Form Contract and related documents 3. Record Officer assign reference number and submit Standard Form Contract to Director General for preview 4. Director General assign previewed Standard Form Contract and assign to Director of Restrictive Trade Practices for further processing 5. Director of Restrictive Trade Practices assign the Standard Form Contract to Consumer Protection Manager for review and provide guidance 6. Consumer Protection Manager assign the Standard Form Contract to Consumer Protection Officer for review 7. Consumer Protection Officer screen the assigned Standard Form Contract for completeness of related documents 8. If documents are in order, Consumer Protection Officer compute payable fee, generate control number and draft acknowledgement letter and submit to Consumer Protection Manager for review 9. If documents are not in order Consumer Protection Officer draft a letter to notify Applicant to provide missing documents 10. Consumer Protection Manager review draft of acknowledgement letter or notification letter on missed documents and submit to Director of Restrictive Trade Practices for approval 11. Record Officer receive and dispatch approved acknowledgement letter with a control number or a letter of notification on missed documents to the Applicant

	<ol style="list-style-type: none">12. Applicant pay required fee amount and submit proof of payment13. Consumer Protection Officer review the submitted Standard Form Contract, prepare Summary Review and submit to Consumer Protection Manager for review14. Consumer Protection Manager crosscheck and submit the prepared Summary Review for Standard Form Contract to Director of Restrictive Trade Practices for review and recommendations15. Director of Restrictive Trade Practices review and submit prepared Summary Review for Standard Form Contract to Director General for approval16. Director General approve the prepared Summary Review for Standard Form Contract and assign to Director of Restrictive Trade Practices for further steps17. Director of Restrictive Trade Practices assign the approved Summary Review for Standard Form Contract to Consumer Protection Manager for further steps18. Consumer Protection Manager assign Summary Review for Standard Form Contract to Consumer Protection Officer for further steps19. Consumer Protection Officer issue the approved Summary Review for Standard Form Contract and invite Applicant for consultation20. For approved recommendations of the issued Summary Review, Applicant submit corrected version of the Standard Form Consumer Contract21. For rejected recommendations of the Summary Review, Applicant appears for consultation to obtain clarity for issued Summary Review22. Consumer Protection Officer conduct consultation with Applicant as per issued Summary Review, document agreements reached during consultation and obtain Applicant signature23. For rejected Summary Review after consultation, Applicant appeal to the Fair Competition Tribunal against issued Summary Review for Standard Form Consumer Contract
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	<p>24. For adopted Summary Review after consultation, Applicant submit corrected final version of the Standard Form Consumer Contract</p> <p>25. Consumer Protection Officer prepare certification documents for reviewed Standard Form Consumer Contract and submit to Consumer Protection Manager for review</p> <p>26. Consumer Protection Manager review and submit prepared certification documents for Standard Form Contract to Director of Restrictive Trade Practices</p> <p>27. Director of Restrictive Trade Practices review and submit certification documents for Standard Form Contract to Director General for approval</p> <p>28. Director General approve the prepared draft certificate for Standard Form Contract and assign to the Secretary of the Commission for a seal</p> <p>29. Secretary to the Commission seal the certificate for approved Standard Form Contract and submit to Record Officer for dispatch</p> <p>30. Record Officer issue sealed certificate for approved Standard Form Contract to Applicant</p> <p>31. Consumer Protection Officer update the Register of Standard Form Consumer Contract</p>
Process Output	Certificate for approved Standard Form Contract
Measurable Outcome	Number of approved Standard Form Contracts
Exceptions to Normal Process Flow	<p>Review of Standard Form Contract does not apply to: -</p> <ul style="list-style-type: none"> ▪ Business to Business Standard Form Contracts ▪ Industrial relations and collective bargains agreements between employers and employee ▪ Succession and Family matters <p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from the Director General

	2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<ol style="list-style-type: none"> 1. Signed consultation agreements document 2. Updated Register for Standard Form Consumer Contract 3. Sealed certificate for approved Standard Form Contract

1.2.1.2 Handling of Consumer Complaint

Name of Process	Handling of Consumer Complaint
Process Number	FCC_CBP_CP_15
Process Description	This process entails review of submitted complaints form (SFC-2), issuing notification on complaint filed with the Commission (SFC-3) as well as approved legal opinion to Respondent and document details in complaint register
Process Boundaries	<p>Start Point: Submission of filled Complaints Form (SFC-2) to the Commission</p> <p>End Point: Documentation of presented complaints details and approved legal opinions in Complaints Register</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer ▪ Complainant ▪ Respondent
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TCRA, BRELA, Consumer Associations, e-GA, Business community, Development Partner and general public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003

	<ul style="list-style-type: none"> ▪ Standard Form Consumer Contract Regulation, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Complainant should be a final consumer
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Complaint should or should not be entertained ▪ Rejected complaint, complainant to be notified ▪ Entertained complaint, notification to Respondent ▪ Written feedback from Respondent on redress or does not redress Complaint as per demand letter ▪ Mediation Agreements establish or does not establish need for investigation ▪ Submission of defence within or beyond fourteen (14) days
Process Input	Filled Complaints Form (SFC-2)
Process Flow	<ol style="list-style-type: none"> 1. Complainant fill Complaints Form (SFC-2) and submit to the Commission 2. Record Officer receive submitted Complaint Form by Complainant 3. Record Officer assign reference number and submit Complaint Form to Director General for preview 4. Director General assign previewed Complaint and assign to Director of Restrictive Trade Practices for further processing 5. Director of Restrictive Trade Practices assign the Complaint to Consumer Protection Manager for review and recommendation 6. Consumer Protection Manager assign the Complaint to Consumer Protection Officer for review 7. Consumer Protection Officer determines if assigned Complaints is consumer protection related

	<ol style="list-style-type: none">8. If assigned complaints is not consumer protection related, Consumer Protection Officer prepare Legal Opinion9. Consumer Protection Officer submit prepared Legal Opinion to Consumer Protection Manager10. Consumer Protection Manager review and submit the prepared Legal Opinion to Director of Restrictive Trade Practices11. Director of Restrictive Trade Practices review and submit prepared Legal Opinions to Director General for approval12. Director General approve the prepared Legal Opinion and assign to Director of Restrictive Trade Practices for further processing13. Director of Restrictive Trade Practices assign Consumer Protection Manager further processing of approved Legal Opinion14. Consumer Protection Manager Assign Consumer Protection Officer to notify complainant to submit complaints as per approved Legal Opinion15. If the complaint falls under different jurisdiction, Consumer Protection Officer draft notification letter for onwards approvals notifying Complainant to submit presented complaints to respective Authority with competent jurisdiction as per approved legal opinions16. If assigned complaint is consumer protection related, Consumer Protection Officer determine if the complaint falls under Standard Form Consumer Contract (SFCC) or Goods and Consumer Services that does not use SFCC17. For Complaint that falls under Goods and Consumer Services that does not use SFCC, Consumer Protection Officer prepare demand letter to the Respondent to redress the Complainant18. Consumer Protection Officer submit prepared demand letter to Consumer Protection Manager for review19. Consumer Protection Manager review and submit prepared demand letter to Director of Restrictive Trade Practices for review and signature
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	<ol style="list-style-type: none">20. Director of Restrictive Trade Practices review and sign demand letter and assign Record Officer to dispatch the letter to Respondent and copy to Complainant21. Record Officer dispatch the letter to Respondent and copy to Complainant22. The Respondent and Complainant submit written feedback to the Commission23. If the written feedback redresses the Complaint as per demand letter, Consumer Protection Officer mark that Complaint as closed24. If the written feedback does not redress the Complaint as per demand letter, Consumer Protection Officer invite the Complainant and Respondent for mediation25. Consumer Protection Officer conduct mediation26. Consumer Protection Officer prepare Mediation Agreements and cause the Respondent as well as Complainant to sign27. Consumer Protection Officer sign and issue copy of the same to Complainant and Respondent28. Consumer Protection Officer submit the signed Mediation Agreement to Record Officer for archiving29. If the Mediation Agreements establish a need for investigation, Consumer Protection Officer prepare Legal Opinion and proceed with step number 37 to 41 herein below30. For Complaint that falls under Standard Form Consumer Contract, Consumer Protection Officer fill, Notification on Complaint Filed with the Commission (SFC-3) and notify Respondent on filed complaint31. Consumer Protection Officer submit filled Notification on Complaint Filed with the Commission (SFC-3) to Consumer Protection Manager32. Consumer Protection Manager review and submit the filled Notification on Complaint Filed with the Commission (SFC-3) to Director of Restrictive Trade Practices
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	<p>33. Director of Restrictive Trade Practices review and submit filled Notification on Complaint Filed with the Commission (SFC-3) to Director General for review and signature</p> <p>34. Director General sign the submitted Notification on Complaint Filed with the Commission (SFC-3) and assign Record Officer for dispatch to Respondent</p> <p>35. Record Officer issue signed Notification on Complaint Filed with the Commission (SFC-3) to Respondent.</p> <p>36. Record Officer receive defence from Respondent and submit to Consumer Protection Officer for processing</p> <p>37. If Respondent has not submitted defence within fourteen (14) days, Consumer Protection Officer prepare Final Legal Opinion based on presented complaints</p> <p>38. If Respondent has submitted defence within fourteen (14) days, Consumer Protection Officer perform defence analysis against presented complaints and prepare Final Legal Opinion</p> <p>39. Consumer Protection Officer submit prepared Legal Opinion to Consumer Protection Manager</p> <p>40. Protection Manager review and submit the prepared Legal Opinion on presented Complaint to Director of Restrictive Trade Practices</p> <p>41. Director of Restrictive Trade Practices review and submit Legal Opinion to Director General for approval</p> <p>42. Director General approve the submitted Legal Opinion and assign the Director of Restrictive Trade Practices</p> <p>43. The Director of Restrictive Trade Practices assign the approved legal opinion to the Consumer Protection Manager for further processes</p> <p>44. Consumer Protection Officer document details of the presented complaints and approved legal opinions in Complaints Register</p>
Process Output	<ul style="list-style-type: none"> ▪ Mediation Agreements ▪ Approved Legal Opinions

Measurable Outcome	Number of Approved Legal Opinions Number of redressed & non-redressed complaints
Exceptions to Normal Process Flow	In case of zone <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Complaints Register ▪ Notification on Complaint Filed ▪ Approved Legal Opinion

1.2.1.3 Investigation of Consumer Complaint

Name of Process	Investigation of Consumer Complaint
Process Number	FCC_CBP_CP_16
Process Description	This process entails investigation of submitted complaints according to directives issued by Director General
Process Boundaries	Start Point: Director General assign approved Legal Opinion and provide directives to Director of Restrictive Trade Practices for implementation End Point: Director General approve the Investigation Report
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer ▪ Complainant

Stakeholders	Ministry of Industry and Trade, FCT, TIRA, TCRA, EWURA, TBS, WMA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Approved Legal Opinions
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Complaint should or should not be entertained ▪ Complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons ▪ Approve or reject Investigation Plan and Budget
Process Input	Approved Legal opinion
Process Flow	<ol style="list-style-type: none"> 1. Director General assign approved Legal Opinion and provide directives to Director of Restrictive Trade Practices for implementation 2. Director of Restrictive Trade Practices receive directives from Director General and assign to Consumer Protection Manager for implementation 3. Consumer Protection Manager assign the directives to Consumer Protection Officer for implementation 4. If the directives entail that the complaint should not be entertained, Consumer Protection Officer prepare draft letter narrating reason(s) for rejection 5. Consumer Protection Officer submit prepared draft letter to Consumer Protection Manager for review 6. Consumer Protection Manager review prepared draft letter and submit to Director of Restrictive Trade Practices 7. Director of Restrictive Trade Practices review prepared draft letter and submit to Director General for review and signature

	<ol style="list-style-type: none">8. Director General sign the prepared draft letter and assign to the Records Officer for dispatch9. Record Officer dispatch signed letter to inform the Complainant that complaint will not be entertained10. If the directives entail that the complaint should be entertained, Consumer Protection Officer request complaint number from Registry Office11. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle12. Consumer Protection Officer receive complaint number from Registry Office and prepare draft Investigation Plan and Cost13. Consumer Protection Officer submit draft Investigation Plan and Budget to Consumer Protection Manager for review14. Consumer Protection Manager review the draft Investigation Plan and Cost and submit to the Director of Restrictive Trade Practices for review15. Director of Restrictive Trade Practices review the draft Investigation Plan and Budget and submit to the Director General for approval16. Director General approve or reject the Investigation Plan and Cost and assign the Director of Restrictive Trade Practices for action17. Director of Restrictive Trade Practices assign Consumer Protection Manager for action18. Consumer Protection Manager assign Consumer Protection Officer for action19. If the Investigation Plan and Budget is rejected, Consumer Protection Officer mark the Complaint as closed20. If the Investigation Plan and Budget is approved, Consumer Protection Officer conduct investigation21. Consumer Protection Officer prepare draft Investigation Report and submit to Consumer Protection Manager for review
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	<p>22. Consumer Protection Manager review the draft Investigation Report and submit to the Director of Restrictive Trade Practices for review</p> <p>23. Director of Restrictive Trade Practices review the draft Investigation Report and submit to the Director General for approval</p> <p>24. Director General approve the Investigation Report and assign to Director of Restrictive Trade Practices for action</p> <p>25. Director of Restrictive Trade Practices receive the report and Consumer Enforcement process follows.</p>
Process Output	Approved Investigation Report
Measurable Outcome	Number of Approved Investigation Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Investigation Plan and Budget ▪ Approved Investigation Report

1.2.1.4 Consumer Enforcement

Name of Process	Consumer Enforcement
Process Number	FCC_CBP_CP_17
Process Description	This process entails procedure for enforcement of the complaint after approval of the investigation report
Process Boundaries	<p>Start Point: Director General assign Investigation Report to Director of Restrictive Trade Practices for further steps</p> <p>End Point: Record Officer dispatch Final Finding to Respondent</p>

Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to the Commission ▪ Consumer Protection Manager ▪ Investigation Officer ▪ Consumer Protection Officer ▪ Record Officer ▪ Respondent ▪ Procurement Manager ▪ Information and Communication Manager ▪ Head of Public Relations and Communication
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Approved Investigation Report
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ There is a case or there is no case to answer ▪ The Commission reject or adopt Investigation Report ▪ Submission of non-confidential version of the provisional findings or written submissions ▪ Respondent has or has not submitted non-confidential version ▪ Written submission does or does not contain request for settlement

	<ul style="list-style-type: none"> ▪ Respondent applied or did not apply for oral presentation ▪ Respondent appear or did not appear for oral representation
Process Input	Approved Investigation Report
Process Flow	<ol style="list-style-type: none"> 1. Director General assign Investigation Report to Director of Restrictive Trade Practices for further steps <p>Start Case 1: There is No Case to Answer</p> <ol style="list-style-type: none"> 2. Director of Restrictive Trade Practices assign Consumer Protection Manager to prepare a letter informing the Respondent that Commission shall not take any further action 3. Consumer Protection Manager, assign Consumer Protection Officer to prepare a letter informing the Respondent that Commission shall not take any further action 4. Consumer Protection Officer prepare and submit draft letter to Consumer Protection Manager to inform the Respondents that the Commission shall not take any further action 5. Consumer Protection Manager review the submitted draft letter and submit to Director of Restrictive Trade Practices for review 6. Director of Restrictive Trade Practices review the letter and submit to Director General for review and signature 7. Director General review, sign the letter and assign to the Records Officer for dispatch 8. Records Officer dispatch the signed letter to inform the Respondent that Commission shall not take any further action <p>End Case 1: There is No Case to Answer</p> <p>Start Case 2: There is a Case to Answer</p> <ol style="list-style-type: none"> 9. Director of Restrictive Trade Practices sign prepared Statement of the Case from Case officer/Manager and assign to Record Officer for dispatch 10. Records Officer dispatch the Statement of the case to the Respondent for noting

	<p>11. Director of Restrictive Trade Practices submit the approved Investigation Report to the Director General for submission to the Commission</p> <p>12. The Director General Assign Secretary to the Commission to submit approved Investigation Report</p> <p>13. Secretary to the Commission submit approved Investigation Report using <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>14. The Commission review the Investigation Report and adopt or reject the Investigation Report</p> <p>End Case 2: There is a Case to Answer</p> <p>Start Case 3: The Commission Reject Investigation Report</p> <p>15. Repeat Process Number 2 to 8 of the Enforcement Process</p> <p>End Case 3: The Commission Reject Investigation Report</p> <p>Start Case 4: The Commission Adopt Investigation Report</p> <p>16. Director of Restrictive Trade Practices assign Consumer Protection Manager to prepare draft Provisional Findings with legal reasoning and requiring the Respondent to make written submissions, apply for oral presentation, apply for settlement and submit non-confidential version of the provisional findings within a specified period</p> <p>17. Consumer Protection Manager assign Consumer Protection Officer to prepare draft Provisional Findings requiring the Respondent to make written submissions, apply for oral presentation, apply for settlement and submit non-confidential version of the provisional findings within a specified period</p> <p>18. Consumer Protection Officer draft Provisional Findings requiring the Respondent to make written submissions, apply for oral presentation, apply for settlement and submit non-confidential version of the provisional findings within a specified period and submit to the Consumer Protect Manager for review</p> <p>19. Consumer Protection Manager review draft Provisional Findings requiring the Respondent to make written submissions, apply for oral presentation, apply for settlement and submit non-</p>
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	<p>confidential version of the provisional findings within a specified period and submit to the Director of Restrictive Trade Practices for review</p> <p>20. Director of Restrictive Trade Practices review draft provisional Findings and submit to Director General for approval and submission to the Commission</p> <p>21. The Director General review provisional Findings and assign Secretary to the Commission to submit findings to the Commission</p> <p>22. Secretary to the Commission submit a provisional Findings <i>submission of papers to the Commission process lifecycle (Determination by the Commission)</i></p> <p>23. The Commission sign the Provisional Findings and assign Secretary to the Commission for dispatch to the Respondent</p> <p>24. Secretary to the Commission assign Record Officer to dispatch the Provisional Findings to Respondent</p> <p>25. Record Officer dispatch Provisional Findings to Respondent</p> <p>End Case 4: The Commission Adopt Investigation Report</p> <p>26. Respondent submit written submissions and non-confidential version of the provisional findings</p> <p>27. Records Officer receives written submissions and non-confidential version of the provisional findings and submit to the Director General for preview</p> <p>Start Case 5: Analysis of Written Submission and Non-Confidential Version</p> <p>28. Director General preview the submitted written submissions and non-confidential version of the provisional findings and instruct the Director of Restrictive Trade Practices to ascertain the declared confidentiality</p> <p>29. Director of Restrictive Trade Practices receive written submission(s) and non-confidential version of the provisional findings and direct the Consumer Protection Manager to ascertain the declared confidentiality</p>
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	<p>30. Consumer Protection Manager assign the written submissions and non-confidential version of the provisional findings to Consumer Protection Officer to ascertain the declared confidentiality</p> <p>31. Consumer Protection Officer analyse non-confidential issues submitted by Respondent and submit the Draft Report for Confidential Issues to the Consumer Protection Manager for review</p> <p>32. Consumer Protection Manager review the Draft Report for Confidential Issues and submit to Director of Restrictive Trade Practices for review</p> <p>33. Director of Restrictive Trade Practices review the Draft Report for Confidential Issues and submit to the Director General for approval</p> <p>34. Director general approve Draft Report for Confidential Issues and assign Secretary to the Commission to submit to the Commission for decision</p> <p>35. Secretary to the Commission submit a provisional Findings <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>36. The Commission review the Report for Confidential Issues and make decision on the submitted report and assign to Secretary to the Commission for dispatch to the Respondent</p> <p>37. Secretary to the Commission, assign Record Officer to dispatch decision of the Commission to the Respondent</p> <p>38. Record Officer dispatch decision of the Commission to the Respondent</p> <p>39. If Respondent has not submitted non-confidential version, Commission publishes the non-confidential version of the provisional findings in the Commissions websites and widely circulating newspapers</p> <p>40. Record Officer receive informed comments from the public and Submit to DG for preview</p>
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	<ol style="list-style-type: none">41. Director General assign Director of Restrictive Trade Practices for action42. Director of Restrictive Trade Practices assign Consumer Protection Manager for action43. Consumer Protection Manager assign Consumer Protection Officer for analysis44. Consumer Protection Officer analyse written submission from the Respondent and informed comments from the public45. If the written submission from Respondent contain request for settlement, Settlement process complete life cycle follows46. If the written submission from Respondent does not contain request for settlement, Consumer Protection Officer submit Draft Analysis Report for Written Submission to the Consumer Protection Manager for review47. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle48. Consumer Protection Manager review the Draft Analysis Report for Written Submission and submit to the Director of Restrictive Trade Practices for review49. Director of Restrictive Trade Practices review the Draft Analysis Report for Written Submission and submit to the Director General for approval50. Director General approve the Analysis Report for Written Submission and cause oral hearing to be conducted51. If the Respondent applied for oral presentation, The Commission invite the Respondents to make oral presentations52. If the Respondent appear for oral representation, the Commission conduct oral hearing and prepare transcript of the oral representation meeting53. The Commission serve the prepared transcript of the oral representation meeting to the Respondent for confirmation
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	<p>54. Respondent submit confirmed transcript of oral representation meeting to the Commission</p> <p>55. If the Respondent did not apply or appear for oral representation, and did not submit written submission, the Commission prepare Final Findings</p> <p>56. The Commission assign Secretary to the Commission for dispatch final findings to the Respondent</p> <p>57. Secretary to the Commission assign Record Officer to dispatch Final Findings to Respondent</p> <p>58. Record Officer dispatch Final Findings to Respondent</p> <p>End Case 5: Analysis of Written Submission and Non-Confidential Version</p>
Process Output	<ul style="list-style-type: none"> ▪ Provisional Finding ▪ Statement of a Case/Letter to inform the respondent that Commission shall not take any further action ▪ Final Findings
Measurable Outcome	Number of Approved Final Findings
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<p>Issuance of Provisional Finding to Respondent</p> <p>Statement of a Case</p> <p>Provisional Finding</p>

1.2.1.5 Interim Compliance Order

Name of Process	Interim Compliance Order
Process Number	FCC_CBP_CP_18

Process Description	This process entails procedure for issuing interim compliance order for complaints that poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Boundaries	Start Point: Consumer Protection Officer prepare report indicating serious or irreparable damage to a person End Point: Secretary to the Commission document details of the order in Interim Compliance Order Register
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to the Commission ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Commission approve or reject the report indicating serious or irreparable damage to a person ▪ Commission reject or uphold the defence
Process Input	Details of Interim Compliance Order

<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Consumer Protection Officer prepare report indicating serious or irreparable damage to a person 2. Consumer Protection Officer submit report indicating serious or irreparable damage to a person, to Consumer Protection Manager 3. Consumer Protection Manager review the report indicating serious or irreparable damage to a person and submit to the Director of Restrictive Trade Practices for review 4. Director of Restrictive Trade Practices review report indicating serious or irreparable damage to a person report and submit to the Director General for approval 5. Director General approve the report indicating serious or irreparable damage to a person and submit to the Commission for decision and Order 6. If Commission reject the report indicating serious or irreparable damage to a person, The Commission issue the order to strike out application for Interim Compliance Order 7. The Director of Restrictive Trade Practices prepare the Order to strike out the application for Interim Compliance Order and submit to the Commission for signatures 8. The Commission assign the Secretary of the Commission to serve the Order to strike out the application for Interim Compliance Order to the Respondent 9. Secretary to the Commission assign Record Officer to dispatch the Order to strike out the application for Interim Compliance Order to Respondent 10. Record Officer dispatch Order to strike out the application for Interim Compliance Order to Respondent 11. If Commission approve the report indicating serious or irreparable damage to a person, the Commission summons the Respondent to defend the allegations 12. The Commission conduct oral hearing and make determination on the defence by the Respondent
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	<p>13. If the Commission uphold the defence, the Commission orders to stop preparation of the interim Order</p> <p>14. If the Commission reject the defence, Commission directs the Director General to prepare draft Interim Compliance Order</p> <p>15. Secretary to the Commission prepare draft Interim Compliance Order and submit to the Commission</p> <p>16. The Commission sign the Interim Compliance Order and assign Secretary to the Commission for dispatch to the Respondent</p> <p>17. Secretary to the Commission dispatch the Interim Compliance Order to Respondent</p> <p>18. Secretary to the Commission document details of the order in Interim Compliance Order Register</p>
Process Output	Interim Compliance Order
Measurable Outcome	Number of issued Interim Compliance Order
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Updated Interim Compliance Order Register

1.2.1.6 Settlement

Name of Process	Settlement
Process Number	FCC_CBP_CP_19
Process Description	This process entails the review of submitted application for settlement and issuance of Settlement Compliance Agreement
Process Boundaries	Start Point: Receiving application for settlement from the Applicant

	End Point: Dispatching Settlement Compliance Agreements to Applicant
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to The Commission ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer ▪ Applicant ▪ Respondent
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Submitted application for settlement
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ The Commission grants or reject the application for Settlement ▪ The Commission accept or reject the Settlement Plan ▪ The Commission approve or reject Settlement Report
Process Input	Application for Settlement
Process Flow	1. The Director general receive the application for settlement from the Applicant and submit to the Commission for approval

	<ol style="list-style-type: none"> 2. If the Commission reject the application for settlement, the Commission orders the Secretary to the Commission to serve the Order to strike out the application for settlement to the Applicant 3. Secretary to the Commission assign Record Officer to dispatch Order to strike out the application for settlement to Applicant 4. Record Officer dispatch Order to strike out the application for settlement to Applicant 5. If the Commission grants the application for Settlement, the Commission orders the Applicant to submit Settlement Plan within a specified period of time 6. Applicant prepare Settlement Plan and submit to the Commission 7. Record Officer receive the Settlement Plan and submit to the Director General for preview 8. Director General preview the Settlement Plan and assign to Director of Restrictive Trade Practices for review 9. Director of Restrictive Trade Practices review the Settlement Plan and assign to the Consumer Protection Manager for review 10. Consumer Protection Manager review the settlement and assign to the Consumer Protection Officer for analysis 11. Consumer Protection Officer analyse the Settlement Plan and submit Analysis Report to the Consumer Protection Manager for review 12. Consumer Protection Manager review the Analysis Report and submit to Director of Restrictive Trade Practices for review 13. Director of Restrictive Trade Practices review the Analysis Report and submit to the Director General for approval 14. Director General approve the Analysis Report and submit to the Commission for determination 15. If the Commission rejects the Settlement Plan, the Commission orders the Applicant to resubmit a fresh Settlement Plan addressing specific issues as provided in the Order 16. If the Commission accept the Settlement Plan as it is, proceed with step number 25 herein below
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	<ol style="list-style-type: none">17. If the Commission accept the Settlement Plan with conditions, the Commission direct the Director General to constitute a technical team for scrutinization of Settlement Plan and submit the report18. Director General constitute a technical team and assign Terms of Reference for scrutinization of Settlement Plan19. The Technical Team prepare Negotiation Plan in line with directives of the Commission20. The Technical Team engage in settlement process with the Applicant and prepare Settlement Report evidencing Applicant's agreement to terms of settlement or reason(s) for settlement failure21. The Technical Team submit prepared Settlement Report to Director General for approval22. Director General approve the prepared Settlement Report and submit to the Commission for determination23. The Commission review the Settlement Report and provide decision24. For rejected Settlement Report, Enforcement Process life cycle follows25. For approved Settlement Report, the Commission direct the Director General to prepare Settlement Compliance Agreement26. Director General assign the Director of Restrictive Trade Practices to prepare draft Settlement Compliance Agreement27. Director of Restrictive Trade Practices prepare draft Settlement Compliance Agreement and submit to Director General for recommendation28. Director of General recommend the draft Settlement Compliance Agreement and submit to the Commission for approval29. The Commission approve Settlement Compliance Agreement and direct Secretary to the Commission to seek Applicant signatures30. Secretary to the Commission seek Applicant signature and assign Record Officer to dispatch Settlement Compliance Agreement to Respondent
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	31. Record Officer dispatch Settlement Compliance Agreements to Applicant
Process Output	Settlement Compliance Agreement Order to strike out the application for settlement Settlement Plan Analysis Report Negotiation Plan Settlement Report
Measurable Outcome	Number of issued Settlement Compliance Agreement
Exceptions to Normal Process Flow	In case of zone 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Settlement plan ▪ Negotiation Plan

1.2.1.7 Consumer and Business Community Awareness

Name of Process	Consumer and Business Community Awareness
Process Number	FCC_CBP_CP_25
Process Description	This process entails procedure to conduct Consumer and Business Community Awareness session to promote consumer welfare
Process Boundaries	Start Point: Stakeholders or Consumer Protection Officer identify the need to perform Consumer and Business Community Awareness session End Point: Officer document details of Consumer and Business Community Awareness session in Awareness Register
Process Owner	Director of Restrictive Trade Practice
Process Actors	<ul style="list-style-type: none"> • Director General • Director of Restrictive Trade Practice • Consumer Protection Manager • Consumer Protection Officer • Record Officer • Head of Public Relations and Communication • Information and Communication Technology Manager • Procurement Manager
Stakeholders	Ministry of Industry and Trade, Parliament of Tanzania, Attorney General, Regulatory Authorities, Consumer Associations, Industry Associations, Media Houses, Business Community, Law Firms and General Public
Business Rules	<ul style="list-style-type: none"> • Fair Competition Act, 2003 • The standard Form (Consumer Contacts) Regulation of 2014 • The consumer Handling Procedure of 2022 • Product recall Guideline • General Consumer Complaints Handling Standard Operating Procedures, 2023 • Market Investigation Guidelines for Consumer Protection, 2023 • Registration Of Standard Form Consumer Contracts (SFCCS) Standard Operating Procedures, 2023 • Guideline to Consumer Protections
Pre-Conditions	Consumer and Business Community Awareness Notice
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Consumer and Business Community Awareness Session Report contain or does not contain issues that require investigation
Process Input	Start Case 1: Consumer and Business Community Awareness Initiated by Research or External Parties

1. Director of Restrictive Trade Practice assign decision of the Commission and Final Research Study Report to Consumer Protection Manager
2. Consumer Protection Manager receive decision of the Commission and Final Research Study Report and assign to Consumer Protection Officer for implementation
3. Consumer Protection Officer proceed with step number 12 herein below

End Case 1: Consumer and Business Community Awareness Initiated by Research or External Parties

Start Case 2: Consumer and Business Community Awareness Initiated by Consumer Protection section

4. Consumer Protection Officer identify the need to perform Consumer and Business Community Awareness
5. Consumer Protection Officer prepare proposal for conducting Consumer and Business Community Awareness and Execution Plan
6. Consumer Protection Officer submit prepared proposal for conducting Consumer and Business Community Awareness and Execution Plan to Consumer Protection Manager for review
7. Consumer Protection Manager review prepared Proposal for conducting Consumer and Business Community Awareness and Execution Plan and submit to Director of Restrictive Trade Practice for review
8. Director of Restrictive Trade Practice Review Proposal for conducting Consumer and Business Community Awareness and Execution Plan and submit to Director General for approval
9. Director General approve the proposal to conduct Consumer and Business Community Awareness and its Execution Plan, and assign to Director of Restrictive Trade Practice for implementation
10. Director of Restrictive Trade Practice assign approved proposal to conduct Consumer and Business Community Awareness and its Execution Plan to Consumer Protection Manager
11. Consumer Protection Manager receive approved proposal to conduct Consumer and Business Community Awareness and its Execution Plan, and assign to Advocacy Officer for implementation

End Case 2: Public Awareness Initiated by Consumer Protection Section

12. Consumer Protection Officer prepare draft Invitation Letter for stakeholders to participate in Consumer and Business Community Awareness session
13. Consumer Protection Officer submit draft Invitation Letter to Consumer Protection Manager for review
14. Consumer Protection Manager review prepared draft Invitation Letter and submit to Director of Restrictive Trade Practice for review

	<p>15. Director of Restrictive Trade Practice review draft Invitation Letter and submit to Director General for signature</p> <p>16. Director General sign Invitation Letter, assign to Record Officer for dispatch and to Consumer Protection Officer for further processing</p> <p>17. Record Officer dispatch signed Invitation Letter to respective Stakeholders</p> <p>18. Consumer Protection Officer prepare draft Budget and Presentation Material for Consumer and Business Community Awareness Session and submit to Consumer Protection Manager for review</p> <p>19. Consumer Protection Manager review prepared draft Budget and Presentation Material and submit to Director of Restrictive Trade Practice for approval</p> <p>20. Director of Restrictive Trade Practice review and approve Budget and Presentation Material and assign to Consumer Protection Officer for Consumer and Business Community Awareness Session</p> <p>21. Consumer Protection Officer conduct Consumer and Business Community Awareness Session using approved Presentation Material</p> <p>22. Consumer Protection Officer identify Stakeholders who did not appear, so that they will be invited in next Consumer and Business Community Awareness Session</p> <p>23. Consumer Protection Officer prepare Consumer and Business Community Awareness Session Report and submit to Consumer Protection Manager review</p> <p>24. Consumer Protection Manager review submitted Consumer and Business Community Awareness Session Report and submit to Director of Restrictive Trade Practice</p> <p>25. Director of Restrictive Trade Practice review submitted Consumer and Business Community Awareness Session Report and submit to Director General for decision</p> <p>26. Director General review Consumer and Business Community Awareness Session Report and provide decision</p> <p>27. If the Consumer and Business Community Awareness Session Report contain issues that require investigation and has been approved, Director General assign the Decision to Director of Restrictive Trade Practices for implementation</p> <p>28. If the Consumer and Business Community Awareness Session Report does not contain issues that require investigation, Director General assign the Consumer and Business Community Awareness Session Report and Decision to Director of Restrictive Trade Practice for reference</p> <p>29. Director of Restrictive Trade Practice assign the Consumer and Business Community Awareness Session Report and Decision to Consumer Protection Manager for reference</p> <p>30. Consumer Protection Manager assign the Consumer and Business Community Awareness Session Report and Decision to Consumer Protection Officer</p> <p>31. Consumer Protection Officer document details of the Consumer and Business Community Awareness Session in Consumer Protection Awareness Register</p>
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Process Output	Consumer and Business Community Awareness Session Report
Measurable Outcome	Number of Consumer and Business Community Awareness Session Reports
Exceptions to Normal Process Flow	In case of zone 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Updated Consumer Protection Awareness Register

1.2.2 Investigation and Enforcement (Anti-Monopoly and Anti-Cartel)

Investigation and Enforcement services deals with investigation and enforcement of matters related to anti-competitive agreements, abuse of dominance and un-notified mergers in line with Fair Competition Act, 2003 (FCA). These services include the following business processes:

- i. Complaint Management
- ii. Complaint Investigation
- iii. Enforcement
- iv. Interim Compliance Order
- v. Settlement

1.2.2.1 Complaints Management

Name of Process	Complaints Management
Process Number	FCC_CBP_IE_20
Process Description	This process entails review of submitted complaint (FCC-1) and prepare legal opinion on whether the complaint should or should not be entertained
Process Boundaries	Start Point: Submission of filled Complaint Form (FCC-1) to the commission End Point: Provision of decision on whether the complaint should be entertained in relation to prepared legal and economic opinion
Process Owner	Director of Restrictive Trade Practices

Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer (Legal Officer or Economist Officer or Statistician) ▪ Registry Officer (Record Management) ▪ Complainant
Stakeholders	Ministry of Industry and Trade, FCT, TIRA, TCRA, EWURA, Consumer Associations, TCAA, TASAC, LATRA, PURA, BRELA, BoT, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018 ▪ The air Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)
Pre-Conditions	Not Applicable
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Input	1. Complaint Filed Form (FCC-1)
Process Flow	<ol style="list-style-type: none"> 1. Complainant fill Complaint Form (FCC-1) or any manner and submit the complaint to the Commission 2. Registry /Record Officer receive submitted Complaint by Complainant

	<ol style="list-style-type: none">3. Registry /Record Officer assign reference number and submit Complaint to the Director General for preview4. Director General assign previewed complaint to the Director of Restrictive Trade Practices for processing5. Director of Restrictive Trade Practices assign the Complaint to Anti-Cartels Manager or Anti-Monopoly Manager for review and recommendation6. Anti-Cartels Manager or Anti-Monopoly Manager assign the complaint to Case Officer for review and opine7. Case Officer prepare draft acknowledgement letter and send to Anti-Cartels Manager or Anti-Monopoly Manager8. Anti-Cartels Manager or Anti-Monopoly Manager review the draft acknowledgement letter and send to Director of Restrictive Trade Practices for review and signature9. Director of Restrictive Trade Practices review, sign and send to Records / registry Officer for dispatch10. Registry/ Records Officer dispatch signed acknowledgement letter to the complainant11. Case Officer review assigned complaint and prepare legal and economic opinion as to whether the complaint should be entertained or not12. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, <i>Interim Compliance Order complete life cycle follows</i>13. Case Officer document details of the assigned complaint in the General Complaint Register14. Case Officer prepare and submit legal and economic opinion of the assigned complaint to Anti-Cartels Manager or Anti-Monopoly Manager for review15. Anti-Cartels Manager or Anti-Monopoly Manager review the submitted legal opinion and submit the reviewed legal opinion to Director of Restrictive Trade Practices
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	<ol style="list-style-type: none"> 16. Director of Restrictive Trade Practices review the submitted legal and economic opinion and submit to Director General for decision 17. Director General attend and decide whether the complaint should be entertained in accordance with prepared legal and economic opinion 18. If the Director General decides not to entertain complaint, steps 19-23 shall be followed. If the DG decides to entertain complaints, Process FCC_CBP_IE_21 (Complaints Investigation) shall be followed 19. Director General shall direct the Director of Restrictive Trade Practices to notify the complainant 20. Director of Restrictive Trade Practices inform the Anti-Cartels Manager or Anti-Monopoly Manager to draft a notification letter 21. Anti-Cartels Manager or Anti-Monopoly notify case officer to draft a notification letter 22. Case officer draft a notification letter and submit to Anti-Cartels Manager or Anti-Monopoly Manager for Review 23. Anti-Cartels Manager or Anti-Monopoly Manager Review the notification letter and send to the Director of Restrictive Trade Practices/Director General for review and Approval 24. Director of Restrictive Trade Practices/ Director General review sign and send to Records / registry Officer for Dispatch 25. Registry/ Records Officer dispatch signed acknowledgement letter to complainant
Process Output	Legal and economic opinions, notification
Measurable Outcome	Number of attended Legal and economic Opinions, notifications
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General

Control Points and Measurements	Updated General Complaint Register
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1.2.2.2 Complaints Investigation

Name of Process	Complaints Investigation
Process Number	FCC_CBP_IE_21
Process Description	This process entails investigation of submitted complaints according to the decision of the Director General
Process Boundaries	<p>Start Point: Director General assign the decisions to Director of Restrictive Trade Practices for implementation</p> <p>End Point: Director General approve the investigation report and assign to Director of Restrictive Trade Practices for further steps</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer (Legal Officer or Economist Officer or Statistician) ▪ Registry Officer (Record Management)
Stakeholders	Ministry of Industry and Trade, FCT, TIRA, TCRA, EWURA, Consumer Associations, TCAA, TASAC, LATRA, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018 ▪ The fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)

Pre-Conditions	<ul style="list-style-type: none"> ▪ Decision of the Legal and Economic Opinion ▪ Decision of the Public Awareness Session Report ▪ Decision of the Competition Research
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Complaint should entertained ▪ Available information is not enough ▪ If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Input	1. Director General Decision
Process Flow	<ol style="list-style-type: none"> 1. Director General assign the decisions to Director of Restrictive Trade Practices for implementation 2. Director of Restrictive Trade Practices receive decision from Director General and assign to Anti-Cartels Manager or Anti-Monopoly Manager for implementation 3. Anti-Cartels Manager or Anti-Monopoly Manager assign the decision to Case Officer for implementation 4. Case Officer request and receive complaint number and prepare draft investigation report according to the available information 5. If available information is not enough, Case Officer initiate further investigation 6. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle 7. Case Officer submit draft investigation report to the Anti-Cartels Manager or Anti-Monopoly Manager for review 8. Anti-Cartels Manager or Anti-Monopoly Manager review the draft investigation report and submit to the Director of Restrictive Trade Practices for review 9. Director of Restrictive Trade Practices review the draft investigation report and submit to the Director General for approval

	10. Director General approve the investigation report and process FCC_CBP_IE_22 (Enforcement) follows
Process Output	Approved Investigation Report
Measurable Outcome	Number of Approved Investigation Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Updated Complaints Register ▪ Approved Investigation Report

1.2.2.3 Enforcement

Name of Process	Enforcement
Process Number	FCC_CBP_IE_22
Process Description	This process entails enforcement of the complaint after approval of the investigation report
Process Boundaries	<p>Start Point: Director General assign investigation report to Director of Restrictive Trade Practices for further steps</p> <p>End Point: Record Officer dispatch Final Finding to Respondent</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer (Legal Officer or Economist Officer or Statistician) ▪ Registry Officer (Record Management) ▪ Respondent

Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018 ▪ The fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)
Pre-Conditions	Approved Investigation Report
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ There is a case or there is no case to answer ▪ The Commission reject or adopt Investigation Report ▪ Submission of non-confidential version of the provisional findings or written submissions ▪ Respondent has or has not submitted non-confidential version ▪ Written submission does or does not contain request for settlement ▪ Respondent applied or did not apply for oral representation ▪ Respondent appear or did appear for oral representation
Process Input	1. Approved Investigation Report
Process Flow	<ol style="list-style-type: none"> 1. Director General assign investigation report to Director of Restrictive Trade Practices for further steps 2. Director of Restrictive Trade Practices assign to Anti-Cartels Manager or Anti-Monopoly Manager to prepare opinion 3. Anti-Cartels Manager or Anti-Monopoly Manager, assign Case Officer to prepare opinion

	<ol style="list-style-type: none"> 4. Case Officer prepare and submit draft opinion to Anti-Cartels Manager or Anti-Monopoly Manager for review 5. Anti-Cartels Manager or Anti-Monopoly Manager review and recommend the submitted draft opinion and submit to Director of Restrictive Trade Practices for review and onward submission 6. Director of Restrictive Trade Practices review the opinion and submit to Director General for determination <p>Start Case 1: There is No Case to Answer</p> <ol style="list-style-type: none"> 7. Director General direct the Director of Restrictive Trade Practices to cause and sign a letter informing the responded that the Commission shall take no further action 8. Director of Restrictive Trade Practices inform the Anti-Cartels Manager or Anti-Monopoly to draft a letter 9. Anti-Cartels Manager or Anti-Monopoly notify case officer to draft a letter 10. Case officer draft a letter and submit to Anti-Cartels Manager or Anti-Monopoly Manager for Review 11. Anti-Cartels Manager or Anti-Monopoly Manager review the letter and send to the Director of Restrictive Trade Practices/Director General for review and signing 12. Director of Restrictive Trade Practices review, sign and send to Records / registry Officer for Dispatch 13. Registry/ Records Officer dispatch signed acknowledgement letter to Respondent <p>End Case 1: There is No Case to Answer</p> <p>Start Case 2: There is a Case to Answer</p> <ol style="list-style-type: none"> 14. Director General direct the Director of Restrictive Trade Practices to prepare a statement of the case and dispatch to Respondent 15. Director of Restrictive Trade Practices inform the Anti-Cartels Manager or Anti-Monopoly Manager to draft a statement of the case
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	<p>16. Anti-Cartels Manager or Anti-Monopoly Manager notify case officer to draft a statement of the case</p> <p>17. Case officer draft a statement of the case and submit to Anti-Cartels Manager or Anti-Monopoly Manager for Review</p> <p>18. Anti-Cartels Manager or Anti-Monopoly Manager review the statement of the case and send to the Director of Restrictive Trade Practices for review and signing</p> <p>19. Director of Restrictive Trade Practices review, sign and send to Records / registry Officer for Dispatch</p> <p>20. Registry/ Records Officer dispatch signed statement of the case to Respondent(s)</p> <p>21. Director of Restrictive Trade Practices submit the investigation report to the Director General for approval to be tabled to the Commission</p> <p>22. The Director General review, approve investigation report to be tabled to the Commission for determination</p> <p>End Case 2: There is a Case to Answer</p> <p>Start Case 3: The Commission Reject Investigation Report</p> <p>23. Repeat Process Number 1 to 6 of the enforcement process</p> <p>End Case 3: The Commission Reject Investigation Report</p> <p>Start Case 4: The Commission Adopt Investigation Report</p> <p>24. Director of Restrictive Trade Practices prepare draft Provisional Findings (adopted investigation report) requiring the Respondent to make written submissions, apply for oral representation, apply for settlement and submit non-confidential version of the provisional findings within a specified period</p> <p>25. Director of Restrictive Trade Practices submit the draft Provisional Findings to the Director General for approval to be tabled to the Commission for signing</p> <p>26. The Commission sign the Provisional Findings and assign Secretary to the Commission for dispatch to the Respondent</p>
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	<p>27. Secretary to the Commission Assign Record Officer to dispatch the Provisional Findings to Respondent</p> <p>28. Record Officer dispatch Provisional Findings to Respondent</p> <p>End Case 4: The Commission Adopt Investigation Report</p> <p>29. Respondent submit written submissions and non-confidential version of the provisional findings</p> <p>30. Records Officer receive written submissions and non-confidential version of the provisional findings and submit to the Director General for preview</p> <p>Start Case 5: Analysis of Written Submission and Non-Confidential Version</p> <p>31. Director General preview the submitted written submissions and non-confidential version of the provisional findings and instruct the Director of Restrictive Trade Practices to ascertain the declared confidentiality</p> <p>32. Director of Restrictive Trade Practices receive written submission(s) and non-confidential version of the provisional findings and direct the Anti-Cartels Manager or Anti-Monopoly Manager to ascertain the declared confidentiality</p> <p>33. Anti-Cartels Manager or Anti-Monopoly Manager assign the written submissions and non-confidential version of the provisional findings to the Case Officer to ascertain the declared confidentiality</p> <p>34. Case Officer analyse non-confidential issues submitted by Respondent and submit the Draft Report for Confidential Issues to the Anti-Cartels Manager or Anti-Monopoly Manager for review</p> <p>35. Anti-Cartels Manager or Anti-Monopoly Manager review the Draft Report for Confidential Issues and submit to Director of Restrictive Trade Practices for review</p> <p>36. Director of Restrictive Trade Practices review the Draft Report for Confidential Issues and submit to the Director General for recommendation</p>
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	<p>37. Director General recommend the Report for Confidential Issues and assign the Secretary to the Commission to submit to the commission for determination</p> <p>38. The Commission review the Report for Confidential Issues and make decision on the submitted report and assign to Secretary to the Commission for dispatch to the Respondent</p> <p>39. Secretary to the Commission, assign Record Officer to dispatch decision of the Commission to the Respondent</p> <p>40. Record Officer dispatch decision of the Commission to the Respondent</p> <p>41. If Respondent has not submitted non-confidential version, Commission shall publish the non-confidential version of the provisional findings on the commissions websites and widely circulating newspapers</p> <p>42. Case Officer receive and consolidate informed comments from the public and submit to Anti-Cartels Manager or Anti-Monopoly Manager for review</p> <p>43. Anti-Cartels Manager or Anti-Monopoly Manager review informed comments from the public and submit to Director of Restrictive Trade Practice for review</p> <p>44. Director of Restrictive Trade Practice review informed comments from the public and submit to the Director General for review</p> <p>45. The Director General review informed comments from the public and assign Secretary to the Commission to submit to the Commission</p> <p>46. Secretary to the Commission submit informed comments from the public using submission of papers to the commission process lifecycle (Determination by the Commission)</p> <p>47. If the written submission from Respondent contain request for settlement, Settlement process complete life cycle follows</p> <p>48. If the written submission from Respondent does not contain request for settlement, Case Officer submit Draft Analysis Report for Written Submission to the Anti-Cartels Manager or Anti-Monopoly Manager for review</p>
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	<p>49. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle follows</p> <p>50. Anti-Cartels Manager or Anti-Monopoly Manager review the Draft Analysis Report for Written Submission and submit to the Director of Restrictive Trade Practices for review</p> <p>51. Director of Restrictive Trade Practices review the Draft Analysis Report for Written Submission and submit to the Director General for approval</p> <p>52. Director General approve the Analysis Report for Written Submission and cause oral hearing to be conducted</p> <p>53. If the Respondent applied for oral presentation, the Secretary to the Commission invite the Respondents to make oral presentations</p> <p>54. If the Respondent appear for oral presentation, the Commission conduct oral hearing and Secretary to the Commission prepare transcript of the oral representation meeting</p> <p>55. The Secretary to the Commission serve the prepared transcript of the oral representation meeting to the Anti-Cartels Manager or Anti-Monopoly Manager for transmitting to the Respondent</p> <p>56. The Anti-Cartels Manager or Anti-Monopoly Manager serve the prepared transcript of the oral representation meeting to the Respondent for confirmation</p> <p>57. Respondent submit confirmed transcript of oral representation meeting to the Commission</p> <p>58. If the Respondent did not apply or appear for oral representation, and did not submit written submission, the Commission prepare Final Findings</p> <p>59. The Commission Assign Secretary to the Commission for dispatch Final Findings to the Respondent</p> <p>60. Secretary to the Commission Assign Record Officer to dispatch Final Findings to Respondent</p> <p>61. Record Officer Dispatch Final Findings to Respondent</p>
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	End Case 5: Analysis of Written Submission and Non-Confidential Version
Process Output	<ul style="list-style-type: none"> ▪ Provisional Findings ▪ Statement of a Case/Letter to inform the respondent that Commission shall not take any further action ▪ Final Findings
Measurable Outcome	Number of Prepared Final Findings
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Issuance of Provisional Finding to Respondent

1.2.2.4 Interim Compliance Order

Name of Process	Interim Compliance Order
Process Number	FCC_CBP_IE_23
Process Description	This process entails procedure for issuing Interim Compliance Order for complaint that poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Boundaries	<p>Start Point: Case Officer prepare report indicating serious or irreparable damage to a person</p> <p>End Point: Secretary to the Commission document details of the order in Interim Compliance Order Register</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to the Commission/Legal Services Manager

	<ul style="list-style-type: none"> ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer ▪ Record Officer
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulation, 2014 ▪ The Fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)
Pre-Conditions	Complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Commission approve or reject the report indicating serious or irreparable damage to a person ▪ Commission reject or uphold the defence
Process Input	Details of Interim Compliance Order
Process Flow	<ol style="list-style-type: none"> 1. Case Officer prepare report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons 2. Case Officer submit report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons to Anti-Cartels Manager or Anti-Monopoly Manager respectively

	<ol style="list-style-type: none"> 3. Anti-Cartels Manager or Anti-Monopoly Manager review the report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons and submit to the Director of Restrictive Trade Practices for review 4. Director of Restrictive Trade Practices review report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons report and submit to the Director General for approval 5. Director General approve the report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons and assign Secretary to the Commission to submit to the Commission for determination 6. Secretary to the Commission submit the Report to the Commission using submission of papers to the commission process lifecycle (Determination by the Commission) 7. If Commission reject the report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons, the Commission issue the order to strike out application for Interim Compliance Order 8. The Director of Restrictive Trade Practices prepare the Order to strike out the application for Interim Compliance Order and submit to the Commission for signatures 9. The Commission assign the Secretary of the Commission to serve the Order to strike out the application for Interim Compliance Order to the Respondent 10. Secretary to the Commission Assign Record Officer to dispatch the Order to strike out the application for Interim Compliance Order to Respondent 11. Record Officer Dispatch Order to strike out the application for Interim Compliance Order to Respondent 12. If Commission approve the report indicating serious or irreparable damage to a person, the Commission summons the Respondent to defend the allegations
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	<p>13. The Commission conduct oral hearing and make determination on the defence by the Respondent</p> <p>14. If the Commission uphold the defence, the Commission orders to stop preparation of the interim Order</p> <p>15. If the Commission reject the defence, the Commission directs Secretary to the Commission to prepare draft Interim Compliance Order</p> <p>16. Secretary to the Commission prepare draft Interim Compliance Order and submit to the Commission</p> <p>17. The Commission sign the Interim Compliance Order and assign Secretary to the Commission for dispatch to the Respondent</p> <p>18. Secretary to the Commission dispatch the Interim Compliance Order to Respondent</p> <p>19. Secretary to the Commission document details of the order in Interim Compliance Order Register</p>
Process Output	Interim Compliance Order
Measurable Outcome	Number of issued Interim Compliance Order
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	Updated Interim Compliance Order Register

1.2.2.5 Settlement

Name of Process	Settlement
Process Number	FCC_CBP_IE_24
Process Description	This process entails the review of submitted application for settlement and issuance of Settlement Compliance Agreement

Process Boundaries	Start Point: Receiving application for settlement from the Applicant End Point: Dispatching Settlement Compliance Agreements to Applicant
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to The Commission/ Legal Services Manager ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer ▪ Record Officer ▪ Applicant ▪ Respondent
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ The Fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)
Pre-Conditions	Submitted application for settlement
Frequency of Occurrence	Whenever need arises

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ The Commission grants or reject the application for Settlement ▪ The Commission accept or reject the Settlement Plan ▪ The Commission approve or reject Settlement Report
<p>Process Input</p>	<p>2. Application for settlement</p>
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Record Officer receive the Settlement Application and submit to the Director General for preview and assignment 2. Director General preview the Settlement application and assign to Director of Restrictive Trade Practices to prepare submission paper 3. Director of Restrictive Trade Practices review the Settlement Application and assign to the Anti-Cartels Manager or Anti-Monopoly Manager 4. Anti-Cartels Manager or Anti-Monopoly Manager review the settlement application and assign the Case Officer for analysis and preparation of submission paper 5. Case Officer analyse the settlement application, prepare Analysis report and submit to the Anti-Cartels Manager or Anti-Monopoly Manager for review 6. Anti-Cartels Manager or Anti-Monopoly Manager review the submission paper and submit to Director of Restrictive Trade Practices for review 7. Director of Restrictive Trade Practices review the submission paper and submit to the Director General for approval or for submission to the Commission for approval. 8. If Director General recommend submission to the Commission, sub-process for submission of papers to the commission (Determination by the Commission) follows (exercised by the Secretary to the Commission) 9. If the Director General approves the settlement application skip to step 13 10. If the Commission reject the application for settlement, the Commission orders the Secretary to the Commission to serve the Order to strike out the application for settlement to the Applicant

	<ol style="list-style-type: none"> 11. Secretary to the Commission assign Record Officer to dispatch Order to strike out the application for settlement to Applicant 12. Record Officer dispatch Order to strike out the application for settlement to Applicant 13. If the Commission/DG grants the application for Settlement, the Commission/DG orders the Applicant to submit Settlement Plan within a specified period of time 14. Record Officer receive the Settlement Plan and submit to the Director General for preview 15. Director General preview the Settlement Plan and assign to Director of Restrictive Trade Practices for assignment and preparation of analysis report 16. Director of Restrictive Trade Practices review the Settlement Plan and assign to the Anti-Cartels Manager or Anti-Monopoly Manager to act on instruction provided 17. Anti-Cartels Manager or Anti-Monopoly Manager review the settlement and assign to the Case Officer for preparation of Analysis report 18. Case Officer analyse the Settlement Plan, prepare and submit Analysis Report to the Anti-Cartels Manager or Anti-Monopoly Manager for review 19. Anti-Cartels Manager or Anti-Monopoly Manager review the Analysis Report and submit to Director of Restrictive Trade Practices for review 20. Director of Restrictive Trade Practices review the Analysis Report and submit to the Director General for approval 21. Director General approve the Analysis Report and submit to the Commission for determination 22. If the Commission rejects the Settlement Plan, the Commission orders the Applicant to resubmit a fresh Settlement Plan addressing specific issues as provided in the Order 23. If the Commission accept the Settlement Plan as it is, proceed with step number 40 of this process
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	<ol style="list-style-type: none">24. If the Commission accept the Settlement Plan with reservations, the Commission direct the Director General to constitute a Technical Team for scrutinization of Settlement Plan and submit the report within 30 days25. Director General assign Director of Restrictive Trade Practices to prepare Terms of Reference and instrument of appointment for the Technical Team to scrutinize Settlement Plan26. Director of Restrictive Trade Practices assign Anti-Cartels Manager or Anti-Monopoly Manager to prepare Terms of Reference and instrument of appointment for the Technical Team to scrutinize Settlement Plan27. Anti-Cartels Manager or Anti-Monopoly Manager assign Case Officer to prepare Terms of Reference and instrument of appointment for the Technical Team to scrutinize Settlement Plan28. Case Officer prepare Terms of Reference, instrument of appointment, proposed names of Technical Team members and Submit to the Anti-Cartels Manager or Anti-Monopoly Manager for review and consideration29. Anti-Cartels Manager or Anti-Monopoly Manager Review Terms of Reference, instrument of appointment, proposed names of Technical Team members and submit to the Director of Restrictive Trade Practices for review and consideration30. Director of Restrictive Trade Practices Review Terms of Reference, instrument of appointment, proposed names of Technical Team members and submit to the Director General for approval and Appointment31. The Director General review and approve Terms of Reference, Instrument of Appointment and Appoint the Technical Team.32. The Technical Team prepare and submit Negotiation Plan to the DG for approval.33. The DG review and approve the Negotiation Plan34. If approved, the Technical Team engage in settlement process with the applicant and prepare settlement report evidencing applicant's agreement to terms of settlement or reason(s) for settlement failure
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	<p>35. The Technical Team submit prepared Settlement Report to Director General for approval</p> <p>36. Director General approve the prepared Settlement Report and assign Secretary to the Commission to submit to the Commission for determination</p> <p>37. Secretary to the Commission submit Settlement Report using <i>submission of papers to the Commission process lifecycle (Determination by the Commission)</i></p> <p>38. The Commission review the Settlement Report and provide decision</p> <p>39. For rejected Settlement Report, Enforcement process complete life cycle</p> <p>40. For approved Settlement Report, the Commission direct the Director General to prepare Settlement Compliance Agreement</p> <p>41. Director General assign the Director of Restrictive Trade Practices to prepare draft Settlement Compliance Agreement</p> <p>42. Director of Restrictive Trade Practices preview and assign to the Anti-Cartels Manager or Anti-Monopoly Manager to prepare a draft Settlement Compliance Agreement</p> <p>43. Anti-Cartels Manager or Anti-Monopoly Manager preview and assign to the Anti-Cartels Officer or Anti-Monopoly Officer to prepare a draft Settlement Compliance Agreement</p> <p>44. Case Officer prepare a draft Settlement Compliance Agreement and submit to the Anti-Cartels Manager or Anti-Monopoly Manager for review</p> <p>45. Anti-Cartels Manager or Anti-Monopoly Manager review draft Settlement Compliance Agreement and submit to Director of Restrictive Trade Practices for review</p> <p>46. Director of Restrictive Trade Practices review the draft Settlement Compliance Agreement and submit to the Director General for approval</p> <p>47. Director General approve and assign Secretary to the Commission submit to the Commission for approval</p>
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	<p>48. Secretary to the Commission submit approved Investigation Report using <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>49. The Commission approve and sign Settlement Compliance Agreement and direct Secretary to the Commission to seek Applicant signatures</p> <p>50. Secretary to the Commission seek Applicant signature and assign Record Officer to dispatch Settlement Compliance Agreement to Respondent</p> <p>51. Record Officer dispatch Settlement Compliance Agreements to Applicant</p>
Process Output	<p>Settlement Compliance Agreement</p> <p>Settlement Plan</p> <p>Analysis Report</p> <p>Negotiation Plan</p> <p>Settlement Report</p>
Measurable Outcome	Number of issued Settlement Compliance Agreement
Exceptions to Normal Process Flow	<p>In case of zone</p> <p>3. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from Director General</p> <p>4. Head of Zone submission goes Directly to the Director General</p>
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Settlement plan ▪ Negotiation Plan

1.3 Anti-Counterfeits Services

Anti-counterfeits services cover the fight against counterfeits goods in accordance with the Merchandise Marks Act, 1963, these services are managed by two departments namely, Anti-Counterfeits Surveillance and enforcement.

1.3.1 Anti-Counterfeits Surveillance

Anti-Counterfeits Surveillance encompasses of lodging and processing of counterfeits complaints which reflect trademark infringements, conducting inspection for suspected counterfeits goods, conducting raid and seize either offending or counterfeits good from respective market. Anti-Counterfeits Surveillance include the following business processes: -

- i. Anti-Counterfeits Complaint;
- ii. Raids/Operations; and
- iii. Daily Inspection

1.3.1.1 Anti-Counterfeits Complaint

Name of Process	Anti-Counterfeits Complaint
Process Number	FCC_CBP_AC_25
Process Description	The process entails the procedures for lodging anti-counterfeits complaints to seek Chief Inspector interventions where there is a trademark infringement
Process Boundaries	<p>Start Point: Trademark Holder/Representative or any other person lodge anti-counterfeits complaint to the Chief Inspector, attached with certificate of trademark registration and/or power of attorney</p> <p>End Point: Record Officer dispatch signed Stop Order to the Commissioner of Customs, Tanzania Ports Authority (TPA) and Joint Port Control Unit (JPCU) for implementation</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-counterfeits Surveillance Manager ▪ Accountant ▪ Anti-Counterfeits Surveillance Officer ▪ Lead Inspector ▪ Complainant ▪ Record Officer
Stakeholders	DCI, TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, Business Community and General Public

Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended {To be confirmed} ▪ Merchandise Marks Regulations 2008 and 2010 {To be confirmed} ▪ Trademark registration act (BRELA) {To be confirmed} ▪ Criminal Laws
Pre-Conditions	<ol style="list-style-type: none"> 1. Trademark registration details from BRELA 2. Business License and TIN 3. Power of Attorney 4. Investigation Fee proof of payment 5. Training to Officer about identification of trademark
Frequency of Occurrence	Whenever need arises/Ad-hoc
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Authentic or non-authentic complaint ▪ Counterfeits goods at customs custody or at the market
Process Input	<ol style="list-style-type: none"> 1. Counterfeits Complaint details 2. Certificate of trademark registration
Process Flow	<ol style="list-style-type: none"> 1. Trademark Holder/Representative or any other person lodge anti-counterfeits complaint to the Chief Inspector, attached with certificate of trademark registration and/or power of attorney 2. Record Officer assign reference number to submitted anti-counterfeits complaint and submit to Chief Inspector for preview 3. Chief Inspector preview the submitted anti-counterfeits complaint attached with supporting document and assign to the Director of Anti-Counterfeits 4. Director of Anti-Counterfeits receive the Complaint and assign to the Anti-counterfeits Surveillance Manager 5. Anti-counterfeits Surveillance Manager receive the Complaint and assign to Anti-Counterfeits Surveillance Officer/Inspector for implementation

	<ol style="list-style-type: none">6. Anti-Counterfeits Surveillance Officer/Inspector conduct due diligence of the complaint with help from complainant7. If the submitted complaint is non-authentic, Anti-Counterfeits Officer/Inspector prepare response to inform the Complainant that the complaint has been declined8. Anti-Counterfeits Surveillance Officer/Inspector submit the response for declined complaints to the Anti-counterfeits Surveillance Manager for review9. Anti-counterfeits Surveillance Manager receive the response for declined complaints, review and submit to the Director of Anti-Counterfeits for review10. Director of Anti-Counterfeits review the response for declined complaints, and submit to the Chief Inspector for approval11. Chief Inspector approve and sign the response for declined complaints, and assign to Record Officer for dispatch12. Record Officer receive the signed response for declined complaints and dispatch to the Complainant13. If the submitted complaint is authentic, Anti-Counterfeits Surveillance Officer prepare response to inform the Complainant to submit product samples for product identification, to make requisite payment/to pay prescribed fee and training presentation14. Anti-Counterfeits Surveillance Officer/Inspector issue respective control number to the Complainant15. Complainant submit proof of payment, product sample for product identification and training presentation16. Accountant crosscheck payment made as per submitted proof of payment, issue payment receipt and inform Anti-Counterfeits Surveillance Officer to proceed with further steps17. Anti-Counterfeits Surveillance Officer receive samples of product both genuine and counterfeits for identification and training presentation and submit to Anti-counterfeits Surveillance Manager
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	<p>18. Anti-counterfeits Surveillance Manager appoint Lead Inspector and inform other Inspectors to participate in training which will be conducted by Complainant</p> <p>19. Lead Inspector organise training on product identification to Inspectors which will be conducted by Complainant, document details of the training and attendance in the Training Register, prepare Training Report on product identification and submit to Anti-counterfeits Surveillance Manager for preview</p> <p>20. Anti-counterfeits Surveillance Manager preview the Training Report and submit to Director of Anti-Counterfeits for noting</p> <p>21. For counterfeits goods at market, Raid process cycle follows</p> <p>22. For counterfeits goods at customs custody, Anti-Counterfeits Surveillance Officer fill Stop Order (Form C) and submit to Anti-counterfeits Surveillance Manager for preview</p> <p>23. Anti-counterfeits Surveillance Manager preview filled Stop Order and submit to Director of Anti-Counterfeits</p> <p>24. Director of Anti-Counterfeits preview and recommend for signature to Chief Inspector</p> <p>25. Chief Inspector sign filled Stop Order and assign Record Officer for dispatch to the Commissioner of Customs, Tanzania Port Authority and Joint Port Control Unit (JPCU)</p> <p>26. Record Officer dispatch signed Stop Order to the Commissioner of Customs, Tanzania Ports Authority and Joint Port Control Unit (JPCU)</p>
Process Output	<ul style="list-style-type: none"> ▪ Issued Stop Order ▪ Response on Declined Complaints
Measurable Outcome	<ol style="list-style-type: none"> 1. Number of Issued Stop Order on counterfeits goods 2. Number of Response on Declined Complaints
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes directly to the Chief Inspector

Control Points and Measurements	<ul style="list-style-type: none"> ▪ Updated Training Register ▪ Stop Order
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1.3.1.2 Raids

Name of Process	Raids
Process Number	FCC_CBP_AC_26
Process Description	This process entails the procedure to conduct or operations raid for suspected counterfeits or offending goods in identified premise and issue notice of seizure to offenders as well as prepare raid report for Chief Inspector
Process Boundaries	<p>Start Point: Chief Inspector provide directive to Director of Anti-Counterfeits to conduct raid for suspected counterfeits or offending goods</p> <p>End Point: Director of Anti-Counterfeits review the Raid Report and submit to the Chief inspector for noting and/or directives</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-counterfeits Surveillance Manager ▪ Police Officer ▪ Occupant ▪ Record Officer
Stakeholders	DCI, TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, Business Community, Brand Owner
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 as amended
Pre-Conditions	<ul style="list-style-type: none"> ▪ Authentic Complaint on Counterfeits Goods ▪ Trademark registration details from BRELA ▪ Business License and TIN

	<ul style="list-style-type: none"> ▪ Power of Attorney ▪ Investigation Fee proof of payment ▪ Training to Officer about identification of trademark
Frequency of Occurrence	Whenever need arises/Ad-hoc Own Initiatives/Suo moto
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Counterfeits goods are found or not found in identified premises ▪ Counterfeits goods are to be secured at Government Warehouse or places other than Government Warehouse
Process Input	Authentic Complaint on Counterfeits Goods Own Initiatives/Suo moto
Process Flow	<ol style="list-style-type: none"> 1. Chief Inspector provide directive to Director of Anti-Counterfeits to conduct raid for suspected counterfeits or offending goods 2. Director of Anti-Counterfeits assign directives to conduct raid to Anti-counterfeits Surveillance Manager 3. Anti-counterfeits Surveillance Manager receive the directives and assign to Counterfeits Surveillance Officer for further proceedings 4. Counterfeits Surveillance Officer prepare letter to request assistance of Director of Criminal Investigation (DCI) to take charge of security during raid and submit to Anti-counterfeits Surveillance Manager for review 5. Anti-counterfeits Surveillance Manager review the letter and submit to the Director of Anti-Counterfeits for review 6. Director of Anti-Counterfeits review the letter and submit to the Chief Inspector for signature 7. Chief Inspector approve and sign the letter and assign to Records Officer for dispatch 8. Record Officer received the signed letter and dispatch to Director of Criminal Investigation 9. Anti-counterfeits Surveillance Manager appoint Lead Inspector and formulate team to conduct raid

	<p>10. Inspectors in collaboration with appointed Police Officers from DCI conduct raid on identified premises</p> <p>11. If the counterfeits goods are not found in identified premises, Inspector(s) collect details of the identified premises and proceed with step number 22,23 and 24 herein below</p> <p>12. If the counterfeits goods are found in identified premises, Inspector collect the counterfeits goods, record their quantity and value in Notice of Seizure (Form I)</p> <p>13. Inspector and Owner of Goods/Representative of the Owner counter sign Notice of Seizure</p> <p>14. Inspector issue copy of signed Notice of Seizure to Owner of Goods/Representative of the Owner</p> <p>15. For counterfeits goods to be secured at Government Warehouse, Inspector inform Warehouse Supervisor to start preparation for storage of seized counterfeits goods</p> <p>16. For counterfeits goods to be secured at places other than Government Warehouse, Inspector make Order of Detention of Goods (Form E) and submit to Anti-counterfeits Surveillance Manager</p> <p>17. Anti-counterfeits Surveillance Manager review Order of Detention of Goods and submit to the Director of Anti-Counterfeits for review</p> <p>18. Director of Anti-Counterfeits review Order of Detention of Goods and submit to the Chief Inspector for signature</p> <p>19. Chief Inspector sign Order of Detention of Goods and assign to Records Officer for dispatch</p> <p>20. Record Officer receive the signed Order of Detention of Goods and dispatch to Owner of Goods/Representative of the Owner</p> <p>21. Inspector register Notice of Seizure in the Seizure Register</p> <p>22. Inspector prepare Raid Report and submit to the Anti-counterfeits Surveillance Manager for review</p> <p>23. Anti-counterfeits Surveillance Manager review the Raid Report and submit to the Director of Anti-Counterfeits for review</p> <p>24. Director of Anti-Counterfeits review the Raid Report and submit to the Chief inspector for noting</p>
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Process Output	Approved Raid Report
Measurable Outcome	Number of submitted Raid Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Seizure Register ▪ Raid Report

1.3.1.3 Daily Inspection

Name of Process	Daily Inspection
Process Number	FCC_CBP_AC_27
Process Description	This process entails the procedures for performing daily inspection at the product entry points e.g., Ports, ICDs, Border Ports to check for counterfeits goods
Process Boundaries	<p>Start Point: Counterfeits Surveillance Officer receive Product Verification List (TANSAD) from TRA Officer and analyse which product qualify for verification</p> <p>End Point: Chief Inspector receive Inspection Report and provide directives to the Director of Anti-Counterfeits for further steps</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-counterfeits Surveillance Manager ▪ Counterfeits Surveillance Officer ▪ TRA Officer

	<ul style="list-style-type: none"> ▪ Clearing and Forwarding Agents ▪ Record Officer
Stakeholders	TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, Importer, TPA, ICDs
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 as amended
Pre-Conditions	Submitted Product Verification List (TANSAD) form TRA
Frequency of Occurrence	Daily
Decisions associated with the process	Counterfeits goods are found or not found
Process Input	<ol style="list-style-type: none"> 1. Product Verification List (TANSAD) 2. Packing list
Process Flow	<ol style="list-style-type: none"> 1. Counterfeits Surveillance Officer receive Product Verification List from TRA and analyse which product qualify for verification 2. Counterfeits Surveillance Officer performs verification on the product to check for counterfeits goods according to the customs documents 3. If counterfeits goods are not found, Anti-Counterfeits Surveillance Officer fills Daily Inspection Form and submit to the Anti-counterfeits Surveillance Manager 4. Anti-counterfeits Surveillance Manager preview the Daily Inspection Form and submit to the Director of Anti-Counterfeits for preview 5. Director of Anti-Counterfeits preview the Daily Inspection Form and submit to the Chief Inspector for noting 6. If counterfeits goods are found, Counterfeits Surveillance Officer fill, sign and issue Notice of Seizure 7. Counterfeits Surveillance Officer serve a copy of Notice of Seizure to TRA and Clearing & Forwarding Agent

	<p>8. Counterfeits Surveillance Officer collect sample of the counterfeits goods or goods with omission of rules of origin</p> <p>9. Counterfeits Surveillance Officer mark sampled counterfeits goods and register in the Sample Register</p> <p>10. Counterfeits Surveillance Officer register the Notice of Seizures in the Daily Inspection Register, prepare Inspection Report and submit to Anti-counterfeits Surveillance Manager for review</p> <p>11. Anti-counterfeits Surveillance Manager review the Inspection Report and submit to the Director of Anti-Counterfeits for review</p> <p>12. Director of Anti-Counterfeits review the Inspection Report and submit to the Chief Inspector for implementation</p> <p>13. Chief Inspector receive Inspection Report and provide directives to the Director of Anti-Counterfeits for further steps</p>
Process Output	Inspection Report
Measurable Outcome	Number of Inspection Reports
Exceptions to Normal Process Flow	<p>In Case the sampled goods can't be moved: -</p> <p>1. Counterfeits Surveillance Officer take a photo of inspected goods, and important unique features for identification; and</p> <p>2. Counterfeits Surveillance Officer file the inspection report with the evidence of photos.</p> <p>In case of zone</p> <p>1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector</p> <p>2. Head of Zone submission goes Directly to the Chief Inspector</p>
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Daily Inspection Register ▪ Sample Register ▪ Notice of Seizure

1.3.2 Warehouse Management

Warehouse management encompasses the principles and processes involved in receiving counterfeits or offending goods from raid and daily inspection conducted by Counterfeits Surveillance Officer, organizing storage in proper equipment, and issue stored goods to Counterfeits Surveillance Officer for release, donation or destruction. Warehouse management process is tabulated below: -

1.3.2.1 Warehouse Management

Name of Process	Warehouse Management
Process Number	FCC_CBP_WM_28
Process Description	This process entails procedures to receive incoming counterfeits or offending goods, and store the goods in proper equipment as well as issue stored goods to respective inspector for release or disposal
Process Boundaries	<p>Start Point: Warehouse Supervisor receive information from Inspector about the time of delivering counterfeits or offending goods at the Warehouse</p> <p>End Point: Director of Anti-Counterfeits review prepared stock taking report and submit to Chief Inspector for noting</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Anti-counterfeits Surveillance Manager ▪ Inspector ▪ Warehouse Supervisor
Stakeholders	TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DCI, Brand Owners, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	Seized counterfeits goods at markets, port and ICDs
Frequency of Occurrence	Whenever need arises

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ Counterfeits goods tally or does not tally with Notice of Seizure ▪ End of quarter for Government financial year and 30 days have or have not elapsed since receipt of counterfeits goods for storage ▪ Approve or reject list of goods to be disposed ▪ Government financial year has or has not end
<p>Process Input</p>	<ol style="list-style-type: none"> 1. Notice of Seizure 2. Goods information
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Warehouse Supervisor receive information from Inspector about the time of delivering counterfeits or offending goods at the Warehouse 2. Inspector handover counterfeits goods and Copy of Notice of Seizure to the Warehouse Supervisor 3. Warehouse Supervisor verify the goods details against Notice of Seizure 4. If the goods do not tally with the Notice of Seizure, Inspector perform corrective actions to rectify the discrepancy 5. If the goods tally with Notice of Seizure, Warehouse Supervisor accept counterfeits goods and prepare Goods Received Note 6. Warehouse Supervisor and Inspector sign the prepared Goods Received Note. Warehouse Supervisor issue signed Goods Received Note to Inspector, record details of received counterfeits goods into Warehouse Ledger and arrange the received similar counterfeits goods in proper storage equipment 7. If it is the end of quarter for Government financial year and 30 days have not elapsed since receipt of counterfeits goods for storage, proceed with step number 16 herein below 8. If it is the end of quarter for Government financial year and 30 days have elapsed since receipt of counterfeits goods for storage, Warehouse Supervisor prepare list of counterfeits goods to be disposed 9. Warehouse Supervisor submit the list of counterfeits goods to be disposed to Anti-Counterfeits Enforcement Manager

	<p>10. Anti-Counterfeits Enforcement Manager review list of counterfeits goods to be disposed and submit to Director of Anti-Counterfeits</p> <p>11. Director of Anti-Counterfeits review list of counterfeits goods to be disposed and submit to Chief Inspector</p> <p>12. Chief Inspector approve or reject list of counterfeits goods to be disposed, provide reasons for rejection and assign to Director of Anti-Counterfeits</p> <p>13. Director of Anti-Counterfeits assign approved or rejected list of counterfeits goods to Anti-Counterfeits Enforcement Manager</p> <p>14. Anti-Counterfeits Enforcement Manager check if Chief Inspector approved or rejected list of counterfeits goods to be disposed</p> <p>15. For rejected list of counterfeits goods to be disposed, Anti-Counterfeits Enforcement Manager notify Warehouse Supervisor to maintain storage status</p> <p>16. Warehouse Supervisor to maintain storage status of the rejected counterfeits goods</p> <p>17. For approved list of counterfeits goods to be disposed, Disposition of Goods Process complete life cycle</p> <p>18. Warehouse Supervisor receive signed Release Order or signed Disposal Order from Anti-Counterfeits Enforcement Manager</p> <p>19. Warehouse Supervisor prepare Issue Note in accordance with received order for release or disposal.</p> <p>20. Warehouse Supervisor and Inspector sign prepared Issue Note, issue counterfeits goods and signed Issue Note to respective Inspector and update details of the issued counterfeits goods in Warehouse Ledger</p> <p>21. If it is end of Government financial year, Warehouse Supervisor perform stock taking for the available counterfeits goods in Warehouse</p> <p>22. Warehouse Supervisor prepare stock taking report and submit to Anti-Counterfeits Enforcement Manager</p> <p>23. Anti-Counterfeits Enforcement Manager review prepared stock taking report and submit to Director of Anti-Counterfeits</p>
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	24. Director of Anti-Counterfeits review prepared stock taking report and submit to Chief Inspector for noting
Process Output	<ul style="list-style-type: none"> ▪ Good Return Note ▪ Stock Taking Report
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Stock Taking Reports ▪ Number of Good Return Note
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Warehouse Ledger ▪ Issue Note

1.3.3 Anti-Counterfeits Enforcement

Anti-Counterfeits Enforcement encompasses procedures for compoundment assessment to determine applicable fine, filling statement of claim, appointment of committee members for conducting hearing and issuing proceedings and ruling of the Claim as well as disposition of counterfeits goods. Anti-Counterfeits Enforcement include the following business processes: -

- i. Compoundment Procedure;
- ii. Challenge of Seizure;
- iii. Claim Hearing;
- iv. Release of suspected Goods.
- v. Disposition of Counterfeits Goods

1.3.3.1 Compoundment Procedure

Name of Process	Compoundment Procedure
Process Number	FCC_CBP_AC_30
Process Description	This process entails submission of request for compoundment by culprit, review and assessment of applicable documents to determine the fine
Process Boundaries	Start Point: Director of Anti-Counterfeits receive Chief Inspector directives on the submitted Raid Report and Notice of Seizure

	End Point: Record Officer dispatch Release/Close Investigation File Letter to the Culprit/DCI
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Anti-counterfeits Surveillance Manager ▪ Surveillance Officer ▪ Enforcement Officer ▪ Culprit ▪ Record Officer
Stakeholders	TRA, DCI, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DPP, Brand Owner, Culprit, General Public and Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	Culprit Request for Compoundment
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Culprit choose to challenge or accept Seizure Notice ▪ Full submission of Required Documents ▪ Culprit settle or fail to settle the fine within 30 days ▪ Counterfeits goods seized at port or market ▪ Goods missing country of origin
Process Input	<ol style="list-style-type: none"> 1. Notice of Seizure 2. Fine Schedule 3. Checklist for Complete Seizure Process 4. Raid Report

	<p>5. Necessary Document (i.e., TANSAD, Parking List, Invoice, Bill of Lading, Manifest)</p>
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Director of Anti-Counterfeits receive Chief Inspector directives on the submitted Raid Report and Notice of Seizure 2. Anti-Counterfeits Enforcement Manager receive directives from the Director of Anti-Counterfeits and assign to the Enforcement Officer 3. Enforcement Officer receive directives from Anti-Counterfeits Enforcement Manager 4. Enforcement Officer equip the Culprit on the knowledge of laws and available options for settlement 5. If the Culprit choose to challenge Seizure Notice, Challenge of Seizure process complete life cycle 6. If the Culprit choose to accept Seizure Notice, Culprit fill and submit Request for Compoundment (Form F) 7. Enforcement Officer receive Request for Compoundment and instruct the Culprit to submit necessary documents (TANSAD, Parking List, Invoice, Bill of Lading, Manifest etc.) 8. Enforcement Officer perform screening of the submitted necessary documents 9. For partial submission, Enforcement Officer Direct Culprit to perform corrective actions and resubmit all necessary document 10. For full submission, Enforcement Officer accept the document for review 11. Enforcement Officer perform review of the submitted documents, asses fine according to Fine Schedule, fill checklist for complete Seizure process, sign and submit to Anti-Counterfeits Enforcement Manager 12. Anti-Counterfeits Enforcement Manager review and sign the Checklist for Complete Seizure Process and submit to the Director of Anti-Counterfeits for approval 13. Director of Anti-Counterfeits approve the Checklist for Complete Seizure Process and assign to Enforcement Officer to issue control number for payment

	<p>14. Enforcement Officer issue Order of Compoundment (Form G) and control number to the Culprit for payment</p> <p>15. If the Culprit fail to settle the fine within 30 days, Chief Inspector inform Director of Public Prosecution through letter to continue with criminal case</p> <p>16. If 30 days has elapsed and the Culprit has made partial payment of the fine, Chief Inspector inform Director of Criminal Investigation through letter to proceed with apprehension</p> <p>17. If the Culprit has made full payment of the fine and submit proof of payment to the accountant within 30 days, Accountant verify fine payment and issue payment receipt to the Culprit</p> <p>18. For Counterfeits Offense seized at port, Enforcement Officer prepare Offloading Letter to Commissioner of Customs copying TPA, Wharf Manager, Joint Port Control Unit, TICTS</p> <p>19. Enforcement Officer submit draft Offloading Letter to Anti-Counterfeits Enforcement Manager for review</p> <p>20. Anti-Counterfeits Enforcement Manager review and submit draft Offloading Letter to Director of Anti-Counterfeits for review</p> <p>21. Director of Anti-Counterfeits review the submitted draft Offloading Letter and submit to Chief Inspector for Approval</p> <p>22. Chief Inspector review, sign Offloading Letter and assign Record Officer for dispatch</p> <p>23. Record Officer receive Offloading Letter and dispatch to the Commissioner of Customs and copy to TPA, Wharf Manager, Joint Port Control Unit (JPCU), Culprit</p> <p>24. Director of Anti-Counterfeits inform the Manager of Anti-Counterfeit Surveillance the counterfeits goods seized at port are subject to offloading</p> <p>25. Manager of Anti-Counterfeit Surveillance appoint surveillance Officer to participate in offloading of counterfeits goods seized at port</p> <p>26. Surveillance Officer participate in offloading process and inform Warehouse Supervisor to store counterfeits goods</p> <p>27. Warehouse Management Process complete lifecycle</p>
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	<p>28. Surveillance Officer prepare Offloading Report and submit the draft to the Manager of Anti-Counterfeit Surveillance</p> <p>29. Anti-Counterfeit Enforcement Manager review and approve submitted draft Offloading Report and submit to the Director of Anti-Counterfeits for further steps</p> <p>30. Director of Anti-Counterfeits receive the Offloading Report and assign to the Anti-Counterfeits Enforcement Manager for preparation of Release Letter</p> <p>31. Anti-Counterfeits Enforcement Manager receive Offloading Report and assign to Anti-Enforcement Officer to prepare Release Letter</p> <p>32. Anti-Enforcement Officer prepare release letter for consignment of the owner/culprit</p> <p>33. Anti-Enforcement Officer submit draft release letter to Anti-Counterfeits Enforcement Manager for review</p> <p>34. Anti-Counterfeits Enforcement Manager review and submit the draft release letter to Director of Anti-Counterfeits for review</p> <p>35. Director of Anti-Counterfeits review and submit the draft release letter to Chief Inspector for Approval</p> <p>36. Chief Inspector review, sign release letter and assign Record Officer for dispatch</p> <p>37. Record Officer receive Release Letter and dispatch to the Commissioner of Customs and copy to TPA, Wharf Manager, Joint Port Control Unit (JPCU) and Culprit</p> <p>38. For Counterfeits goods seized at the Market, Counterfeit Enforcement Officer prepare letter to close the Investigation File to the Director of Criminal Investigation</p> <p>39. Enforcement Officer submit draft letter to Close Investigation File to Anti-Counterfeits Enforcement Manager for review</p> <p>40. Anti-Counterfeits Enforcement Manager review and submit draft letter to Close Investigation File to Director of Anti-Counterfeits for review</p> <p>41. Director of Anti-Counterfeits review and submit draft letter to Close Investigation File to the Chief Inspector for Approval and signature</p>
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	<p>42. Chief Inspector review and sign letter to Close Investigation File and assign Record Officer for dispatch</p> <p>43. Record Officer receive letter to Close Investigation File and dispatch to the Director of Criminal Investigation</p> <p>CASE 1: For goods missing country of origin (For commercial purposes)</p> <p>44. Enforcement Officer assess TANSAD document to determine the value of consignment to establish the fine amount</p> <p>45. Enforcement Officer issue Order of Compoundment (Form G) and control number to the Culprit for payment</p> <p>46. If the culprit settles the fine, proceed with preparation of draft release letter</p> <p>47. If the Culprit fail to settle the fine, Chief Inspector informs Commissioner for customs to complete Disposition of Counterfeits Goods process lifecycle.</p> <p>CASE 2: For goods missing country of origin (Not for commercial purposes)</p> <p>48. Enforcement Officer prepare draft Release Letter and submit to Anti-Counterfeits Enforcement Manager for review</p> <p>49. Anti-Counterfeits Enforcement Manager review the draft Release Letter and submit to the Director of Anti-Counterfeits for review</p> <p>50. Director of Anti-Counterfeit Review and submit the draft release letter to Chief Inspector for approval and signature</p> <p>51. Chief Inspector review and sign Release letter and assign Record Officer for dispatch</p> <p>52. Record Officer receive Release Letter and dispatch to the Commissioner of Customs copying TPA, Wharf Manager, Joint Port Control Unit and Culprit</p>
Process Output	<ul style="list-style-type: none"> ▪ Release Letter ▪ Offloading Letter ▪ Close Investigation File Letter ▪ Request for Compoundment (Form F)

	<ul style="list-style-type: none"> ▪ Order of Compoundment (Form G)
Measurable Outcome	Number of Release Letters, Number of Offloading Letters, Number of Close Investigation File Letters
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Checklist for Complete Seizure Process ▪ Daily Inspection Register ▪ Raid Seizure Register

1.3.3.2 Challenge of Seizure

Name of Process	Challenge of Seizure
Process Number	FCC_CBP_AC_31
Process Description	This process entails procedure for filling statement of claim and formulation of hearing committee
Process Boundaries	<p>Start Point: Applicant fill and submit Statement of Claim (Form L) to Chief Inspector</p> <p>End Point: Record Officer dispatch Appointment Letters to the appointed members of hearing committee</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Enforcement Officer/Inspector ▪ Record Officer ▪ Claimant

Stakeholders	TRA, DCI, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DPP, JPCU, Claimant, Brand Owners
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	Claimant submit Statement of Claim (Form L) to Chief Inspector
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Chief Inspector approve or reject statement of claim
Process Input	1. Statement of Claim (Form L)
Process Flow	<ol style="list-style-type: none"> 1. Claimant fill and submit Statement of Claim (Form L) to Chief Inspector 2. Chief Inspector receive the Statement of Claim (Form L) and assign to the Director of Anti-Counterfeits for advice 3. Director of Anti-Counterfeits receive the Statement of Claim and assign to Anti-Counterfeits Enforcement Manager for Legal Advice 4. Anti-Counterfeits Enforcement Manager prepare Legal Advice and submit to Director of Anti-Counterfeits for review 5. Director of Anti-Counterfeits review prepared Legal Advice and submit to Chief Inspector for decision 6. Chief Inspector receive Legal Advice, provide decision and assign to Director of Anti-Counterfeits 7. Director of Anti-Counterfeits receive decision and assign to Anti-Counterfeits Enforcement Manager for further Actions 8. For rejected Claim, Anti-Counterfeits Enforcement Manager receive and assign to Enforcement Officer to prepare Response Letter to inform the Claimant that the Claim has been rejected 9. Enforcement Officer prepare draft Response Letter to the Claimant and submit to Anti-Counterfeits Enforcement Manager for review

	<p>10. Anti-Counterfeits Enforcement Manager receive draft Response Letter, review and submit to the Director of Anti-Counterfeits for review</p> <p>11. Director of Anti-Counterfeits review draft Response Letter and submit to the Chief Inspector for Signature</p> <p>12. Chief Inspector review and sign Response Letter and assign Record Officer for dispatch to Claimant</p> <p>13. Record Officer receive signed Response Letter and dispatch to the Claimant</p> <p>14. For accepted Claim, Anti-Counterfeits Enforcement Manager prepare draft Advisory Report</p> <p>15. Anti-Counterfeits Enforcement Manager submit to Director of Anti-Counterfeits prepared draft Advisory Report and propose names of members of hearing committee</p> <p>16. Director of Anti-Counterfeits review the draft Advisory Report and proposed names of members of hearing committee as well as submit to the Chief Inspector for approval</p> <p>17. Chief Inspector review and approve the Advisory Report, names of members of hearing committee and assign to Director of Anti-Counterfeits to prepare Appointment Letters</p> <p>18. Director of Anti-Counterfeits receive names of appointed members of the hearing committee and assign to the Anti-Counterfeits Enforcement Manager to prepare Appointment Letters</p> <p>19. Anti-Counterfeits Enforcement Manager receive names of appointed members of the hearing committee and assign to Enforcement Officer to prepare draft Appointment Letters</p> <p>20. Enforcement Officer prepare Appointment Letters and submit to Anti-Counterfeits Enforcement Manager for preview</p> <p>21. Anti-Counterfeits Enforcement Manager preview and submit to the Director of Anti-Counterfeits for preview</p> <p>22. Director of Anti-Counterfeits preview the Appointment letter and submit to Chief Inspector for Signature</p> <p>23. Chief Inspector sign Appointment Letters and assign to the Record Officer for dispatch</p>
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	24. Record Officer dispatch Appointment Letters to the appointed members of hearing committee and submit Claim File to the Chairperson of Committee
Process Output	<ul style="list-style-type: none"> ▪ Response Letter ▪ Appointment Letter
Measurable Outcome	Number of challenged seizures
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector
Control Points and Measurements	Advisory Report

1.3.3.3 Claim Hearing

Name of Process	Claim Hearing
Process Number	FCC_CBP_AC_32
Process Description	This process entails procedure for conducting hearing as well as issuing proceedings and ruling of the Claim to Parties
Process Boundaries	<p>Start Point: Chairperson of Hearing Committee receive appointment letter and claim file</p> <p>End Point: Record Officer dispatch the signed proceeding and ruling to the Parties</p>
Process Owner	Chief Inspector
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Chairperson of the Committee ▪ Members of the Committee ▪ Respondent/Inspectors

	<ul style="list-style-type: none"> ▪ Records Officer ▪ Claimant ▪ Parties ▪ Brand Owner
Stakeholders	TRA, DCI, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DPP, JPCU, Claimant, Brand Owner
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	Approved Statement of Claim by the Chief Inspector
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Need for Witness ▪ Complainant appeared or did not appear before the Hearing Committee ▪ Claimant choose to challenge or not challenge the order for dismissal ▪ Chief Inspector is satisfied or not satisfied with submitted reasons
Process Input	<ol style="list-style-type: none"> 1. Appointment letter 2. Claim file
Process Flow	<ol style="list-style-type: none"> 1. Chairperson of Hearing Committee receive appointment letter and claim file 2. Chairperson of Hearing Committee call a meeting with committee members to familiarize with the case and schedule the date and time the hearing to be conducted 3. If there is a need of Witness, Chairperson of Hearing Committee issue and serve Notice of Witness to Appear (Form P) 4. Chairperson of the Committee issue and serve Notice of Hearing (Form M) to claimant, Inspectors and Brand Owner 5. Chairperson of the Hearing Committee waits for acknowledgement of the receipt of the Notice of Hearing from claimant

	<p>6. Chairperson of the Hearing Committee check if the claimant has appeared in front of the committee</p> <p>7. If the claimant was dully served with the Notice of Hearing and does not appear before the Committee, The Committee advise the Chief Inspector to dismiss the Claim</p> <p>8. Chief Inspector receive advise from Chairperson of Hearing Committee, issue and assign Record Officer to serve Dismissal Order to the Claimant</p> <p>9. Record Officer Dispatch Dismissal Order to the Claimant</p> <p>10. If Claimant choose to challenge the dismissal, within 14 days the Claimant fill and submit to the Chief Inspector the Application to Set Aside Dismissal Order (Form N)</p> <p>11. Record Officer receive the application and submit to the Chief Inspector for preview</p> <p>12. Chief Inspector receive Application to Set Aside Dismissal Order and review</p> <p>13. If Chief Inspector is satisfied with the reason submitted, Chief Inspector set aside the Dismissal Order and direct the Chairperson of Hearing Committee to proceed with hearing</p> <p>14. If the Chief Inspector is not satisfied with the reasons submitted, Chief Inspector uphold the Dismissal Order and notify the Claimant</p> <p>15. If the Claimant appear before the Committee, Claimant present their case</p> <p>16. Respondent (Inspector) and their Witnesses appear before the Committee to present their case</p> <p>17. Witnesses summoned by the Committee appear before the Committee to give their testimony</p> <p>18. Committee prepare Proceedings and Ruling of the Claim</p> <p>19. Chairperson and Members of Hearing Committee sign the Proceedings and Ruling of the Claim</p> <p>20. Chairperson of Hearing Committee call upon the Parties and deliver Ruling of the Claim</p>
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	<p>21. Chairperson of Hearing Committee assign signed Proceedings and Ruling of the Claim to Records Officer for dispatch</p> <p>22. Record Officer dispatch the signed Proceedings and Ruling of the Claim to Parties</p>
Process Output	<ol style="list-style-type: none"> 1. Signed Proceeding and Ruling 2. Notice of Witness to Appear (Form P) 3. Notice of Hearing (Form M) 4. Dismissal Order 5. Application to Set Aside Dismissal Order (FORM N)
Measurable Outcome	Number of Signed Proceeding and Ruling
Exceptions to Normal Process Flow	Not Applicable
Control Points and Measurements	Proceeding and Ruling of the Claim

1.3.3.4 Disposition of Counterfeits Goods

Name of Process	Disposition of Counterfeits Goods
Process Number	FCC_CBP_AC_33
Process Description	This is process entails the disposal of counterfeit goods through donation to charitable organizations as well as destruction of counterfeits goods
Process Boundaries	<p>Start Point: Chief Inspector assign approved list of counterfeits goods to be destructed or donated to Director of Anti-Counterfeits</p> <p>End Point: Director of Anti-Counterfeits review and submit the donation report to the Chief Inspector for noting</p>
Process Owner	Director of Anti-counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-counterfeits

	<ul style="list-style-type: none"> ▪ Anti-Counterfeits Enforcement Manager ▪ Enforcement Officer
Stakeholders	Director of Anti-counterfeits
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	Approved list of counterfeits goods to be donated or destructed
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Counterfeits goods to be destructed or Donated
Process Input	List of counterfeits goods to be destructed or donated
Process Flow	<ol style="list-style-type: none"> 1. Chief Inspector assign approved list of counterfeits goods to be destructed or donated to Director of Anti-Counterfeits 2. Director of Anti-Counterfeits review list of approved counterfeits goods to be destructed or donated and assign to Anti-Counterfeits Enforcement Manager 3. Anti-Counterfeits Enforcement Manager review list of approved counterfeits goods to be destructed or donated and assign Enforcement Officer 4. Enforcement Officer prepare Disposal Order (Form K) and submit to Anti-Counterfeits Enforcement Manager for review 5. Anti-Counterfeits Enforcement Manager review prepared Disposal Order and submit to Director of Anti-Counterfeits for review 6. Director of Anti-Counterfeits review Disposal Order and submit to Chief Inspector for signature 7. Chief Inspector review, sign prepared Disposal Order and assign to Director of Anti-Counterfeits 8. Director of Anti-Counterfeits receive signed Disposal Order and assign to Anti-Counterfeits Enforcement Manager

	<p>9. Anti-Counterfeits Enforcement Manager receive signed Disposal Order and assign to Inspector for further proceedings and Warehouse Supervisor for noting</p> <p>10. Inspector receive issued counterfeits goods from Warehouse Supervisor as well as signed Issue Note</p> <p>11. Inspector prepare Handover Note narrating list of issued counterfeits goods to be disposed</p> <p>12. For counterfeits goods to be disposed, Inspector inform Service Provider, Brand Owner, Police Force about Disposal Order</p> <p>13. Inspector countersign Handover Note with Service Provider in presence of Police Force and other available witnesses for transportation to Destruction Facility</p> <p>14. Inspector, Police Force and Brand Owner witness the process of destructing counterfeits goods at the Destruction Facility and sign Counterfeits Goods Destruction Note</p> <p>15. Service Provider prepare and sign Destruction Certificate and submit to the Inspector</p> <p>16. Inspector prepare Destruction Report and submit to the Anti-Counterfeits Enforcement Manager for review</p> <p>17. Anti-Counterfeits Enforcement Manager Review Destruction Report and submit to the Director of Anti-Counterfeits for review</p> <p>18. Director of Anti-Counterfeits review and submit the Destruction Report to the Chief Inspector for noting</p> <p>19. For counterfeits goods to be donated, Inspector inform selected Organisation</p> <p>20. Inspector countersign Handover Note with selected Organisation in presence of Police Force and other available witnesses</p> <p>21. Inspector handover offending goods to selected Organisation in presence of Police Force and other available witnesses</p> <p>22. Inspector prepare Donation Report and submit to the Anti-Counterfeits Enforcement Manager for review</p> <p>23. Anti-Counterfeits Enforcement Manager Review Donation Report and submit to the Director of Anti-Counterfeits for review</p>
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	24. Director of Anti-Counterfeits review and submit the Donation Report to the Chief Inspector for noting
Process Output	<ol style="list-style-type: none"> 1. Donation Counterfeits Goods Report 2. Destruction Counterfeits Goods Report 3. Disposal Order (Form K) 4. Issue Note Details 5. Destruction Note 6. Handover Note 7. Destruction Certificate
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Donated Counterfeits Goods Reports ▪ Number of Destruction Counterfeits Goods Reports
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> ▪ For counterfeits goods to be destructed in absence of Service Provider, Inspector may conduct environment friendly destruction <p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Disposal Order ▪ Handover Note

1.3.3.5 Release of Suspected Goods

Name of Process	Release of Suspected Goods
Process Number	FCC_CBP_AC_34
Process Description	This process entails release of suspected counterfeits goods to responsible party
Process Boundaries	Start Point: Chief Inspector assign Director of Anti-Counterfeits to prepare Release Order

	End Point: Director of Anti-Counterfeits review and submit Return of Goods Report to the Chief Inspector for noting
Process Owner	Director of Anti-counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Inspector ▪ Responsible Party ▪ Record Officer
Stakeholders	Director of Anti-Counterfeits
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	<ul style="list-style-type: none"> ▪ Suspected counterfeits goods in Warehouse declared as not counterfeits ▪ Ruling of the Hearing Committees ▪ Ruling of the appeal from FCT ▪ Submission of MOU between Offender and Brand Owner to the Chief Inspector ▪ Court Order
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Not Applicable
Process Input	1. Inspection Report
Process Flow	<ol style="list-style-type: none"> 1. Chief Inspector assign Director of Anti-Counterfeits to prepare Release Order 2. Director of Anti-Counterfeits receive the directives and assign Anti-Counterfeits Enforcement Manager to prepare Release Order

	<ol style="list-style-type: none">3. Anti-Counterfeits Enforcement Manager receive the directives and assign Inspector to prepare Release Order4. Inspector prepare Release Order and submit to Anti-Counterfeits Enforcement Manager for review5. Anti-Counterfeits Enforcement Manager review prepared Release Order and submit to Director of Anti-Counterfeits for review6. Director of Anti-Counterfeits review Release Order and submit to Chief Inspector for signature7. Chief Inspector review, sign prepared Release Order and assign to Director of Anti-Counterfeits8. Director of Anti-Counterfeits receive signed Release Order and assign to Anti-Counterfeits Enforcement Manager9. Anti-Counterfeits Enforcement Manager receive signed Release Order and assign to Inspector for further proceedings and Warehouse Supervisor for noting10. Inspector receive signed Release Order and inform Responsible Party, Police Force and other applicable witnesses11. Inspector receive issued non-offending goods from Warehouse Supervisor as well as signed Issue Note12. Inspector prepare Handover Note narrating list of non-offending goods to be released in accordance with signed Release Order13. Inspector countersign Handover Note with Responsible Party, Police Force and other applicable witnesses14. Inspector return non-offending goods to Responsible Part in presence of Police Force and other applicable witnesses15. Inspector prepare Return of Goods Report and submit to the Anti-Counterfeits Enforcement Manager for review16. Anti-Counterfeits Enforcement Manager review the Return of Goods Report and submit to the Director of Anti-Counterfeits for review17. Director of Anti-Counterfeits review and submit Return of Goods Report to the Chief Inspector for noting
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	<p>18. Chief Inspector receive the Return of goods Report and assign Record Officer for filing</p> <p>19. Record officer receive the Return of Goods Report and file</p>
Process Output	<p>1. Released Goods</p> <p>2. Release Order</p> <p>3. Handover Note</p> <p>4. Issue Note</p> <p>5. Return of goods Report</p>
Measurable Outcome	Return of Goods Report
Exceptions to Normal Process Flow	<p>In case of zone</p> <p>1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector</p> <p>2. Head of Zone submission goes Directly to the Chief Inspector</p>
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Release Order ▪ Signed Handover Note ▪ Return of Goods Report

1.4 Corporate Services

1.4.1 Finance and accounts section

1.4.1.1 Internal Payment

Name of Process	Internal Payment
Process Number	FCC_SBP_CS_01
Process Description	This process used to approve internal FCC payments

Process Boundaries	Start Point: Officer submits internal memo and request payment form End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Director General/DCS ▪ Director ▪ Head/Manager ▪ Finance Manager ▪ Budget Officer ▪ Finance Officer
Stakeholders	FCC departments, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	Approved Internal memo
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for amendments of internal memo and request payment form
Process Input	<ol style="list-style-type: none"> 1. Approved internal memo 2. Request for payment form
Process Flow	<ol style="list-style-type: none"> 1. User department Officer request payment by writing Internal Memo

	<ol style="list-style-type: none"> 2. Manager recommends and send internal memo to Director of user department 3. Director of user department recommends to Director General for approval 4. Director General approves or rejects 5. If approved, Director General sends the response to the director of user department 6. Director of user department send response to Manager 7. Manager send response to Officer to fill request for payment 8. Officer of user department fill request for payment form and submit to budget officer of user department 9. Budget officer of user department fill balance as per budget and submit to Manager 10. Manager sign and submit to Director of user department 11. Director of user department sign and submit to DG or Director of corporate services depends on amount requested 12. DG or Director of corporate services depends on amount requested, sign and send to Finance Manager for payment processing 13. Finance Manager assign to Finance Officer 14. Finance Officer processes payment through MUSE system
Process Output	<ol style="list-style-type: none"> 1. Approved Internal memo 2. Approved request payment form
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable

Control Points and Measurements	Internal Memo Application for request payment form
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1.4.1.2 External Payment

Name of Process	External Payment
Process Number	FCC_SBP_CS_02
Process Description	This process used to approve External FCC payments
Process Boundaries	Start Point: Supplier/vendor submits invoice End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Director General/DCS ▪ Directors ▪ Head/Managers ▪ Finance Manager ▪ Budget Officer ▪ Finance Officer
Stakeholders	FCC departments, MUSE, supplier, vendor
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Procurement act, ▪ Procurement Manual
Pre-Conditions	Supplier/Vendor Contract

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for amendments of invoice and request payment form
Process Input	Invoice
Process Flow	<ol style="list-style-type: none"> 1. Supplier/Vendor submit invoice at the reception 2. Reception Officer send invoice to registry 3. Registry Officer send the invoice to DG for assignment though e-office 4. DG review and assign to respective Director/unit Manager 5. Respective Director review and assign to manager for processing. For unit without Director, the unit Manager review and assign to Officer for processing 6. For Department, The Manager review and assign to Officer for processing 7. Officer process invoice, fill request payment form, attach relevant documents and submit to budget officer 8. Budget officer of respective department fill balance as per budget and submit to Manager 9. For unit that report direct to DG, Manager review the submitted documents and advice to DCS for approval 10. For Department, Director of respective department recommends to DCS for approval 11. DCS send to FAM (Finance and Accounting Manager) for review 12. FAM review and submit documents to Procurement Manager 13. Procurement Manager review and assign to Procurement Officer 14. Procurement Officer initiate payment through MUSE
Process Output	Approval for payment

Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Invoices/contracts and Application for request payment form

1.4.1.3 External Payment for utilities (water bills, electricity bills, telephone bills etc.)

Name of Process	External Payment for utilities (water bills, electricity bills, telephone bills etc.)
Process Number	FCC_SBP_CS_03
Process Description	This process used to approve External FCC payments for utilities bills
Process Boundaries	Start Point: Supplier submits invoice/bills End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Corporate services ▪ Finance Manager ▪ Budget Officer ▪ Finance Officer
Stakeholders	FCC departments, MUSE, supplier
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023

Pre-Conditions	Service utilization
Frequency of Occurrence	Monthly or Whenever Need arises
Decisions associated with the process	Approved, Rejected or send back for amendments of invoice/bill and request payment form
Process Input	Invoice/bill
Process Flow	<ol style="list-style-type: none"> 1. Supplier submit invoice/bill at the reception 2. Reception Officer send invoice to registry 3. Registry Officer send the invoice to DG for assignment though e-office 4. DG review and assign to DCS 5. DCS review and assign to respective Director/Manager/Head for processing. 6. For unit without Director, the unit Manager/Head review and assign to Officer for processing 7. For Department, the Director review and assign the Manager for processing 8. The Manager review and assign officer for processing 9. Officer process invoice/bill, fill request payment form, attach relevant documents and submit to budget officer 10. Budget officer of respective department fill balance as per budget and submit to Manager (Manager) 11. For unit that report direct to DG, Manager review the submitted documents and submit to DG/DCS for approval 12. For Department, Director of respective department recommends to DG/DCS for approval 13. DCS send to FAM (Finance and Accounting Manager) for review 14. FAM review and submit documents to Finance Officer for Payment 15. Finance Officer process payment through MUSE

Process Output	Approval for payment
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Invoice/bill and Application for request payment form

1.4.1.4 Retirement for Internal Payment

Name of Process	Retirement for Internal Payment
Process Number	FCC_SBP_CS_04
Process Description	This process used to retire internal FCC payments
Process Boundaries	Start Point: Officer submits retirement document End Point: Approved retirement through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ All staff
Stakeholders	All Staff of FCC, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	Approved Imprest

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved or send back for amendments of Retirement form
Process Input	Filled Retirement form and associated documents
Process Flow	<ol style="list-style-type: none"> 1. Staff fills retirement form, attaches retirement documents and submit to Respective Manager/Head of unit/ Director for approval 2. Manager/Head of unit/ Director reviews the submitted request and sign 3. If signed, the finance officer reviews the signed retirement form and associated documents. If in order, the finance officer signs the retirement document and register in the imprest retirement book and submit to FAM for review 4. FAM reviews the retirement form and associated documents, signs and submit to DCS for approval 5. DCS approves the retirement form and sends to FAM 6. FAM assigns the Finance Officer to process retirement 7. Finance Officer processes retirement through MUSE system
Process Output	Approved retirement
Measurable Outcome	Number of Complete retirements
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Retirement form

1.4.1.5 Revenue Collection

Name of Process	Revenue Collection
Process Number	FCC_SBP_CS_05
Process Description	This process used for collecting revenue and accounting
Process Boundaries	Start Point: Customer request control number End Point: GePG receipt
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Finance Manager ▪ Finance Officer/Officer (GePG) ▪ Customer/Payer
Stakeholders	FCC departments, MUSE, Customer, GePG
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023
Pre-Conditions	Service request
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	N/A
Process Input	Customer control number request
Process Flow	<ol style="list-style-type: none"> 1. Customer request for control number 2. Officer issues control number to customer 3. Payer make payment using control number 4. Payer submits payment evidence to Officer 5. Officer issue GePG receipt

Process Output	GePG receipt
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Control number

1.4.1.6 Revenue Collection from Fines

Name of Process	Revenue Collection from Fines
Process Number	FCC_SBP_CS_06
Process Description	This process used for collecting revenue from fines
Process Boundaries	Start Point: Officer issues control number to customer End Point: GePG receipt
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Finance Manager ▪ Finance Officer/Officer (GePG) ▪ Customer/Payer
Stakeholders	FCC departments, MUSE, Customer, GePG
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023
Pre-Conditions	Service request

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	N/A
Process Input	Issuance of control number
Process Flow	<ol style="list-style-type: none"> 1. Officer issues control number to customer 2. Payer make payment using control number 3. Payer submits payment evidence to Officer 4. Officer issue GePG receipt
Process Output	GePG receipt
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Control number

1.4.1.7 Salary Advance

Name of Process	Salary Advance
Process Number	FCC_SBP_CS_07
Process Description	This process used by staff to apply for salary advance
Process Boundaries	<p>Start Point: Staff fill salary advance form</p> <p>End Point: Approved payment processed through MUSE</p>
Process Owner	Director of Corporate Services

Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	Approved salary advance form
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for amendments of salary advance form
Process Input	Filled salary advance form
Process Flow	<ol style="list-style-type: none"> 1. Staff fill salary advance form and submit to HR Officer 2. HR Officer review and recommend to HR manager 3. HR manager review and recommend to DCS 4. DCS forward to FAM to check for outstanding balances 5. FAM forward to Finance officer to check outstanding balances and forward to FAM 6. Finance Officer checks outstanding balances and forward to FAM 7. FAM review and forward to DCS for approval 8. DCS approve and forward to FAM for processing 9. FAM assign to Finance Officer for processing 10. Finance Officer processes payment through MUSE system
Process Output	Approved payment

Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Salary Advance form

1.4.1.8 Extra Duty

Name of Process	Extra Duty
Process Number	FCC_SBP_CS_08
Process Description	This process used by staff to apply for extra duty approval
Process Boundaries	Start Point: Staff fill extra duty form and memo indicating total amount payable End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations, 2017
Pre-Conditions	Approved Extra duty form and memo
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, rejected or send back for amendments of extra duty form

Process Input	Filled extra form and memo
Process Flow	<ol style="list-style-type: none"> 1. Staff fill extra duty form and submit to Line manager for signature 2. Line Manager fill necessary details, sign and submit to FAM Manager 3. FAM Manager assign Finance Officer to fill form 4. Finance Officer fill form and submit to FAM for signature 5. FAM fill necessary details, sign the form and submit to DCS for approval 6. DCS approve and forward to FAM for processing 7. FAM assign to Finance Officer for processing 8. Finance Officer processes payment through MUSE system
Process Output	Approved payment
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Extra duty form

1.4.1.9 Petty Cash requisition

Name of Process	Petty Cash requisition
Process Number	FCC_SBP_CS_09
Process Description	This process used by staff to apply for petty cash
Process Boundaries	Start Point: Staff fill petty cash requisition form

	End Point: Approved petty cash requisition form
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	filled petty cash requisition form
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, rejected or send back for petty cash requisition form
Process Input	Filled petty cash requisition form
Process Flow	<ol style="list-style-type: none"> 1. Staff fill petty cash requisition form and submit to Line Manager 2. Line Manager review and recommend to DCS 3. DCS approves or Reject petty cash requisition and forward to FAM for payment 4. FAM assign Finance Officer to pay 5. Finance Officer issue payment to staff 6. Staff sign petty cash form after receiving fund 7. Staff submit receipt to Finance Officer after utilizing fund 8. Finance Officer collect receipt from staff and mark petty cash form as retired
Process Output	Approved petty cash requisition

Measurable Outcome	Number of approved petty cash requisition
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved Petty cash requisition form

1.4.2 Human Resources

1.4.2.1 Leave Application process

Name of Process	Leave Application process
Process Number	FCC_SBP_CS_10
Process Description	This process used by staff to apply for leave
Process Boundaries	Start Point: Staff fill leave application form End Point: Approved leave
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015 ▪ Standing Order ▪ Public Services Act and Regulations
Pre-Conditions	Valid FCC staff with leave balance
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	Approved, Rejected or send back for leave application form
Process Input	Filled leave application form
Process Flow	<ol style="list-style-type: none"> 1. An employee fill in leave application form according to their leave roaster and submit to HR Manager for review 2. HR Manager review and assign HRA Officer for verification 3. HRA Officer, review, verify and forward to HR Manager 4. Human Resource Manager review, sign and submit to Line Manager (Section Manager/Unit Head) 5. Line Manager (Section Manager/Unit Head) review, sign and forward to DG/Director for approval <ol style="list-style-type: none"> 1. DG/Director approve and forward to FAM for confirmation of entitlement of payment 2. FAM confirm payment entitlement and forward to DG/DCS for approval 3. DG/DCS approve the paid leave and forwarded to HRM for recording purposes 4. HRM assign the HRA Officer to record the approved leave request and provide feedback to the employee. 5. HRA Officer record the approved leave request and provide feedback to the employee.
Process Output	Approved leave
Measurable Outcome	Number of approved leave
Exceptions to Normal Process Flow	Not applicable

Control Points and Measurements	Approved leave application form
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1.4.2.2 Staff Training process

Name of Process	Staff Training process
Process Number	FCC_SBP_CS_11
Process Description	This process used by staff to apply for training
Process Boundaries	Start Point: Staff fill training request form End Point: Approved training
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff
Business Rules	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015
Pre-Conditions	Valid FCC staff
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for training application form
Process Input	Approved Training Program
Process Flow	1. An employee fill training request form according to training program action (personal particulars) (Names, Gender, Age,

	<p>Designation, Date of employment, Academic/Professional qualification) and training fee, per Diem allowance and local/fair allowance</p> <p>2. Training application reviewed by Manager/supervisor of that staff for approval</p> <p>3. Application be forwarded to Human Resource Manager reviewing and verification</p> <p>4. Application sent to HRA Office for review and verification</p> <p>(Training needs, Proposed training to attend, expected training institution, training duration and proposed training date) also HR reviewing training fee, per diem allowance and local/fair allowance.</p> <p>5. Application forwarded to Human Resource Manager for confirmation and verification</p> <p>6. Application be forwarded to DG/DCS for final training approval</p> <p>7. Approved training application request be forwarded to Finance and Accounts Manager for training entitlement and payments</p> <p>8. Training (approved or not approved) be sent to HRA Office for recording purposes and feedback to the employee</p>
Process Output	Approved training
Measurable Outcome	Number of approved trainings
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved training

1.4.2.3 Official Safari Application Process

Name of Process	Official Safari Application Process
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Process Number	FCC_SBP_CS_12
Process Description	This process used by staff to apply for Official trip
Process Boundaries	Start Point: Staff fill in application form for official Safari End Point: Approved official Safari
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff
Business Rules	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015
Pre-Conditions	Valid FCC staff
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for application for official Safari form
Process Input	Filled application form for official Safari
Process Flow	<ol style="list-style-type: none"> 1. An employee fills in application form for official Safari and submit to line manager (Section Manager/ Unit Head) 2. Line Manager preview, sign and submit form to Director for approval 3. If Unit, the Manager submit filled form to the DG for approval 4. The DG approve the safari application and send to DCS for payment processing 5. DCS sign and assign FAM to process payment 6. The HRM take note of the approved safari.

	<p>7. The FAM assign Finance officer to process payment</p> <p>8. The Finance officer process safari payment through MUSE and notify HRM</p> <p>9. The HRM take note of the approved safari and send copy of the approval to staff for travel permit processing</p>
Process Output	Approved official safari
Measurable Outcome	Number of approved official safari
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved training

1.4.2.4 Fleet Management Process

Name of Process	Fleet Management Process
Process Number	FCC_SBP_CS_13
Process Description	This process used by staff to apply for fleet maintenance/ service/ replacement
Process Boundaries	<p>Start Point: Staff fill in application form for fleet maintenance/ service/ replacement</p> <p>End Point: Approved fleet maintenance/ service/ replacement</p>
Process Owner	Director of Corporate Services
Process Actors	FCC Drivers, HRA Manager, Administrative Officer, PMU, Finance Department
Stakeholders	All FCC Staff
Business Rules	

	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015
Pre-Conditions	Valid FCC staff
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for application for fleet maintenance/ service/ replacement
Process Input	Filled application form for fleet maintenance/ service/ replacement
Process Flow	<ol style="list-style-type: none"> 1. Driver filling maintenance/service/replacement form, 2. Filled form sent to Administrative Officer for Review 3. The Administrative Officer submit reviewed form to HRA Manager for checking 4. HRA Manager review and recommend for approval to DCS for approval 5. DCS approve and submit reviewed form to PMU for procurement processes 6. PMU initiate procurement process through NeST
Process Output	Approved fleet maintenance/ service/ replacement
Measurable Outcome	Number of approved fleet maintenance/ service/ replacement
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved fleet maintenance/ service/ replacement

1.4.3 Record Management Office

Processes:

1. Recieve internal and external documents
2. Dispatch of document to external stakeholders

1.4.3.1 Receive internal and external documents

Name of Process	Receive internal and external documents
Process Number	FCC_SBP_CS_14
Process Description	This process used by staff to receive and disseminate documents to the respective directorates or units
Process Boundaries	Start Point: Record Officer receive internal or external document End Point: Route to relevant directorates or units
Process Owner	Director of Corporate Services
Process Actors	Record Officers
Stakeholders	All FCC Staff, External Entities
Business Rules	<ul style="list-style-type: none"> ▪ Record manual, 2007 ▪ Record and archive management act no.3, 2002
Pre-Conditions	Internal or external document need to be received
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	To route received stamped document to respective directorates or units
Process Input	Filled incoming register form (filled in e-Office system)
Process Flow	<ol style="list-style-type: none"> 1. Record Officer receive internal or external document 2. Record Officer record date and stamp received document

	<p>3. Record Officer fill incoming register form through e-Office and submit</p> <p>4. Record Officer scan received document and upload to e-Office system</p> <p>5. Record Officer send the received document to DG through e-Office system</p> <p>6. DG preview and channel received document to respective Director/Manager/Head for action</p> <p>7. Respective Director/Manager/Head receive the document and assign to respective Manager/Officer for action</p>
Process Output	Relevant action Officer receives the stamped document for action
Measurable Outcome	Number of received stamped documents
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Stamped documents and filled incoming register

1.4.3.2 Dispatch of document to external stakeholders

Name of Process	Dispatch of document to external stakeholders
Process Number	FCC_SBP_CS_15
Process Description	This process used by Record Officer to dispatch documents to external stakeholders
Process Boundaries	Start Point: Record Officer receive signed document to dispatch End Point: Document dispatched to respective external stakeholder
Process Owner	Director of Corporate Services
Process Actors	Record Officers
Stakeholders	All FCC Staff and external stakeholders

Business Rules	<ul style="list-style-type: none"> ▪ Record manual, 2007 ▪ Record and archive management act no.3, 2002
Pre-Conditions	Signed document need to be dispatched
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	To dispatch signed and stamped document to respective stakeholder
Process Input	Filled outgoing register form (filled in e-Office system)
Process Flow	<ol style="list-style-type: none"> 1. Record Officer receive signed internal document to dispatch 2. Record Officer date and stamp the signed internal document to be dispatched 3. Record Officer fill outgoing register form through e-Office 4. Record Officer scan stamped and signed internal document to be dispatched and upload to e-Office system 5. Record Officer send stamped and signed document to respective stakeholder through e-Office system 6. For External stakeholders not using e-Office system, record officer dispatch stamped and signed document through other transmission channels
Process Output	Dispatched stamped and signed document to respective stakeholder
Measurable Outcome	Number of dispatched documents
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Stamped, signed documents and filled outgoing register

1.4.4 Planning, monitoring and evaluation

The following business processes are handled by the planning, monitoring and evaluation Unit;

- i. Plan and budgeting
- ii. Monitoring and evaluation

1.4.4.1 Plan and Budgeting

Name of Process	Plan and budgeting
Process Number	FCC_SBP_CS_16
Process Description	This process used by management to plan for implementation of FCC strategic plan
Process Boundaries	<p>Start Point: Planning activities to be performed and estimation of income and expenditure projection.</p> <p>End Point: Approved annual plans (activities) and budget</p>
Process Owner	Director of Corporate Services
Process Actors	<p>All FCC budget officers from Directorate and independents units</p> <ul style="list-style-type: none"> ▪ Director General (DG) ▪ Director of Corporate Services (DCS) ▪ Planning, Monitoring and Evaluation Manager (PMEM) ▪ Budget officers
Stakeholders	All FCC Staff and the Commission
Business Rules	<ul style="list-style-type: none"> ▪ Budget act, 2015 ▪ Budget regulations,2015 ▪ Planning and Budgeting Guideline 2023
Pre-Conditions	Strategic Plan
Frequency of Occurrence	Annually

Decisions associated with the process	Approved, rejected or send back to management (Budget committee) for corrections and additions. Reviewed by Audit Committee and approved by Commission
Process Input	Fill budget matrices with agreed unit of measures; such as rates, values, prices, hours etc.
Process Flow	<ol style="list-style-type: none"> 1. PMEM prepare plan and budget circular and submit to Director of Corporate Services (DCS) to review and recommend to DG 2. DCS review and submit recommendation for approval to the DG 3. DG approves and issue Plan and Budget Circular issued to all Directorates, Units and Zones 4. Directorates, Units and Zones through their budget officers develop annual plans and budget as per budget circular and submit to DCS 5. DCS present the proposed annual plans and budget to FCC Management (Budget Committee) 6. Budget committee review the proposed annual plans and budget submitted and finally set budget targets. 7. After Management reviews submit final annual plans and budget draft to DG 8. DG Present the final draft annual plans and budget to the Workers Council for deliberation and endorsement 9. DG Present the final draft annual plans and budget after Workers Council deliberation and endorsement to the Audit committee for further deliberation and endorsement. 10. Once endorsed, Audit committee chairperson present the final draft budget to the Commission for deliberation and approval 11. DG Submit Budget to the Treasury Registrar for scrutinization and final approval 12. Once Approved, the DG assign DCS to prepare action plan for implementation of plans and budget 13. DCS assign PMEM to prepare action plan

	<p>14. PMEM prepares action Plan for implementation of plan and budget and submit to DCS for review</p> <p>15. DCS review the action plan and submit to management for approval</p> <p>16. The Management approve the action plan</p>
Process Output	<p>Approved plan and budget</p> <p>Approved action plan</p>
Measurable Outcome	Number of approved plan and budget
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved plan and budget

1.4.4.2 Monitoring and Evaluation

Name of Process	Monitoring and evaluation
Process Number	FCC_SBP_CS_17
Process Description	This process used by management to track and assess progress of implementation of plan and budget
Process Boundaries	<p>Start Point: Prepare monitoring and evaluation plan</p> <p>End Point: Monitoring and evaluation report</p>
Process Owner	Director of Corporate Services
Process Actors	All FCC monitoring and evaluation team
Stakeholders	All FCC Staff and the Commission

Business Rules	Monitoring and evaluation framework, 2024
Pre-Conditions	Approved Annual Plan and Budget
Frequency of Occurrence	Quarterly
Decisions associated with the process	Approved, rejected or send back for monitoring and evaluation plan (Approved by management)
Process Input	Filled monitoring and evaluation forms
Process Flow	<ol style="list-style-type: none"> 1. PMEM prepare monitoring and evaluation plan and submit to Director of Corporate Services to review and recommend to DG 2. DG approves the monitoring and evaluation Plan and assign to DCS for implementation 3. DCS assign to PMEM for implementation 4. PMEM (Plan, monitoring and evaluation manager) assign to Monitoring and evaluation team 5. Monitoring and evaluation team start data collection from directorates and units and analyze them 6. Monitoring and evaluation team prepares draft monitoring/evaluation reports and submit to PMEM 7. PMEM review and submit draft report to the DCS 8. DCS review draft report and recommend to management for review and deliberation 9. DG Present the final draft to the Audit committee for deliberation and endorsement 10. Audit Committee chairperson submit the draft report to the commission for approval 11. The commission approve monitoring and evaluation report
Process Output	Approved monitoring and evaluation report
Measurable Outcome	Number of approved monitoring and evaluation report

Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved monitoring and evaluation report

1.5 Public Relation and Communication Unit

1.5.1 Production of the Commission's newsletter

Name of Process	Production of the Commission's newsletter
Process Number	FCC_SBP_PR_01
Process Description	This process entails process of production of Commission's Newsletter
Process Boundaries	Start Point: Collect news from departments/Units End Point: Dissemination of Newsletter to the public
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Editorial Board ▪ Head of PR and Communication unit ▪ Representatives from the Department ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	
Frequency of Occurrence	2 Times a Year
Decisions associated with the process	Approval from Director General
Process Input	Information from Department/Units
Process Flow	1. PR Officer collect, Consolidate and submit Information/developed stories to Head of PR and Communication unit

	<ol style="list-style-type: none"> 2. Head of PR and Communication unit review submitted Information/developed stories and submit to the Editorial Board for Editing 3. The Chairperson of the Editorial Board submit draft Newsletter to the Head of PR 4. Head of PR accommodate comments if any and submit to Director General for approval 5. Director General approve the Newsletter and assign the Head of PR for further process 6. Head of PR and Communication unit follow procurement lifecycle for printing and online publishing 7. Head of PR and Communication unit assign Printed Newsletter to Records Officer for dispatch 8. Record Officer dispatch the Printed Newsletter to the Stakeholders
Process Output	Newsletter
Measurable Outcome	Number of Newsletters
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Editing of Information/Developed Stories by the Editorial Board

1.5.2 Preparation of Public Relations Writings (press releases, speeches, articles for journals and newspapers, as well as radio and television scripts)

Name of Process	Preparation of Public Relations Writings
Process Number	FCC_SBP_PR_02
Process Description	This process entails Preparation of press releases, speeches, articles for journals and newspapers, as well as radio and television scripts
Process Boundaries	Start Point: Responsible Unit / PR Officer prepare draft writing

	End Point: Director General approve the prepared PR writing
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director/Manager ▪ Head of PRCU ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approval by the Director General
Process Input	Received needs for the writing
Process Flow	<ol style="list-style-type: none"> 1. PR Officer prepare draft PR writing and submit to Head of PR and Communication unit for review 2. Head of PR and Communication unit review the draft PR writing and submit to the Director General for approval 3. Director General approve writing and assign the Head of PR and Communication unit for further processing 4. Head of PR and Communication Unit assign PR officer for further process 5. 6. If dissemination involves procurement, then procurement lifecycle for dissemination follows, else, assign record officer for dispatch 7. Record Officer dispatch the PR Writing to stakeholder

Process Output	Approved PR writing
Measurable Outcome	Number of Approved PR writing
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approval of PR writing by the Director General

1.5.3 Preparation of PR Events

Name of Process	Preparation of Public Relations Events
Process Number	FCC_SBP_PR_03
Process Description	This process entails organizing and managing press conferences, conventions, exhibitions, promotions, open-house publicity events and sponsorship
Process Boundaries	Start Point: PR Officer prepare draft Event plan End Point: Director General approve the prepared Event Plan
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director/Manager/Head ▪ Head of PR and Communication unit ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approval of Event Plan by the Director General
Process Input	<ul style="list-style-type: none"> ▪ Received Invitation to attend Event ▪ Internal needs to participate to the Event
Process Flow	<ol style="list-style-type: none"> 1. PR Officer prepare draft Event plan and submit to Head of PR and Communication unit for review 2. Head of PR and Communication unit review the draft Event Plan and submit to the Director General for approval

	<p>3. Director General approve the draft Event Plan and assign the Head of PR and Communication unit for further processing</p> <p>4. Head of PR and Communication assign PR officer for further actions</p> <p>5. If the Event involves procurement, then procurement lifecycle follows, else, continue with Event processes</p>
Process Output	Approved Event Plan
Measurable Outcome	Number of Approved Event Plans
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approval of Event Plan by the Director General

1.5.4 Review of print and electronic media

Name of Process	Review of print and electronic media
Process Number	FCC_SBP_PR_04
Process Description	This process entails Review of print and electronic media
Process Boundaries	<p>Start Point: PR Officer review print electronic media</p> <p>End Point: Director General receive summary on issues related to the commission</p>
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Head of PR and Communication unit ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs

Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Analysed Issues related to the commission by the Director General
Process Input	Print and Electronic Media
Process Flow	<ol style="list-style-type: none"> 1. PR Officer review print and electronic media and prepare a summary of Issues related to the commission and submit to the Head of PR and Communication unit for review 2. Head of PR and Communication unit review, prepare recommendation on the summary of Issues related to the commission and submit to the Director General for guidance 3. Director General Review the submitted recommendation on the summary of Issues related to the commission, guide and assign the Head of PR and Communication unit for further action 4. Head of PR and Communication unit receive the directives from the Director General and assign the PR Officer for further action
Process Output	Summary of Issues related to the commission
Measurable Outcome	Number Summaries of Issues related to the commission
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Guidance by the Director General

1.5.5 Inquiry/Invitation Processing

Name of Process	Inquiry/Invitation Processing
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Process Number	FCC_SBP_PR_05
Process Description	This process entails processing of inquiry/Invitation submitted by stakeholders
Process Boundaries	Start Point: Stakeholder submit inquiry/Invitation to FCC End Point: Head of PR and Communication unit respond to the inquiry
Process Owner	▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director/Head/Manager ▪ Head of PR and Communication unit ▪ PR Officer ▪ Record Officer ▪ Applicant/Inquirer
Stakeholders	
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Feedback on the Inquiry
Process Input	Inquiry/Letter
Process Flow	<ol style="list-style-type: none"> 1. Inquirer submits the Inquiry to the Commission 2. Record Officer receive submitted Inquiry, assign reference number to submitted Inquiry and issue a copy to Inquirer 3. Record Officer submit the Inquiry to Director General for preview

	<p>4. Director General preview the Inquiry and assign the Head of PR and Communication unit for processing</p> <p>5. Head of PR and Communication unit preview the Inquiry.</p> <p>6. If the Inquiry requires input from other departments/Units, the Head of PR and Communication unit provide recommendations and submit to Director General for decision.</p> <p>7. Director General assign/inform the responsible Director to participate in processing the Inquiry</p> <p>8. If the Inquiry does not require input from other departments/Units, the Head of PR and Communication unit preview and assign the Inquiry to PR Officer for Processing</p> <p>9. PR Officer review the Inquiry, provide recommendation and submit to Head of PR and Communication unit for review</p> <p>10. Head of PR and Communication unit review the recommendation and submit to Director General for decision</p> <p>11. Director General Review recommendation, provide decision and submit to Head of PR and Communication unit</p> <p>12. If the Decision is to respond to the Inquiry, Head of PR and Communication unit Notify PR Officer to draft a response letter and other necessary documents</p> <p>13. PR Officer prepare draft response letter and other necessary documents and submit to Head of PR and Communication unit for preview</p> <p>14. Head of PR and Communication unit preview the draft response letter and submit to Director General for approval</p> <p>15. Director General approve, sign the response letter and submit to Head of PR and Communication unit for further processing</p> <p>16. Head of PR and Communication unit assign signed response letter to Records Officer for dispatch</p> <p>17. Record Officer dispatch the signed response letter to the Inquirer</p>
Process Output	<p>Response Letter</p> <p>Associated documents</p>

Measurable Outcome	Number of Issued Response letters
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approval of the response letter by the Director General

1.6 ICTU- Information and Communication Technology Unit

This unit is responsible for managing all aspects of technology within the Commission. The following business processes are handled by the Information and Communication Technology Unit;

- i. Request for new Library books, reports and regulations
- ii. Update and maintain library register book (Institutional Public Register)
- iii. Dissemination process (borrowing and Return)
- iv. Services and Maintenance
- v. Change Management Request
- vi. Support and Services
- vii. Training and Awareness

1.6.1 Request for new Library books, reports and regulations

Name of Process	Request for new library books, reports and regulations
Process Number	FCC_SBP_ICT_01
Process Description	This process entails supporting institutional knowledge sharing and storage
Process Boundaries	Start Point: Analysis from the user information needs End Point: Storage of the institutional collection
Process Owner	Information Communication Technology Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Secretary of the Commission ▪ Information Communication Technology Manager

	<ul style="list-style-type: none"> ▪ Information Communication Technology Officer ▪ PMU ▪ FCC Staff ▪ General Public
Stakeholders	Commission, FCC Staff, MDAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ FCC ICT Policy ▪ Business Process/Action Plan ▪ eGA Acts and Regulation, 2019 ▪ eGA Guidelines
Pre-Conditions	Approved documents from the Commission
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Acquisitions of library books, reports and regulations
Process Input	<ol style="list-style-type: none"> 1. Information needs 2. Procurement Requisition Form 3. Payment Request Form
Process Flow	<ol style="list-style-type: none"> 1. Applicant/User from the departments submit request to ICTM 2. ICTM receive Information needs/request and assign ICTO to prepare requirements 3. ICTO prepare requirements and submit to ICTM for review and recommendation 4. ICTM review, recommend and submit to DG for review and approval 5. The DG review, approve and assign ICTM for further processing 6. ICTM submit the approved request to Manager of procurement for procurement processing

	<p>7. Manager of procurement follows procurement process lifecycle to process the requested items</p> <p>8. Once completed, purchased library books, reports and regulations will be delivered to the ICTM</p> <p>9. ICTM assign ICTO to register purchased library books, reports and regulations</p> <p>10. ICTO register books in Library book register, upload the soft copy in the Institutional Repository/database and create public awareness of the delivered books/information for usage process.</p>
Process Output	Updated library register book
Measurable Outcome	Number of books acquired, processed and stored
Exceptions to Normal Process Flow	<p>Information Services does not apply to: -</p> <ul style="list-style-type: none"> ▪ Request books/information that are not related with FCC Business Functions
Control Points and Measurements	1. Approved FCC Action Plan

1.6.2 Update and maintain library register book (Institutional Public Register)

Name of Process	Update and maintain library register book (Institutional Public Register)
Process Number	FCC_SBP_ICT_02
Process Description	This process entails supporting institutional knowledge sharing and storage
Process Boundaries	<p>Start Point: Receive the collections from the Commission</p> <p>End Point: Storage of the institutional collection</p>
Process Owner	Information Communication Technology Manager
Process Actors	<ul style="list-style-type: none"> ▪ Commission ▪ Director General ▪ Secretary of the Commission

	<ul style="list-style-type: none"> ▪ Information Communication Technology Manager ▪ Information Communication Technology Officer ▪ FCC Staff ▪ MDAs ▪ General Public
Stakeholders	Commission, FCC Staff, MDAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ FCC ICT Policy ▪ Business Process/Action Plan ▪ eGA Acts and Regulation, 2019 ▪ eGA Guidelines
Pre-Conditions	Approved documents from the Commission
Frequency of Occurrence	<ul style="list-style-type: none"> • Whenever need arises • Commission decisions • Management decision
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Receiving the Commission decisions ▪ Receiving the Management decisions
Process Input	<ul style="list-style-type: none"> • Management decisions • Commission decisions • Research Reports
Process Flow	<ol style="list-style-type: none"> 1. Secretary of the Commission submit decisions of the Commission/Management to ICTM; 2. ICTM assign the Commission/Management decisions to ICTO for registrations process and storage; 3. ICTO organize the physical copy to the library shelves; 4. ICTO proceed with the registrations process of Bibliographic information and upload the soft copy in the Institutional Repository/database.

Process Output	<ul style="list-style-type: none"> ▪ Updated library register book ▪ Updated Institutional Public register
Measurable Outcome	Number of Commission/Management decisions acquired, processed and stored
Exceptions to Normal Process Flow	<p>Information Services does not apply to: -</p> <ul style="list-style-type: none"> ▪ Request books/information that are not related with FCC Business Functions
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Management decisions ▪ Commission decisions

1.6.3 Dissemination process (Borrowing and Return)

Name of Process	Dissemination process (Borrowing and Return)
Process Number	FCC_SBP_ICT_03
Process Description	This process entails supporting institutional knowledge sharing and storage
Process Boundaries	<p>Start Point: Request from the user of the library</p> <p>End Point: Return of borrowed Asset</p>
Process Owner	Information Communication Technology Manager
Process Actors	<ul style="list-style-type: none"> ▪ FCC staff ▪ MDAs ▪ Secretary of the Commission ▪ Information Communication Technology Manager ▪ Information Communication Technology Officer
Stakeholders	Commission, FCC Staff and MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ FCC ICT Policy ▪ ICT Strategy

Pre-Conditions	Approved documents from the Commission
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Dissemination process (borrowing and Return)
Process Input	<ul style="list-style-type: none"> ▪ Library register book
Process Flow	<ol style="list-style-type: none"> 1. Applicant/User from the departments submit request to ICTO; 2. ICTO receive Information needs/request form for review; 3. If the borrower is an FCC Staff, ICTO lend the book/document to the borrower; 4. If not, verify the particulars of the borrower, If the borrower is a public servant. ICTO request permission from ICTM to initiate the process; 5. If approved, ICTO lend the book to the borrower; 6. The borrower returns the book to the library.
Process Output	Updated library register book
Measurable Outcome	Number of books disseminated to the borrower
Exceptions to Normal Process Flow	<p>Information Services does not apply to: -</p> <ul style="list-style-type: none"> ▪ Request books/information that are not related with FCC Business Functions
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003

1.6.4 Services and Maintenance

Name of Process	Services and Maintenance
Process Number	FCC_SBP_ICT_04
Process Description	This process entails how FCC staff can request a particular service.

Process Boundaries	<p>Start Point: FCC Staff requests for a particular service.</p> <p>End Point: ICTO delivers the service requested.</p>
Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager ▪ ICT Officer ▪ FCC Staffs
Stakeholders	FCC Staffs
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policy
Pre-Conditions	Need for a particular service.
Frequency of Occurrence	When need arise
Decisions associated with the process	
Process Input	Service Request
Process Flow	<ol style="list-style-type: none"> 1. FCC Staff fill and submit service request forms to the ICTM. 2. The ICTM assigns the service request to an ICTO 3. ICTO analyses and processes the request. 4. ICTO prepares the service delivery, if available. 5. If the service requested is unavailable, the ICTO will submit the request to ICTM 6. ICTM request the approval for the service request from the DG 7. DG approve the service request and assign ICTM to proceed with service delivery 8. ICTM assign the ICTO to proceed with offering the service 9. If the requested service requires approval of payment, ICTO proceed with <i>request for payment lifecycle</i>

	<p>10. If requested service requires procurement, <i>procurement process lifecycle follows</i></p> <p>11. ICTO proceed with offering the requested service</p>
Process Output	Service Delivery
Measurable Outcome	Number of services delivered
Exceptions to Normal Process Flow	
Control Points and Measurements	Number of services delivered

1.6.5 Change Management Request

Name of Process	Change Management Request
Process Number	FCC_SBP ICT_05
Process Description	This process details steps to follow when requesting for change management
Process Boundaries	<p>Start Point: Officer fill change request form</p> <p>End Point: Change request is approved and implemented</p>
Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager ▪ ICT Officer ▪ FCC Staffs
Stakeholders	FCC Staffs
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policies & Regulations
Pre-Conditions	Need for a particular service
Frequency of Occurrence	When need arise

Decisions associated with the process	Approval or rejection of change request
Process Input	Filled service request form
Process Flow	<ol style="list-style-type: none"> 1. FCC Staff fill and submit the change management request form to the ICTM. 2. The ICTM assigns the change management request to an ICTO 3. ICTO conduct analysis on the impact of request change and submit recommendation to ICTM 4. ICTM review impact of the change and make decision 5. If requested change have wider impact across the Institution, ICTM submit recommendation to the DG for approval 6. The DG review change request and approve 7. If the request change has minimal impact to the organization/system, ICTM approve and submit to ICTO for action. 8. The ICTO implement the change request, notify staff and ICTM for noting
Process Output	Approved and implemented change request
Measurable Outcome	<p>Number of Implemented changes</p> <p>Time taken to make changes</p>
Exceptions to Normal Process Flow	
Control Points and Measurements	Number of changes made

1.6.6 Support and Services

Name of Process	Support and Services
Process Number	FCC_SBP_ICT_06
Process Description	This process details steps involved to submit request and receive necessary support from the ICT Team
Process Boundaries	Start Point: Staff submit issues to ICT End Point: ICT officer resolve issue
Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager ▪ ICT Officer ▪ FCC Staffs ▪ Procurement Officer ▪ Procurement Manager ▪ Director ▪ External actor
Stakeholders	FCC Staffs, Ministry of Finance, eGA, UTUMISHI, Ministry of Planning and Investment, Ministry of Industry and Trade and other MDAs
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policies and Regulations ▪ eGA guideline ▪ ICT service Management Guidelines
Pre-Conditions	Need for a particular service
Frequency of Occurrence	When need arise
Decisions associated with the process	
Process Input	Staff submit application for help

<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Staff fill form, select appropriate category (service request, inquiry or incident) and submit via Helpdesk platform 2. ICTO receive notification about the reported issue and log in to the system (Helpdesk platform) <p>For Internal Issues</p> <ol style="list-style-type: none"> 3. If the reported issue falls under incident and inquiry category, ICTO attend the issue and send back the response to FCC staff. 4. If the reported issue falls under service request category, ICTO submit the issue and recommendation to ICTM for determination to either initiate procurement process or assign hardware to staff from stock 5. If ICTM recommend assignment of hardware/software to staff from stock, ICTO proceed to handover asset to staff 6. If ICTM recommend procurement of hardware/software, ICTO prepare the hardware/software detail and cost and follows procurement process lifecycle to acquire new hardware/software and mark ticket status as progress while waiting for the procurement process to be completed 7. Once procurement process is completed, ICT officer notify the FCC staff that the issue has been resolved, and register in 'Asset register' 8. Staff receive requested hardware/software and close the ticket after confirming that the issue is resolved. 9. If staff receives a response and still sees that the issue has not been resolved, reply to that response, and the ticket will be rolled back to inform the ICTO that the problem has not been resolved and ICTO take action again to solve the issue. <p>For issues requiring interventions from MDAs</p>
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	<p>10. ICTO open outgoing ticket via helpdesk platform to respective institution that own the service.</p> <p>11. ICTO mark the ticket status as progress while awaiting for responses from the ICTO of the external service owner institution.</p> <p>12. Once ICTO receives a response from the external, proceed to solve the issue. Afterwards, inform the FCC staff that the problem has been resolved.</p> <p>13. Staff receive requested service and close the ticket after confirming that the issue is resolved.</p> <p>14. If staff receives a response and still sees that the issue has not been resolved, reply to that response, and the ticket will be rolled back to inform the ICTO that the problem has not been resolved and ICTO take action again to solve the issue.</p>
Process Output	Service delivered
Measurable Outcome	<p>Number of issues resolved</p> <p>Time taken to resolve issues</p>
Exceptions to Normal Process Flow	
Control Points and Measurements	

1.6.7 Training and Awareness

Name of Process	Training and Awareness
Process Number	FCC_SBP_ICT_07
Process Description	Training and Awareness for users and IT Personnel on ICT issues
Process Boundaries	<p>Start Point: Training need assessment</p> <p>End Point: Training program report</p>

Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager ▪ ICT Officer ▪ FCC Staffs ▪ System Users
Stakeholders	<ul style="list-style-type: none"> ▪ FCC Staffs ▪ ICT system users
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policies and Guidelines
Pre-Conditions	Awareness needs on ICT systems
Frequency of Occurrence	When need arise
Decisions associated with the process	Dissemination of knowledge or awareness of how to use ICT systems
Process Input	Service Request
Process Flow	<ol style="list-style-type: none"> 1. FCC introduce system use awareness need and knowledge gap analysis 2. The ICTM see the awareness and knowledge gap analysis report 3. The ICTM propose the training program and awareness creation programs 4. If the training is external the ICTM sends the Officers to attend the training program session 5. If it is within the ICTO will conduct the awareness program to system users 6. If the ICTO attend the training of knowledge gap at the end they have to produce training report on what they have learn 7. The ICTOs will produce the awareness creation repot to ICTM after doing the awareness creation session to system users

Process Output	Understanding ICT Systems
Measurable Outcome	Knowing system to users and ICT personnel
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> ▪ On Desk attendance ▪ Oral directives to system users ▪ Giving users pre conditions of how to use ICT systems
Control Points and Measurements	Knowledge gained and Understanding ICT Systems

1.7 Legal Services Unit

1.7.1 Determination(s) by the Commission

Name of Process	Determination(s) by the Commission
Process Number	FCC_SBP_LS_01
Process Description	This process entails process of submitting Board Papers and Reports to the Commission for determination
Process Boundaries	<p>Start Point: Author (Directorates/Units) submits document to the Secretary to the Commission</p> <p>End Point: Determination of the Commission</p>
Process Owner	<ul style="list-style-type: none"> ▪ Secretary to the Commission
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Secretary to the Commission ▪ Author (Director General/Directors/Managers) ▪ The Management ▪ Record Officers
Stakeholders	FCC Directorates/Units
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003

	<ul style="list-style-type: none"> ▪ Competition Rules, 2018 ▪ Consumer Complaints Handling Procedures, 2022
Pre-Conditions	{Discussion and adoption by the Management }
Frequency of Occurrence	<p>When need arise</p> <p>Ordinary Monthly Case Meetings (Quasi-Judicial) - 12</p> <p>Ordinary Meetings (Governance) – 4</p>
Decisions associated with the process	Determination by the Commission
Process Input	Documents from Author
Process Flow	<ol style="list-style-type: none"> 1. The Author submits documents to the Secretary for the Commission for submission to the Commission 2. The Secretary to the Commission prepares notice and submit the documents to the Management for discussion and recommendation(s) 3. If the Management recommend for improvement, the Secretary to the Commission transmit to the Author for improvement 4. If Management adopt the report, the Secretary to the Commission prepare notice for the Commission meeting and submit the same to the Commission (i.e., FCC Board) together with documents for determination 5. The Commission makes determination on the presented matter 6. If determination requires Secretary to the Commission to prepare a specific document, Secretary to the Commission prepares the document and submit to the members of Commission for their review and signature 7. Secretary to the Commission prepare minutes of the meeting and matters arising (if any)

	<p>8. Secretary to the Commission share matters arising to the Management</p> <p>9. Secretary to the Commission prepares a Public Register for decisions of the commission</p>
Process Output	Determination of the Commission
Measurable Outcome	<p>Number of Commission decisions published</p> <p>Number of Directives issued by the Commission</p> <p>Number of Determinations made</p>
Exceptions to Normal Process Flow	
Control Points and Measurements	<p>Number of Commission decisions published</p> <p>Number of Directives issued by the Commission</p> <p>Number of Determinations made</p>

1.7.2 To represent FCC in cases which the FCC has been sued

Name of Process	FCC Sued
Process Number	FCC_ SBP_LS_02
Process Description	This entails process of representing FCC in case FCC has been sued
Process Boundaries	<p>Start Point: FCC being served with case initiating document (Plaint, Application, Chamber Summons, Affidavits etc.)</p> <p>End Point: Completion of the case</p>
Process Owner	<ul style="list-style-type: none"> ▪ Legal Services Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Legal Services Manager ▪ Plaintiff/ Applicant ▪ Legal Officers

	<ul style="list-style-type: none"> ▪ Record Officers
Stakeholders	FCC Directorates/Units, Attorney General, Solicitor General, Ministry of Industry and Trade, The Judiciary
Business Rules	<ul style="list-style-type: none"> ▪ Civil Procedure Code ▪ Labour Laws ▪ Law of Contract ▪ Any other relevant laws
Pre-Conditions	FCC being served with case initiating documents
Frequency of Occurrence	When need arise
Decisions associated with the process	<p>Mediation</p> <p>Arbitration</p> <p>Settlement</p> <p>Litigation</p>
Process Input	Case initiating documents (Plaint, Application, Chamber Summons, Affidavits etc.)
Process Flow	<ol style="list-style-type: none"> 1. Plaintiff/ Applicant submits case initiating documents (Plaint, Application, Chamber Summons, Affidavits) to FCC 2. Record Officer receive case initiating documents 3. Record Officer open and assign reference/file number to case initiating documents 4. Record Officer submit the case initiating documents to Director General for preview 5. Director General preview and assign case initiating documents to the Legal Services Manager for action 6. The Legal Services Manager review and assign a Legal Officer for action

	<ol style="list-style-type: none"> 7. Legal officer review case initiating documents, act as assigned (opines, draft a response etc.) and submit to the Legal Services Manager for review and further guidance (If any) 8. The Legal Services Manager review and submit to DG for approval 9. The DG review draft document (opinion, draft response etc.), approve and assign the Legal Services Manager for action. 10. If approved by the Director General, the Legal Service Manager sign, attest etc. the response and submit to Record Officer for filing in court and serving the same to applicant/plaintiff 11. If the case involves other court processes (e.g., injunction, preliminary objections etc.), other court processes life cycle follows 12. If the applicant/plaintiff intends to file a rejoinder, the FCC will be served with the rejoinder, other court processes life cycle follows 13. The FCC will be served with a summons to appear for mention/hearing 14. The Director General receives the summons, preview and assign the Legal Service Manager for action 15. The Legal Service Manager receives the summons from the DG, Appears or Assign the Legal Officer to represent the Commission to the hearing 16. The Legal Service Manager or Legal officer shall appear and represent the Commission to the hearing 17. If the Legal officer represented the commission to the hearing, the legal officer prepares a case report and submit to the Legal Services Manager for preview
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	<p>18. If the Legal Services Manager represented the commission to the hearing, the Legal Service Manager prepares a case report and submit to the Director General for preview and guidance</p> <p>19. If the case is determined in favour of the commission and costs have been awarded to the Commission, the Legal Service Manager will draft the bill of cost or assign the Legal Officer to draft the bill of cost</p> <p>20. The Legal Service Manager review the draft bill of cost and submit to Director General for review and approval</p> <p>21. If approved by the Director General, the Legal Service Manager sign, attest etc. the draft bill of cost and submit to Record Officer for filing in court and serving the same to the respondent</p> <p>22. The Hearing-related processes lifecycle follows (13-18)</p> <p>23. If the case has been determined against the commission, the Legal Service Manager shall advise the Director General on whether the commission should prefer an appeal or not.</p> <p>24. Director General will receive and review the advice from the Legal Service Manager.</p> <p>25. If the Director General approves the advice that an appeal should be preferred, the Director general will assign the Legal Service Manager to prepare necessary documents for filing an appeal.</p> <p>26. Else, FCC implement decisions and judgement of the court</p>
Process Output	Signed response/reply (written statement of defence, counter-affidavit etc.)
Measurable Outcome	Number of signed responses/replies
Exceptions to Normal Process Flow	

Control Points and Measurements	Number of signed responses/replies
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1.7.3 To represent FCC in cases which the FCC is Sueing

Name of Process	FCC Sueing
Process Number	FCC_SBP_LS_03
Process Description	This entails process of representing the FCC in case FCC is sueing
Process Boundaries	Start Point: FCC being aggrieved with an action or omission by a certain person (Legal/Natural) (breach of terms/conditions/agreement etc) End Point: Completion of the Case
Process Owner	<ul style="list-style-type: none"> ▪ Legal Services Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Legal Services Manager ▪ Respondent ▪ Legal Officers ▪ Record Officers
Stakeholders	FCC Directorates/Units, Attorney General, Solicitor General, Ministry of Industry and Trade, The Judiciary
Business Rules	<ul style="list-style-type: none"> ▪ Civil Procedure Code ▪ Labour Laws ▪ Law of Contract ▪ Any other relevant laws
Pre-Conditions	Action or omission warranting for legal action (breach of terms/conditions/agreement)
Frequency of Occurrence	When need arise

Decisions associated with the process	Mediation Arbitration Settlement Litigation
Process Input	FCC file case initiating document (Plaint, chamber summons etc.)
Process Flow	<ol style="list-style-type: none"> 1. Respective Department/ Division reports breach to the DG for review 2. Director General submit the matter to the Legal Services Manager for advice 3. Legal Services Manager submit the matter to the Legal Officer for opinion/advice 4. The Legal Officer opines (e.g., Opening a case in court), draft a response and submit to the Legal Services Manager for review 5. The Legal Services Manager review and submit advice to the DG accordingly 6. The Director General review the advice and make determination 7. If determination by the DG requires FCC to file a case in Court, the DG instructs Legal Services Manager to prepare case initiating documents. 8. The Legal Services Manager assigns a Legal Officer to prepare case initiating documents 9. Legal Officer prepare case initiating documents and submit to the Legal Services manager for review 10. The Legal Services Manager review case initiating documents and submit to DG for approval 11. The DG review case initiating documents, approve and submit the same to Legal Services Manager for action. 12. If approved, the Legal Service Manager sign, attest etc. and submit to Record Officer for filing and serving

	<p>13. Record Officer receive Legal documents, open and assign reference/file number</p> <p>14. Record Officer file Legal documents in court and serve the same to parties</p> <p>15. Respondent submits response to FCC</p> <p>16. Record Officer receive the response, file and submit to the Director General for preview</p> <p>17. Director General preview and assign the response to the Legal Services Manager for advice</p> <p>18. The Legal Services Manager review the response and assign a Legal Officer for advice (Whether to rejoin or not)</p> <p>19. Legal officer reviews the response, prepare rejoinder if any and submit advise to the Legal Services Manager for review</p> <p>20. The Legal Services Manager review and submit the advice and rejoinder if any to DG for approval</p> <p>21. The DG review the advice and rejoinder if any, approve and assign the Legal Services Manager for action.</p> <p>22. If approved by the Director General, the Legal Service Manager sign, attest etc. the rejoinder and submit to Record Officer for filing in court and serving the same to respondent</p> <p>23. Record Officer file the rejoinder in court and serve the same to parties</p>
Process Output	Decision by the Court
Measurable Outcome	Number of signed Plaintiff, Chamber Summons, Affidavit, Rejoinder
Exceptions to Normal Process Flow	
Control Points and Measurements	Plaint, Chamber Summons, Affidavit, Rejoinder

1.7.4 Applications in Court/Tribunals

Name of Process	Application in Courts/Tribunals
Process Number	FCC_SBP_LS_04
Process Description	This entails process of opening application in court
Process Boundaries	Start Point: Drafting of necessary document for initiating an application (Plaint, Application, chamber summons) to court, tribunal etc. End Point: Ruling on the application
Process Owner	<ul style="list-style-type: none"> ▪ Legal Services Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Legal Services Manager ▪ Respondent(s) ▪ Legal Officer ▪ Record Officer
Stakeholders	FCC Directorate/Unit, Attorney General, Solicitor General, Ministry of Industry and Trade, Court
Business Rules	<ul style="list-style-type: none"> ▪ Civil Procedure Code ▪ Labour Laws ▪ Law of Contract
Pre-Conditions	Existence of a case in court (e.g., FCC Sued)
Frequency of Occurrence	When need arise
Decisions associated with the process	Ruling of the application
Process Input	Approval by the DG to open an application

Process Flow	<p>12. Legal Services Manager Instruct Legal Officer to prepare Legal documents</p> <p>13. Legal Officer prepare Legal documents (e.g., Chamber Summons, affidavit etc.) and submit to the Legal Service Manager for review</p> <p>14. Legal Service Manager review, sign and submit to Record Officer for filling in court</p> <p>15. Record Officer receive Legal documents, open and assign reference/file number</p> <p>16. Record Officer file Legal documents in court and serve the same to parties</p>
Process Output	Legal Documents and Appearance before the court
Measurable Outcome	Decisions by the court
Exceptions to Normal Process Flow	
Control Points and Measurements	Number of signed Legal documents

1.8 Audit Unit

1.8.1 Preparation for Risk Based Annual Audit Plan

Name of Process	Preparation for Risk Based Annual Internal Audit Plan
Process Number	FCC_SBP_IA_01
Process Description	This procedure describes the process for preparation of Risk Based Annual Internal Audit Plan (RBIAP).
Process Boundaries	Start Point: CIA initiates by instructing auditors to start the process End point: Approved Annual Audit Plan
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Audit Committee ▪ Management ▪ Director General ▪ Commission
Stakeholders	FCC Staff
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2022 ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Chief Internal Auditor initiates the process of preparation of the Risk based Internal Audit annual plan at the end of quarter two in every financial year by instructing auditors to start preparation of RBIAP

Frequency of Occurrence	Annually
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approval of the RBIAP
Process Input	<ul style="list-style-type: none"> ▪ Policies, framework, manuals and SOPs, Quarterly reports
Process Flow	<ol style="list-style-type: none"> 1. Internal Auditors (IA) identify Audit Universe representing the potential range of all audit activities that can be audited through consultation with Heads of directorates/units/zones 2. CIA reviews and approves the audit universe 3. IA shall conduct risk assessment for developing an integrated, risk based and focused audit plan 4. IA shall analyze and Score Risks by assigning a numeric rating for each audit activity based on various risk factors and Rating each audit activity into High, Medium, and Low, based on the risk scores 5. IA draft the RBAIP by ensuring that critical activities having high risk are given more audit frequency relatively to medium and low risk activities and submits to CIA for review 6. CIA reviews the RBAIP and submits to the Management for review and comments 7. The management reviews RBAIP and make recommendations 8. If Management adopts the RBIA plan, the CIA submits the plan to the Audit Committee for review, deliberation and approval.
Process Output	Approved Annual Risk Based Internal Audit Plan (RBIA)
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Approved Annual Risk Based Internal Audit Plan
Exceptions to Normal Process Flow	

Control Points and Measurements	Approved Risk Based Annual Internal Audit Plan
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1.8.2 Audit Engagement Initiation

Name of Process	Audit Engagement Initiation
Process Number	FCC_SBP_IA_02
Process Description	This process details steps involved in audit initiation
Process Boundaries	Start Point: Audit Plan End point: Monitoring and Reporting of the corrective action
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Chief Internal Auditor (CIA) ▪ Lead Auditor (LA) ▪ Internal Auditor (IA)
Stakeholders	All Staffs
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2022 ▪ FCC Risk Management Manual, 2019 ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations

	<ul style="list-style-type: none"> ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Approved Annual Risk Based Internal Audit Plan
Frequency of Occurrence	Whenever need arises/Suo moto
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approval of the Internal Audit Memo
Process Input	<ul style="list-style-type: none"> ▪ Approved Annual Risk Based Internal Audit Plan
Process Flow	<ol style="list-style-type: none"> 1. The CIA appoints Lead Auditor (LA) and audit team for approved audit assignments as per Engagements Schedule from the Risk Based Internal Audit Plan (RBIAP) to prepare Internal Audit Memo 2. Lead Auditor prepares an Internal Audit Memo (As per approved FCC memo template) identifying and submit to CIA for review and recommendation 3. CIA reviews the Internal Audit Memo and submits to the DG for approval 4. DG review the Internal Audit Memo, approve and transmit to CIA 5. CIA transmit approved Internal Audit memo to the Lead Auditor to initiate Pre-Audit Preparation 6. Lead Auditor prepare audit engagement plan, checklists and other procedures or documentation relative to the audit and provide a copy to audit team members for review 7. The audit team review the audit plan checklists and other procedures or documentation relative to the audit and if in order, sign the declaration of Independence/Conflict of interest Form prior to participation in engagement audit activities and submit to Lead Auditor 8. Lead Auditor contact the auditable area to ensure all arrangements are in place and appropriate personnel and documents, are available for the audit process

Process Output	Approved Internal Audit Memo Signed declaration of Independence/Conflict of interest Form No. (F-IAU-CIA-001-AEN)
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of approved internal audit memo
Exceptions to Normal Process Flow	
Control Points and Measurements	Approved internal audit memo

1.8.3 Preliminary Survey

Name of Process	Preliminary Survey
Process Number	FCC_SBP_IA_03
Process Description	This process details steps involved in conducting preliminary survey
Process Boundaries	<p>Start Point: Audit Team Conducts preliminary assessment of audit activity for identifying its critical risks, which need to be covered in the audit in order to achieve the audit objectives</p> <p>End point: Approved Engagement Notification to Auditee</p>
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Lead Auditor (LA) ▪ Audit Team

Stakeholders	Auditee
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2019 ▪ FCC Risk Management Manual, 2019 ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Approved Audit Engagement Initiation
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Signing of engagement notification ▪ Development of effective testing
Process Input	<ul style="list-style-type: none"> ▪ Approved internal audit memo
Process Flow	<ol style="list-style-type: none"> 1. The Audit Team familiarizes itself with the auditable area under review conducting preliminary review 2. Audit Team Members review adequacy of the process controls by assessing the design of the control 3. If controls are found to be adequate, Audit Team Members develop effectiveness tests for detailed testing during fieldwork 4. If controls are inadequate, Audit Team Members include as audit finding and design tests to assess impact in the process and submit to LA 5. LA develops Risk and Control Matrix and prioritizes the auditable process areas.

	<p>6. LA develops the audit scope covering areas of focus from the risk and control matrix (As a matter of priority all areas assessed to be high risk shall be included in the audit scope).</p> <p>7. LA prepares draft audit program which details audit areas, general audit objectives, process objectives and risks, controls in place, audit test procedures, sampling criteria, responsible auditor.</p> <p>8. PIA reviews the draft audit program, recommends it to CIA for approval.</p> <p>9. CIA approves the audit program and instructs LA to prepare Engagement Notification (EN).</p> <p>10. LA prepares EN and submits it to PIA for review.</p> <p>11. PIA reviews the EN and submits to CIA or designee for approval and signature.</p> <p>12. LA distributes the approved EN to auditee Five (5) working days prior to fieldwork</p>
Process Output	<p>Approved Internal Audit Memo</p> <p>Signed declaration of Independence/Conflict of interest Form No.</p>
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of approved internal audit memo
Exceptions to Normal Process Flow	
Control Points and Measurements	Approved Engagement Notification

1.8.4 Conducting Internal Audit

Name of Process	Conducting Internal Audit
Process Number	FCC_SBP_IA_04

Process Description	This process details steps involved in conducting Audit
Process Boundaries	Start Point: Internal Auditor conduct entry meeting End point: Approval of Final Audit Report
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Lead Auditor (LA) ▪ Audit Team
Stakeholders	Auditee
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2019 ▪ FCC Risk Management Manual, 2019 ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Approved Audit Engagement Initiation
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Signing of engagement notification ▪ Development of effective testing

Process Input	<ul style="list-style-type: none"> ▪ Approved internal audit memo
Process Flow	<ol style="list-style-type: none"> 1. LA arranges and conducts entry meeting with with key process owners record the attendance and proceedings of the meeting for future reference Audit Team Members performs tests to evaluate effectiveness of controls by collecting evidence through audit techniques, document results of fieldwork in the Working Paper Form and submit to LA for review 2. LA reviews evidence gathered by audit team members to ensure that each audit documentation matches critical element and arrange pre-exit meeting with the auditee. 3. LA and Audit Team Members conducts pre-exit meeting at the audit area for clarification and communication of the result of the audit work. 4. Audit Committee prepare working paper forms (audit findings, results and observations) and submit to the LA for review 5. LA review working paper forms (audit findings, results and observations) and submit to CIA for review and approval 6. CIA review and approve working paper forms and submit to LA for further action 7. LA arranges and conducts Audit team meeting prior to the exit meeting with auditee management for reviewing and consolidating the deviations and recommendations for presentation to the auditee and for preparation of the draft Internal Audit Report 8. LA documents status of the action and draft Internal Audit Report submit to IA for review 9. IA review the draft report, forward report to CIA for noting and authorizes the LA to proceed with the exit meeting 10. LA arranges exit meeting by agreeing date of the meeting with the auditee; sending invitation email including draft audit report to auditee, auditors and other personnel responsible for the finding (3 working days prior to meeting). 11. LA conducts Exit meeting with the key personnel of the audited activity and document exit meeting minutes and attendance sheet 12. LA prepares final report incorporating written responses from Auditee and other adjustments obtained from the exit conference then submit to IA for final review 13. IA review the final report and submit to CIA for review 14. CIA reviews the report and instructs LA to arrange printing, Preparation of submittal letter and distribution to auditee.

	<p>15. LA prints the audit Final Report, Signoff the report with other audit team members then prepares Final Audit Report Submittal letter and sends to CIA for review and approval</p> <p>16. CIA reviews, approve the submittal letter and instruct LA to distribute the Final report attached with Submittal Letter to the Director General, Auditee and other authorized relevant parties concerned with the findings</p> <p>17. LA distributes the Final report attached with Submittal letter to the Director General, Auditee and other authorized relevant parties concerned with the findings and Record distribution of final Engagement communication in Final Report Dispatch book</p> <p>18. LA distribute customer feedback questionnaire to Auditee through email and direct auditee to provide performance response to CIA.</p> <p>19. CIA review performance and communicate with Auditors and auditee for collective action and improvement</p>
Process Output	<p>Approved Internal Audit Memo</p> <p>Signed declaration of Independence/Conflict of interest Form No.</p>
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of approved internal audit memo
Exceptions to Normal Process Flow	
Control Points and Measurements	Approved Engagement Notification

1.8.5 Monitoring

Name of Process	Monitoring
Process Number	FCC_SBP_IA_05

Process Description	This process details steps involved in monitoring implementation status of previous audit observations
Process Boundaries	Start Point: Internal Auditor share audit previous audit findings to auditee End point: Approval Management responses
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Directors ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Lead Auditor (LA) ▪ Audit Team
Stakeholders	Auditee
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2022 ▪ Risk based Annual Internal Audit Plan ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Approved previous quarterly report
Frequency of Occurrence	Quarterly

Decisions associated with the process	<ul style="list-style-type: none"> ▪ Agreed Implementation status
Process Input	<ul style="list-style-type: none"> ▪ Approved previous quarter report
Process Flow	<ol style="list-style-type: none"> 1. Internal Auditor identify list of unimplemented previous audit observations 2. Internal Auditor share the list with the auditee for updating status/developments 3. Auditee respond to the list within five days and submit to the internal auditor with the attached evidences 4. Internal auditor compiled the status from all auditees 5. Internal auditor conducts review and analysis 6. Internal auditor submits the implementation status of previous audit observation to CIA for final review 7. CIA present the implementation status of the previous audit observations to the Management meeting for discussion and adoption
Process Output	Agreed implementation status of the previous audit observations
Measurable Outcome	<ul style="list-style-type: none"> ▪ Implementation rate of previous audit observations
Exceptions to Normal Process Flow	
Control Points and Measurements	Agreed implementation status of the previous audit observations

1.8.6 Approval of the Report

Name of Process	Submission of the quarterly audit reports to Audit Committee
Process Number	FCC_SBP_IA_06

Process Description	This procedure describes the process of submission of quarterly Internal Audit Report to Audit Committee and Commission.
Process Boundaries	Start Point: CIA submit Quarterly Internal Audit Report End point: Approved Quarterly Internal Audit Report
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Management ▪ Audit Committee ▪ Director General ▪ Commission
Stakeholders	Management, Audit Committee and Commission
Business Rules	<ul style="list-style-type: none"> ▪ Risk Based Annual Internal Audit Plan ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2022 ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Chief Internal Auditor submits the quarterly internal audit report to Audit Committee for Discussion and deliberation there after the Audit Committee submit to the Commission for approval
Frequency of Occurrence	Quarterly
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approved quarterly report
Process Input	<ul style="list-style-type: none"> ▪ Discussed quarter internal audit report by management

Process Flow	<ol style="list-style-type: none"> 1. After Management adopt the quarterly reports, the CIA submits the report to the Audit Committee for review, deliberation 2. Audit Committee reviews the report and make determination 3. If Audit Committee recommends for Improvement, CIA makes necessary improvement and resubmits to committee for determination 4. Audit Committee recommends the report to the Commission for approval
Process Output	Approved Quarterly Internal Audit Report
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Approved Quarterly Internal Audit Reports
Exceptions to Normal Process Flow	
Control Points and Measurements	Approved Quarterly Internal Audit Report

1.9 Risk Management and Quality Assurance Unit

This is the unit established to provide expertise on risk management and quality assurance to the Commission; including the implementation of risk management policy, integration of risk management with Commission activities, identifying key risks, implementation of risk mitigation controls, and coordination of the review of Standard Operating Procedures (SOPs). It was established in July 2023.

Services provided by the Unit include the following processes;

I. Risk Management Process.

- Establishing Context

- Conducting risk assessment (Risk Identification, Analysis, and Evaluation)
- Risk Treatment
- Monitoring and review
- Communication and Consult
- Recording and Reporting

II. Quality Assurance processes

The FCC has scheduled an internal quality audit to be conducted at planned intervals, aiming to ascertain adherence to both its internal quality management system (QMS) requirements and those outlined in the ISO 9001:2015 standard. The implementation of this activity will be effective upon the establishment of the Quality Management System at FCC, within the financial year 2023/24. It includes the following processes:

- Planning
- Execution
- Reporting
- Monitoring

Business processes for both services have been provided as follows;

1.9.1 Risk Identification Processes

Name of Process	Risk Identification Processes
Process Number	FCC_SBP_RMQA_01
Process Description	The development of a risk register typically involves several key steps to ensure that risks are identified, assessed, measured, and managed to achieve the Commission’s objectives. This process aims to ensure all risks are proactively managed.

<p>Process Boundaries</p>	<p>Start Point: The risk identification process begins by raising awareness among Risk Champions and facilitating a thorough understanding to establish the context effectively.</p> <p>End Point: Maintaining comprehensive documentation of the risk management process i.e Risk Register and The Risk Treatment Action Plan sheet</p>
<p>Process Owner</p>	<p>Risk Management and Quality Assurance Manager</p>
<p>Process Actors</p>	<ul style="list-style-type: none"> ▪ Director General ▪ Directors ▪ Unit Managers ▪ Heads of Zones ▪ Risk Champions
<p>Stakeholders</p>	<p>Ministry of Industry and Trade, Ministry of Finance, Internal Auditor General (IAG) , Professional Bodies, Commission, Audit Committee, Management, FCC Directorates, Zones Offices , Internal Audit Unit, Risk Champions and FCC Staff.</p>
<p>Business Rules</p>	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ MMA, 1968 ▪ Guideline for developing and implementing risk management framework in Public Sector Entities, 2023. ▪ Risk Management Framework, 2024 ▪ Risk Management and Quality Assurance Annual Plan
<p>Pre-Conditions</p>	<ol style="list-style-type: none"> 1. Appointment of Risk Champions by the Director General for a duration of three years. 2. Training and awareness sessions are provided to Risk Champions, Risk Owners, and Staff regarding Risk Management Processes. 3. Conduct departmental surveys to pinpoint potential risk-prone areas.

Frequency of Occurrence	Quarterly or when the need arises.
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Acknowledging the risks identified by the Risk Champion via the Risk Assessment Sheet ▪ Regularly reviewing the risk register, either upon the emergence of new risks or alteration of existing risks. ▪ Monitoring the status of identified risks to ensure they align with the FCC's risk appetite.
Process Input	<ol style="list-style-type: none"> 4. Risks identified at the Directorate and Zone level 5. Internal Audit Reports 6. External Audit Reports/External Assurance Providers 7. Quarterly Progress /Performance Report 8. New Regulations/Policies/Laws/ 9. Special Audit Reports 10. Reported Incidents
Process Flow	<ol style="list-style-type: none"> 1. The Risk Management Coordinator/ Risk Management and Quality Assurance Manager (RMQAM) shall initiate the risk identification process by ensuring Risk Management Awareness sessions are conducted to designated Risk Champions. 2. The Risk Management and Quality Assurance Manager /Risk Management Coordinator guides the Risk Champion Team in the risk identification process by employing various risk identification methodologies; brainstorming, risk workshops, interviews, SWOT Analysis, Checklist analysis, Cause & Effect analysis, Scenario analysis and Delphi Technique. 3. Every Risk Champion is responsible for communicating identified risks from their respective areas of representation to the RC Team for a comprehensive discussion.

	<ol style="list-style-type: none">4. The RC Team conducts risk assessment by thoroughly analysing, evaluating, and implementing controls for identified risks.5. Following discussion, the team determines the residual risk associated with each identified risk.6. Upon discussion, if the total risk severity level exceeds level 5, the particular risk is escalated to the Institutional Risk Register, while risks below level 5 are retained and monitored at the Directorate level through the Directorate Risk Register.7. The RC team formulates risk control mitigation measures through the development of a Risk Treatment Action Plan.8. Risk Champions submit the Risk Assessment sheet and the Risk Treatment Action Plan to the Risk Management Coordinator for reviewing and updating the risk register.9. The Risk Management Coordinator (RMQAM) assigns the task of consolidating the Risk Assessment Sheets and Risk Treatment Action Plan to the Senior Risk Management Officer, with the objective of generating the Risk Register.10. The RC Team reviews the Consolidated Risk Register and makes necessary updates to the previous risk register before submitting it to the Management Meeting for discussion.11. After discussion with the Management, the Risk Management Coordinator/RMQAM shall incorporate changes into the Risk Register and Risk Treatment Action Plan. (if any)12. The Risk Management Coordinator/RMQAM shall submit the Risk Register and Risk Treatment Action Plan to the Audit Committee for reviewing, directing, and recommending for adoption to the Commission.
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	<p>13. Upon approval by the Audit Committee, RMQAM submits the approved risk mitigation measures outlined in the Risk Treatment Action Plan to the Risk Owners for implementation.</p> <p>14. RMQAM through SRMO and Risk Champions monitors the implementation of risk mitigation measures quarterly.</p> <p>15. RMQAM reviews the implementation status of the risk mitigation measures and prepares a quarterly risk management implementation report.</p> <p>16. The Report is submitted to the Audit Committee for reviewing, directing, and recommending for adoption to the Commission.</p> <p>17. RMQAM incorporates any changes to the Risk Management Report identified during the Audit Committee Meeting.</p> <p>18. The Quarterly Risk Management Implementation Report is submitted to the Commission Meeting.</p> <p>19. After adoption by the Commission, the report is submitted to the Internal Auditor General Office (IAGO).</p>
Process Output	<ul style="list-style-type: none"> i. Institutional Risk Register ii. Directorate Risk Register iii. Risk Treatment Action Plan iv. Quarterly Risk Management Implementation Report
Measurable Outcome	<ul style="list-style-type: none"> v. Reports submitted to the Internal Auditor General Office. (IAGO) vi. Approved Risk Register
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> vii. Review of Risk Management Guiding Documents can be done at any time during the quarter. i.e Risk Management Framework, Risk Management Annual Plan viii. Risk Assessment of the emerging risks/ incidents

Control Points and Measurements	2. Review of the Risk Register and Risk Treatment Action Plan by Management Members
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1.9.2 Quality Assurance Services

Name of Process	Quality Management System Process
Process Number	FCC_SBP_RMQA_02
Process Description	This process aims to ensure Quality Management System (QMS) Audit is being conducted and corrective actions are implemented timely.
Process Boundaries	Start Point: Planning and Preparation End point: Monitoring and Reporting of the corrective action
Process Owner	Risk Management and Quality Assurance Manager (RMQAM)
Process Actors	<ul style="list-style-type: none"> ▪ Directors ▪ Unit Managers ▪ Heads of Zones ▪ Risk Champions ▪ Quality Auditors ▪ Staff
Stakeholders	Ministry of Industry and Trade, Ministry of Finance, Internal Auditor General (IAG), Professional Bodies, Service Providers, Commission, Audit Committee, Management, Internal Audit Function, Risk Champions and FCC Staff.
Business Rules	<ul style="list-style-type: none"> ▪ ISO 9001:2015 QMS requirements ▪ ISO 19011:2018 Guidelines for auditing management systems ▪ Quality Policy ▪ QMS Audit Manual

	<ul style="list-style-type: none"> ▪ Framework, Manuals, and SOPs
Pre-Conditions	Appointment of Quality Auditors (QA) by Director General
Frequency of Occurrence	Semi-annually or whenever the need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approval of the Audit Program ▪ Approval of the Audit Plan ▪ Approval of the Quality Policy ▪ Approval of the Quality Manuals ▪ Approval of the SOPs (Standard Operating Procedures).
Process Input	<ul style="list-style-type: none"> ▪ ISO 9001:2015 QMS requirements ▪ QMS audit manual ▪ Policies, framework, manuals and SOPs, Previous Audit Reports
Process Flow	<ol style="list-style-type: none"> 1. RMQAM in collaboration with the QMS Coordinator shall Select a qualified Audit Team and the Lead Auditor (Team Leader) with relevant expertise in QMS. 2. The Senior Risk Management and Quality Assurance Officer in collaboration with the Lead Auditor shall prepare the Audit Program, Audit Plan, Audit Objectives and Scope, criteria, methodology, schedule, and resources needed for the audit for each audit engagement. 3. The Risk Management and Quality Assurance Manager shall review and approve the Audit Program, Audit Plan, Audit Objectives, and Scope for each audit engagement. 4. The selected Audit Team shall conduct a Pre-Audit meeting and Preparation by reviewing relevant documentation, such as ISO 9001:2015 Standards, quality manuals, procedures, and records.

	<ol style="list-style-type: none"> 5. The QMS Coordinator shall convene meetings with key personnel to discuss the audit process and expectations. 6. Lead Auditor/Team Leader shall conduct opening meeting with auditees. 7. Quality Auditor (QA) shall conduct QMS audit as per the Quality Audit Plan and checklists prepared. 8. Upon completion of the quality audit exercise, QA shall prepare the report and submit to RMQAM for review and recommendations 9. RMQAM shall present the QMS audit report findings (Non Conformances) and proposed action plans to the Management Review Meetings for discussion. 10. RMQAM shall present the report to the Audit Committee for deliberations and recommending for adoption to the Commission. 11. RMQAM shall incorporate all directives from the Audit Committee, then She/he will forward the findings to respective directorates/ Sections/Units/Zone heads for implementation 12. RMQAM through SRMO shall monitor monthly the closure status of the corrective actions and report to the Commission quarterly.
Process Output	13. Quality Audit Report
Measurable Outcome	Quality Audit Reports
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> • Review of Quality Manual, Standard Operating Procedures (SOP'S) , and other relevant QMS guiding documents. • Quality Auditor (QA) shall not audit his/her own process. •

Control Points and Measurements	Monitoring implementation of corrective actions
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1.10 Procurement Management

1.10.1.1 Annual Procurement Plan

Name of Process	Annual Procurement Plan
Process Number	FCC_SBP_PM_01
Process Description	This process is used by management to plan for implementation of FCC annual procurement plan
Process Boundaries	Start Point: Manager of Procurement initiate annual procurement plan End Point: Approved annual procurement plan
Process Owner	Manager of Procurement
Process Actors	All FCC Directorate and independents units
Stakeholders	All FCC Staff and the Commission
Business Rules	▪ PPRA Public Procurement Act and Public Procurement regulations
Pre-Conditions	Strategic Plan Annual Work Plan
Frequency of Occurrence	Annually
Decisions associated with the process	Approved, rejected or send back for procurement plan (Approved by management and Commission)
Process Input	Approved annual work plan
Process Flow	<ol style="list-style-type: none"> 1. The initial stage of Annual Procurement Plan preparation commenced on the NeST system by the Procurement Manager 2. After completing the NeST process, the Procurement Manager submits it to management for deliberation

	<ol style="list-style-type: none"> 3. If the management adopts the plan, the Secretary to the Commission submits it to the Commission for review, deliberation, and approval. 4. If the Commission recommends improvements, the Secretary to the Commission informs the Procurement Manager to make the necessary adjustments and resubmit it to the Commission for determination 5. The Commission approves the plan and assigns the Secretary to the Commission for transmission 6. The Secretary to the Commission transmits the approved procurement plan to the Procurement Manager for implementation. 7. The Procurement Manager submits the approved plan to the Accounting Officer for publication on NeST
Process Output	Approved Annual Procurement Plan
Measurable Outcome	Number of approved annual procurement plan
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved annual procurement plan

1.10.1.2 Goods Delivery

Name of Process	Goods Delivery
Process Number	FCC_SBP_PM_02
Process Description	This process is used by procurement for receiving purchased goods
Process Boundaries	Start Point: Supplier deliver goods as per contract/ purchase order End Point: Procurement officer store received goods
Process Owner	Manager of Procurement
Process Actors	All FCC Directorate and independents units
Stakeholders	All FCC Staff and the Commission

Business Rules	<ul style="list-style-type: none"> ▪ PPRA Procurement regulations
Pre-Conditions	<ul style="list-style-type: none"> ▪ Supplier issued with contract/ purchase order
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Accepted, rejected goods
Process Input	Goods delivery note
Process Flow	<ol style="list-style-type: none"> 1. The Procurement Officer receives the goods and the goods delivery note from the supplier and then notifies the Procurement Manager of the delivery. 2. The Procurement Manager notifies the DG regarding the delivered goods and recommends the names of the inspection and acceptance committee to the DG for approval before the inspection. 3. The DG appoints the inspection and acceptance committee and informs the Procurement Manager for further processing 4. The Procurement Manager informs the inspection and acceptance committee members about the inspection activity for the delivered goods 5. The Inspection and Acceptance Committee conducts an inspection of the delivered goods and, upon completing the task, writes a report and submits it to the DG 6. If the DG determines that the delivered goods are accepted, sign the acceptance certificate and transmit it to the Procurement Manager, who then informs the supplier of the acceptance of their goods. 7. If the DG determines that the delivered goods are rejected, inform the Procurement Manager to relay the decision to the supplier.

	<p>8. For good rejected Procurement Officer generate Goods Rejected Note</p> <p>9. The Procurement Officer generates a Goods Received Note in the MUSE system.</p> <p>10. After the completion of the receiving process, the user department will be informed to fill out the payment request form.</p> <p>11. The Procurement Officer will proceed to complete the payment process on the MUSE system.</p> <p>12. After the complete process of delivery, inspection, and acceptance of goods, the goods are transferred to the respective general store for further store functions.</p>
Process Output	Acceptance certificate Inspection report
Measurable Outcome	Number of approved inspection report
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Inspection Report

1.10.1.3 General Store Functions of Receiving Goods and Goods Issue Note

Name of Process	General Store Functions of Receiving Goods and Goods Issue Note
Process Number	FCC_SBP_PM_03
Process Description	This process is used by procurement for receiving goods in the respective general store and issuing the received goods.
Process Boundaries	Start Point: Goods already delivered, accepted and updated in store End Point: Respective unit receive ordered goods
Process Owner	Manager of Procurement
Process Actors	All FCC Directorate and independents units
Stakeholders	All FCC Staff and the Commission
Business Rules	PPRA Public Procurement Act and Public Procurement regulations

Pre-Conditions	Goods already delivered, inspected, accepted and in storage
Frequency of Occurrence	<ul style="list-style-type: none"> ▪ Whenever goods received and accepted ▪ Issuing whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Update new stock with existing stock ▪ Issue of good to user department
Process Input	Acceptance certificate and inspection report
Process Flow	<ol style="list-style-type: none"> 1. The procurement officer prepares an item card for the new item received. 2. The procurement officer generates a Goods Receipt Note (GRN). 3. The procurement officer updates the new stock with existing stock in the stores ledger. 4. The officer from the user department fills out the requisition form for the required items and submits it to the Head of the Department for approval before submitting it to the Procurement Manager. 5. The Procurement Manager reviews the requisition form and assigns a Procurement Officer to prepare the requested items. 6. The Procurement Officer then records them on a goods issue voucher and, after counterchecking, requests the user department to sign it before issuing the goods. 7. The Procurement Officer issues the goods from the store ledger. 8. Generate various report
Process Output	Signed Good Issue Note
Measurable Outcome	Number of signed Goods Issue Note
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Signed Good Issue Note

Appendix 2
TO-BE Processes

1.1 Research, Mergers and Advocacy

1.1.1 Merger

1.1.1.1 Preliminary Review of Merger Application

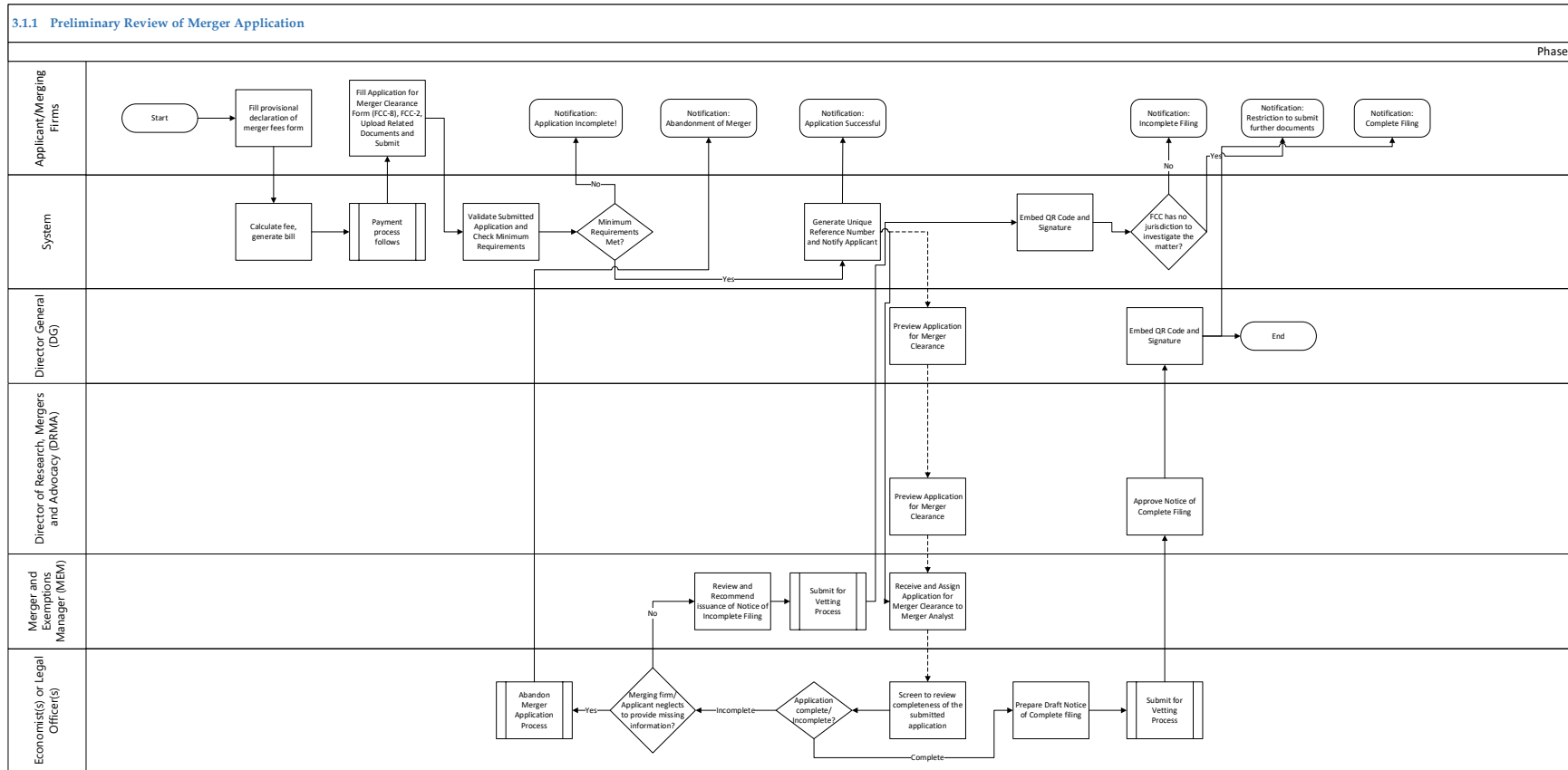
Name of Process	Application and Preliminary Review of Merger Application
Process Number	FCC_TB_CBP_RMA_TB_02
Process Description	This process entails application and preliminary review of submitted Merger Application to assess its completeness and issue either Notice of Incomplete or Complete Filing
Process Boundaries	Start Point: Merging firms fill provisional declaration of merger fees form and submit End Point: Director of Research, Mergers and Advocacy issue Notice of Complete or Incomplete Filing
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none">▪ Director General▪ Director of Research, Mergers and Advocacy▪ Director of Corporate Services▪ Merger and Exemptions Manager▪ Economist(s) or Legal Officer(s)▪ Applicant/Merging Firms
Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none">▪ Fair Competition Act, 2003▪ Competition Rules, 2018
Pre-Conditions	Payment of Merger Application fee Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	Complete or incomplete application for merger clearance
Process Input	<ol style="list-style-type: none"> 1. Application for Merger Clearance Form (FCC-8) and its related document 2. Confidentiality Claim Form (FCC-2) 3. Provision Declaration (Self-Assessment) and proof of payment of merger application fee
Process Flow	<ol style="list-style-type: none"> 1. Applicant fill provisional declaration of merger fees form and submit 2. System calculate fee, generate bill and payment process follows 3. Applicant fills the Application for Merger Clearance Form (FCC-8), FCC-2, upload related documents and submit 4. System validates the submitted application and check for minimum requirements for application submission 5. If the application does not meet minimum requirement for submission, system notify applicant to complete application and resubmit 6. If application meet minimum submission requirement, system generate unique reference number for the application and notify applicant for successfully application submission 7. Director General preview application for merger clearance and give directives to Director of Research, Merger and advocacy anytime when the process is in progress 8. Director of Research, Merger and advocacy preview application for merger clearance and give directives to Merger and Exemptions Manager anytime when the process is in progress 9. Merger and Exemptions Manager receive and assign application for merger clearance to Economist(s) or Legal Officer(s) and supervise the review of completeness of filed documents 10. Economist(s) or Legal Officer(s) screen to review completeness of the submitted application for merger clearance 11. If the submitted application for merger clearance is not complete, Economist(s) or Legal Officer(s) recommend to Merger and

	<p>Exemptions Manager for issuance of Notice of Incomplete Filing (FCC-12) and submit for vetting processing</p> <p>12. Director of Research, Merger and advocacy sign electronically and issue Notice of Incomplete Filing to merging firms with reasons of which information/document is missing during filing</p> <p>13. System send notification to applicant</p> <p>14. If Notice of Incomplete is issued because FCC has no jurisdiction to investigate the matter, System send notification to the Acquiring Firm that submitted application and system shall restrict Applicant not file any further document concerning the merger. However, filing fees shall be forfeited.</p> <p>15. If the merging firm neglects within stipulated time to provide missing information or documents as Commission may requires, the Commission shall consider the merger as abandoned <i>[go directly to the Application to Abandon Merger Application]</i> and system send abandonment of merger notification</p> <p>16. Merging Firms applicant submit/upload requested documents and relevant missing details as per issued Notice of Incomplete Filing</p> <p>17. Economist(s) or Legal Officer(s) review submitted documents and relevant missing details as per issued Notice of Incomplete Filing</p> <p>18. If the submitted application for merger clearance is complete, Economist(s) or Legal Officer(s) prepare a draft of Notice of Complete Filing (FCC-11) and submit for vetting processing</p> <p>19. Director of Research, Merger and advocacy sign electronically and issue Notice of Complete Filing to merging firms</p> <p>20. System notify applicant</p>
Process Output	<p>Notice of Incomplete Filing Form (FCC-12) notification</p> <p>Notice of Complete Filing Form (FCC-11) notification</p> <p>Notice of Abandonment of Merger (FCC-9) notification</p>
Measurable Outcome	<p>Number of Issued Notice of either Complete of Incomplete Filing</p> <p>Number of Issued Notice of Abandonment of Merger</p>

<p>Exceptions to Normal Process Flow</p>	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
<p>Control Points and Measurements</p>	<ul style="list-style-type: none"> ▪ Validated Application for Merger Clearance Form (FCC-8) and related documents ▪ System payment recognition from GePG ▪ Notice of Incomplete Filing Form Notification ▪ Notice of Complete Filing Form notification ▪ Provision Declaration (Self-Assessment)

1.1.1.1.1 Process Flow Diagram



1.1.1.2 Initial Period of Merger (Determination of Whether a Proposed Merger Should be Investigated)

Name of Process	Initial Period of Merger (Determination of Whether a Proposed Merger Should be Investigated)
Process Number	FCC_CBP_RMA_TB_03
Process Description	This process entails Director of Research, Mergers and Advocacy to determine whether a proposed merger should be investigated and must do so on the working day following the date on which a merger notification together with all the supporting documents were filed unless the Director of Research, Mergers and Advocacy issues a Notice of Incomplete Filing to the merging firm within the time allowed by Rule 35(1).
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to determine whether a merger should be investigated or otherwise not prohibited.</p> <p>End Point: Director of Research, Mergers and Advocacy signed and dispatch either Notice of Examination of Merger (90 Days Prohibition Notice under Form FCC 14A) or a Letter of No objection to the merging firm.</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Economist(s) or Legal Officer(s)
Stakeholders	FCC
Business Rules	<ul style="list-style-type: none"> ▪ Section 11 (3) of Fair Competition Act, 2003 ▪ Rule 36(1) and 37(1) of the Competition Rule, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Issued Notice of Complete Filing (FCC 11) ▪ Applicant Authenticated and authorized to access the service

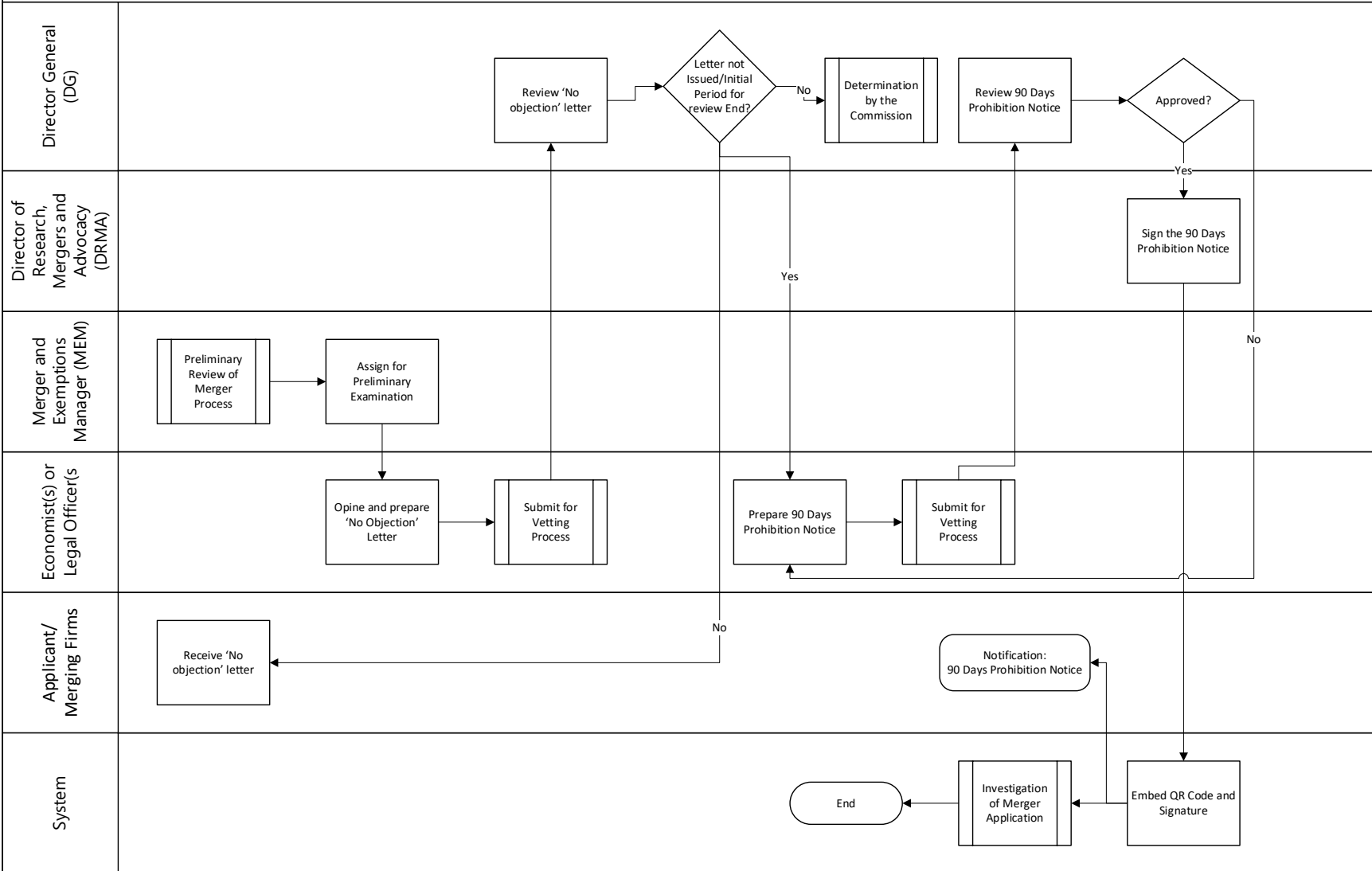
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Decision to examine a merger application ▪ Decision not to investigate/examine a merger application
Process Input	1. Merger Application Form FCC 8 and its related documents submitted earlier.
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to examine whether a proposed merger submitted shall be examined, or otherwise not prohibited; 2. Merger and Exemptions Manager crosscheck and assign merger application to Economist(s) or Legal Officer(s) for preliminary examination 3. If Economist(s) or Legal Officer(s) opine within initial period (14days) where it appears there a little or no possibility that the relevant merger is likely to harm competition, recommend to Merger and Exemptions Manager to issue "no objection letter" to merging parties and submit for vetting process 4. Director General within initial period (14days) where it appears there a little or no possibility that the relevant merger is likely to harm competition, issues no objection letter to merging parties <i>[then jump to Commission determination of merger]</i> 5. If no objection letter is not issued or Initial Period for Review end, Economist(s) or Legal Officer(s) determined that Merger should be investigated, prepare 90 Days Prohibition Notice (FCC-14A) and submit for vetting process 6. Director General review, provide go ahead or send it back for corrections 7. If Director General provide go ahead, Director of Research, Merger and Advocacy sign electronically and issue 90 Days Prohibition Notice to Merging Firms <i>[then jump to Investigation of Merger Application]</i> and System sends notification
Process Output	Issued Notice of Examination of Merger Application (90 Days Prohibition Notice FCC 14A) notification; or

	Issuance of Letter of No Objection to Merging Firms notification.
Measurable Outcome	Number of Notice of Examination of Merger Application (90 Days Prohibition Notice FCC 14A); or Number of Letter of No Objection issued to Merging Firms.
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<p>Issued Notice of Examination of Merger Application (90 Days Prohibition Notice FCC 14A); or</p> <p>Issuance of Letter of No Objection to Merging Firms</p>

1.1.1.2.1 Process Flow Diagram

3.1.1.2 Initial Period of Merger (Determination of Whether a Proposed Merger Should be Investigated)

Phase



1.1.1.3 Investigation of Merger Application

Name of Process	Investigation of Merger Application
Process Number	FCC_CBP_RMA_TB_04
Process Description	This process entails investigation of merger application, which commence immediately after issuance of Notice of Examination of Merger (90 Days Prohibition Notice FCC 14A) and terminates when Merger Analysis Report is submitted to Commission for deliberations
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to initiate investigation of merger application</p> <p>End Point: Economist(s) or Legal Officer(s) archive and maintain a repository of Merger Analysis Report submitted to Management for deliberation</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Procurement Management Unit ▪ Head of Communication and Public Relation Unit ▪ Information and Communications Technology Manager ▪ Economist(s) or Legal Officer(s)
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Consumer Associations, industry experts, hired consultant(s), third party with material and pecuniary interest, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Section 11 (3) of Fair Competition Act, 2003 ▪ Rule 36(1) and 37(1) of the Competition Rule, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Issued Notice of Examination of Merger Application (Issuance of 90 Days Prohibition Notice to Merging Firms.)

	<ul style="list-style-type: none"> ▪ Applicant/user Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Authorization to proceed with publication of notice to the Public ▪ Need for clarity or Additional Information ▪ Need for stakeholders' engagement ▪ If initial period for review ends ▪ If 90 Days prohibition ends
Process Input	<ol style="list-style-type: none"> 1. FCC 8 and its related document 2. Public Notice 3. Procurement Requisition Form 4. Notice of Intention to Participate (FCC- 10) 5. Additional Merger Information (FCC-13) 6. 90 Days Prohibition Notice (FCC-14A) 7. 30 Days Extension Certificate (FCC-14B)
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to initiate investigation of merger application 2. Merger and Exemptions Manager crosscheck and assign merger application to Economist(s) or Legal Officer(s) for investigation 3. Economist(s) or Legal Officer(s) screen a merger application, establish data and information gap as well as potential stakeholder for engagement 4. Economist(s) or Legal Officer(s) prepare Public Notice and submit for vetting process

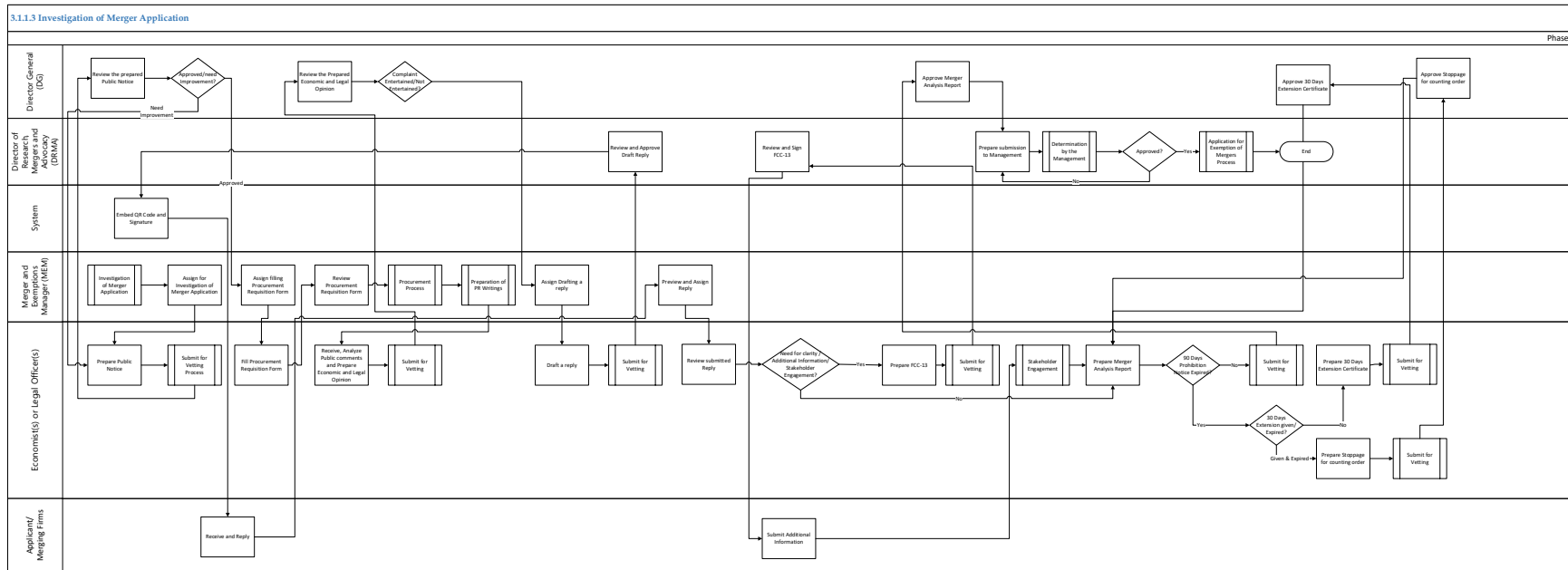
	<p>5. Director General authorise or recommend for improvement the request for publication of the prepared Public Notice</p> <p>6. For recommended improvements, Director of Research, Merger and Advocacy perform corrective actions as per recommendations</p> <p>7. For authorised Public Notice, Director of Research, Merger and Advocacy direct Merger and Exemptions Manager to submit approved Public Notice to Procurement Manager as well as Information and Communications Technology Manager and Head of Communication and Public Relation Unit for publication</p> <p>8. Merger and Exemptions Manager direct Economist(s) or Legal Officer(s) to fill Procurement Requisition Form for approval to proceed with publication of approved Public Notice</p> <p>9. Economist(s) or Legal Officer(s) fill and submit Procurement Requisition Form to Merger and Exemptions Manager</p> <p>10. Merger and Exemptions Manager submit approved Public Notice and filled Procurement Requisition Form to Procurement Manager, as well as submit approved Public Notice to Information and Communications Technology Manager and to the Head of Communication and Public Relation Unit for publication for publication</p> <p>11. Economist(s) or Legal Officer(s) receive public comments submitted in duly filled Notice of Intention to Participate (FCC-10), when applicable</p> <p>8. Economist(s) or Legal Officer(s) analyse the objection under FCC-10 and prepare economic and legal opinion as to whether the said objection/complaint/opinion should be entertained or not.</p> <p>9. In case of a need to entertain an objection received from the public through FCC-10, a Economist(s) or Legal Officer(s) shall recommend on whether public oral hearing is warranted or objection will be entertained by a way of written submission by each party.</p>
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	<p>10. Economist(s) or Legal Officer(s) prepare economic and legal opinion of the assigned FCC-10 and submit for vetting process</p> <p>11. Director General attend and decide whether the complaint should be entertained in accordance with prepared legal and economic opinion.</p> <p>12. If the Director General decides not to entertain complaint, steps 31-36 shall be followed with reply "Management Decision Not to Entertain Objection". FCC-10 process is terminated thereafter.</p> <p>13. If the DG decides to entertain reasons submitted under FCC-10, It shall direct the Director of Research, Mergers and Advocacy to notify the Third Party who submitted the said FCC-10 and Merging Firm to respond to the argument under FCC-10.</p> <p>14. Director of Research, Mergers and Advocacy inform the Mergers and Exemptions Manager to draft a reply of the said FCC-10 to Third Party and Notify Merging Firm on the reasons submitted under FCC-10</p> <p>15. Mergers and Exemptions Manager notify Economist(s) or Legal Officer(s) to draft a notification to Third Party and Merging Firm</p> <p>16. Economist(s) or Legal Officer(s) draft a notification and submit for vetting process</p> <p>17. Director of Research, Mergers and Advocacy / Director General review sign and system send notification to merging firm</p> <p>18. Merging Firm submit reply through FCC-10 (all steps for application to reach Economist or Legal Officer follows)</p> <p>19. In case of Need for clarity or Additional Information, Economist(s) or Legal Officer(s) prepare Request for Additional Merger Information (FCC-13) and submit for vetting process</p> <p>20. Director of Research, Merger and Advocacy sign and issue Request for Additional Merger Information to merging firms</p>
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	<p>21. If there is a need for stakeholders' engagement, Economist(s) or Legal Officer(s) collect required information from relevant stakeholders</p> <p>22. Economist(s) or Legal Officer(s) prepare Merger Analysis Report and submit for vetting process</p> <p>23. Director General review prepared Merger Analysis Report, approve and send back to DRMA for submission to management</p> <p>24. Economist(s) or Legal Officer(s) archive and maintain a repository of Merger Analysis Report submitted to Management for deliberation</p> <p>25. If by expiry of 90 Days Prohibition Notice and Economist(s) or Legal Officer(s) has not concluded the report, Economist(s) or Legal Officer(s) prepare 30 Days Extension Certificate (FCC-14B) and submit vetting process</p> <p>26. Director General review, provide go ahead or send it back for corrections</p> <p>27. If Director General provide go ahead, Director of Research, Merger and Advocacy sign and issue 30 Days Extension Certificate to merging firms</p> <p>28. Economist(s) or Legal Officer(s) prepare Merger Analysis Report and submit for vetting process</p> <p>29. Director General review prepared Merger Analysis Report, approve and send back to DRMA for submission to management</p> <p>30. Economist(s) or Legal Officer(s) archive and maintain a repository of Merger Analysis Report submitted to Management for deliberation</p> <p>31. If 30 days extension expired, Analyst prepare the stopping the counting the 30 days extension order and submit for vetting process</p>
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	<p>32. Director General review, approve and send back to DRMA for transmission to management for inputs. Then process FCC_CBP_RMA_TB_05 proceed</p> <p>33. If the reason for stoppage for counting order has been resolved, Economist(s) or Legal Officer(s) prepare Merger Analysis Report and uplifting of “stopping the counting of 30 days extension order” and submit for vetting process</p> <p>34. Director General review prepared Merger Analysis Report and uplifting of “stopping the counting of 30 days extension order”, approve and send back to DRMA for submission to management</p> <p>35. Economist(s) or Legal Officer(s) click archive and maintain a repository of Merger Analysis Report submitted to Management for deliberation</p>
Process Output	Merger Analysis Report
Measurable Outcome	Number of Merger Analysis Report
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Issuance of Public Notice ▪ Repository of Merger Analysis Report ▪ Time Extension requests

1.1.1.3.1 Process Flow Diagram



1.1.1.4 Clearance of Merger Application

Name of Process	Clearance of Merger Application
Process Number	FCC_CBP_RMA_TB_05
Process Description	This process entails clearance of merger whereby the Commission make an assessment of the merger analysis report which contain economic and legal argument explaining whether there is breach of Fair Competition Act as a result of a Merger; and if so whether exemption of merger is warranted. It do so by Commission to review submitted merger analysis report/ stopping the counting of 30 days extension order and issue either merger clearance certificate or notice of prohibition of the merger and reasons for the decision or stopping the counting of 30 days extension order
Process Boundaries	<p>Start Point: Secretary to the Commission receive Merger Analysis Report submitted by Director of Research, Merger and Advocacy for management input/comments. It also receive an Order that either requesting Commission to Stop Counting 30 Days Extension or an Order set aside "stoppage the counting of 30 days extension for Commission review and signature only if 30 days extension certificate Notice expired</p> <p>End Point: Secretary to the Commission document details of the cleared Merger Applications in Public Register</p>
Process Owner	Secretary to the Commission
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Management ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Merging Firms
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Third Parties with material and pecuniary interest includes but not limited to Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms

Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Submitted to management a Merger Analysis Report ▪ Applicant/user Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Management to Recommend for Improvement or adopt Merger Analysis Report and recommendation made therein; ▪ Commission Recommend for Improvement or Adopt Merger Analysis Report to become "Reasons for Commission Decision" ▪ Commission Decide Proposed Merger with or without conditions; or ▪ Commission Decide to prohibit Merger Application
Process Input	<ol style="list-style-type: none"> 1. Transcript of Oral Hearing Proceedings 2. Decision of Commission to Entertain or Not to Entertain Third Party Objection Under FCC-10 3. Decision of Commission to Stop Counting of 30 Days Extension under FCC-14B 4. Merger Clearance Certificate (FCC-18) 5. Notice of Prohibition of Merger (FCC-15) 6. Reasons for Decision 7. Merger Clearance Register
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy submit approved report to 'Secretary to the Commission' for transmission to the management for inputs 2. Management review submitted Merger Analysis Report and adopt or recommend for improvement

	<p>3. If Management recommend for Improvement, Secretary to the Commission send the reviewed Merger Analysis Report to Director of Research, Merger and Advocacy for improvement</p> <p>4. If Management adopt the Merger Analysis Report, Secretary to the Commission send adopted Merger Analysis Report to the Commission (i.e. FCC Board) for review, deliberation and if possible, decision. submission of papers to the commission process lifecycle (Determination by the Commission)</p> <p>5. The Commission review, consider and deliberate transmitted Merger Analysis Report. On event where there will be FCC-10 and based on economic and legal analysis made therein show that such FCC-10 shall be entertained, the Commission, during deliberation, will decide whether it shall hold oral hearing session to hear argument of Third-Party Intention to Participate in Merger determination Process (submitted earlier under FCC-10) at the same meeting together with Merging Firm. This will occur only if there is submission of FCC-10 and Director General has decided earlier to entertain the Third-Party Submission or the Third Party has Appeal Decision of Director General to the Chairman of Commission.</p> <p>6. Where the Commission decide to hear the Merging Parties and Third Parties separately, jump to paragraph 12</p> <p>7. Where the Commission decide to conduct Oral Hearing Session, it shall, at the recommendation of Director General, identify significant stakeholder(s) relevant to the case; and formulate key issues for discussion in relation to the proposed merger based on the submission made earlier under FCC-10.</p> <p>8. Director of Research, Mergers and Advocacy review and address any comment that Commission makes under Draft Analysis Report presented and in consultation with Legal Services Manager, identified key stakeholders relevant to participate in oral hearing session. Director of Research, Mergers and Advocacy also</p>
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formulate key issues and present the same to Director General for review.

9. Director General review the revised Merger Analysis Report, formulated key issues for case and proposal for key stakeholders to be invited in oral hearing session.

10. Legal Services Manager at the direction of Director General will thereafter, cause oral hearing to be conducted and invite relevant expert(s) for transcription services (transcriber) and system send notification.

11. If the Third Party and significant stakeholder(s) invited appear for oral representation, the Commission will conduct oral hearing and Secretary to the Commission prepare transcript of the oral hearing proceedings at the meeting and submit to Director of Research, Merger and Advocacy to incorporate the finding to Merger Analysis Report.

12. If the Third Party and Significant Stakeholder failed to appear to the oral hearing session, the Commission will have discretion to adjourn, reschedule or halt the entire oral hearing session and/or decide another mode of hearing such as hearing session by a way of written submission (see paragraph 13 herein below).

13. Where the Commission decide to hear merging parties and third parties separately, it shall order for parties to make written submission with both parties given opportunities to reply of each argument presented under written submission made by parties.

14. Director of Research, Merger and Advocacy utilize findings gathered from oral and written submissions made and improve the revised Merger Analysis Report as per directives given by the Commission. After improvement to the report be made, and at the direction of Director General, Director of Research, Mergers and Advocacy shall forward the improved version of the report to Legal Services Manager

15. Secretary to the Commission, will thereafter, at the Direction of Director General send revised Merger Analysis Report to Commission for decision and system send notification.

16. The Commission shall thereafter, make decision whether there is likely to be, a breach of the Fair Competition Act arising from the proposed merger (see 17-23).

17. Where the Commission, after deliberation of the merger analysis report be of the opinion there is NO likelihood of breach of Fair Competition Act arising out of the proposed merger, they shall approve the merger without any condition.

18. Where the Commission, after deliberation of the merger analysis report be of the opinion there is likelihood of breach of Fair Competition Act arising out of the proposed merger, but those effect can be mitigated by certain conditions, they shall approve the merger subject to specific condition(s) designed to remedy observed competition effect.

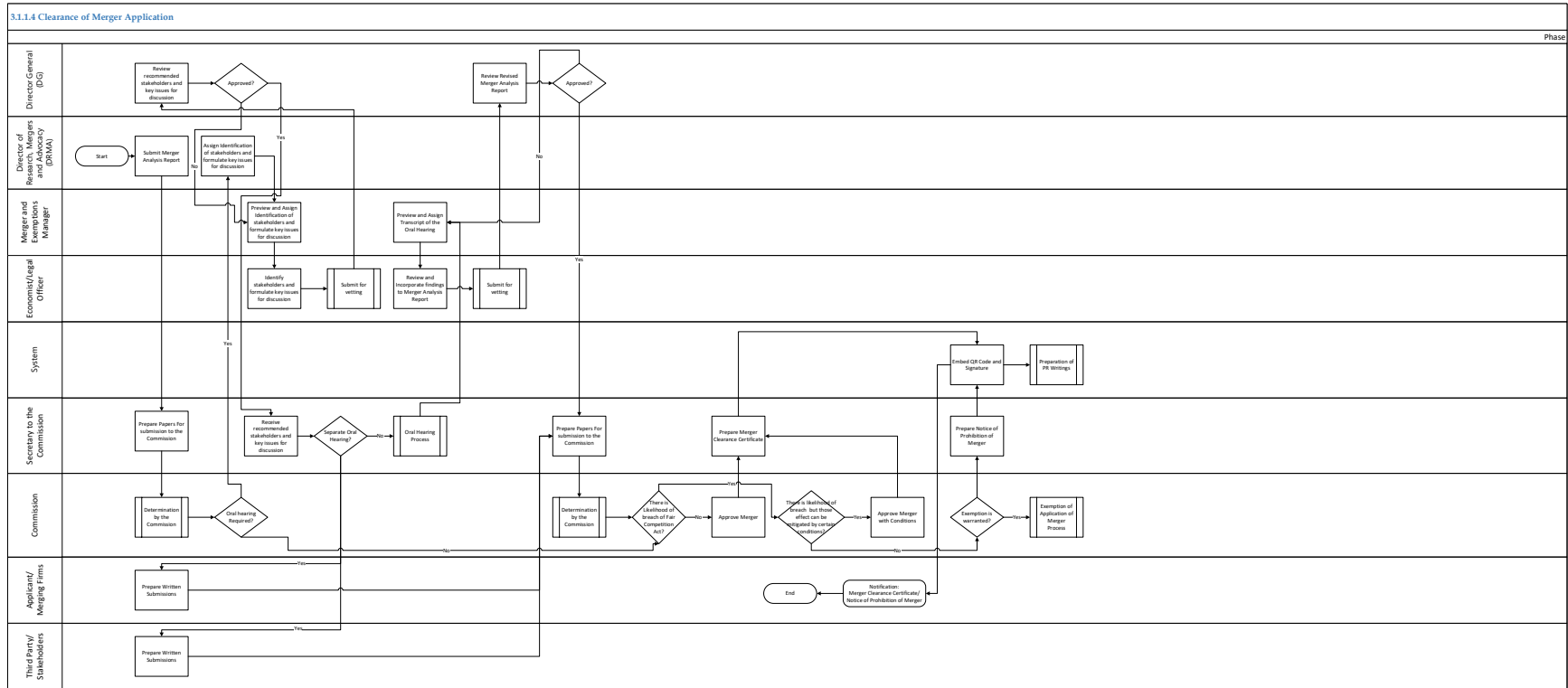
19. Where the Commission, after deliberation of the merger analysis report be of the opinion there is likely breach of Fair Competition Act arising out of the proposed merger and those effect observed cannot be cured by any proposed condition, they shall need to consider whether an exemption is warranted because of existence of specific benefit articulated by merging firms during oral proceedings in line with provision of public interest benefit articulated under the Fair Competition Act.

20. Where the Commission, after deliberation of the merger analysis report be of the opinion that proposed merger shall be exempted, because the merger will likely harm competition and there is also existence of peculiar benefits listed under Section 13(1) (b) OR (c) of Fair Competition Act, the Commission may advise the Merging parties to apply for exemption of merger application. [***Procedure for Exemption of Merger Application will thereafter kick in immediately when Merging Parties Agree to request for Application of Exemption of Merger. See those procedure below at 3.1.1.5.***]

	<p>21. Where the Commission, after deliberation of the merger analysis report be of the opinion there is likely breach of Fair Competition Act arising out of the proposed merger and those effect observed cannot be cured by any proposed set of condition(s), AND public benefit arise out of the proposed merger, cannot be, at the Commission opinion, outweighs adverse competition effects caused by the proposed merger, the Commission shall declared merger prohibited.</p> <p>22. To each decision made under 17-21, the Legal Services Manager shall issue Merger Clearance Certificate (FCC-18) and reasons for decision to Merging Firms; or</p> <p>23. For prohibited Merger Application, The Secretary to the Commission shall issues Notice of Prohibition of Merger (FCC-15) and reasons for decision to Merging Firms; or</p> <p>24. Secretary to the Commission upon issuances of 22 and 23 make available to merging firms and third party (if applicable) copy of Commission Reasons for Decision; and</p> <p>25. Publish a notice of its decision the Public Registrar (Gazette) and to official Website of the Commission.</p> <p>26. Head of Public Relation Unit will produce Press Release informing the Public on the Decision of Commission.</p>
Process Output	<ul style="list-style-type: none"> ▪ Merger Clearance Certificate (FCC-18) ▪ Notice of Prohibition of Merger (FCC-15) ▪ Reasons for Decision ▪ Updated Merger Clearance Register ▪ Stopping the counting of 30 days extension order ▪ Order Set aside Stoppage Order of the 30 days Extension
Measurable Outcome	Number of issued Merger Clearance Certificate or Notice of Prohibition of Merger

<p>Exceptions to Normal Process Flow</p>	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
<p>Control Points and Measurements</p>	<ul style="list-style-type: none"> ▪ Registration of Decision to the Public Register and to the official website of the Commission ▪ Reasons for Commission Decision

1.1.1.4.1 Process Flow Diagram



1.1.1.5 Application for Exemption of Merger

Name of Process	Application for Exemption of Mergers
Process Number	FCC_CBP_RMA_TB_06
Process Description	This process entails merging parties' application of exemption to the merger which, at the opinion of the Commission, such merger has ability to harm competition in the relevant market.
Process Boundaries	<p>Start Point: Merging firms fill and submit Application for Exemption of Merger and related documents</p> <p>End Point: Secretary to the Commission document details of the cleared exempted merger in Public Register and to the official website of Commission</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Secretary to the Commission ▪ Economist(s) or Legal Officer(s) ▪ Merging firms
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Merger Analysis Report deliberated by the Commission indicating that the proposed merger is likely to harm competition. ▪ Applicant/user Authenticated and authorized to access the service

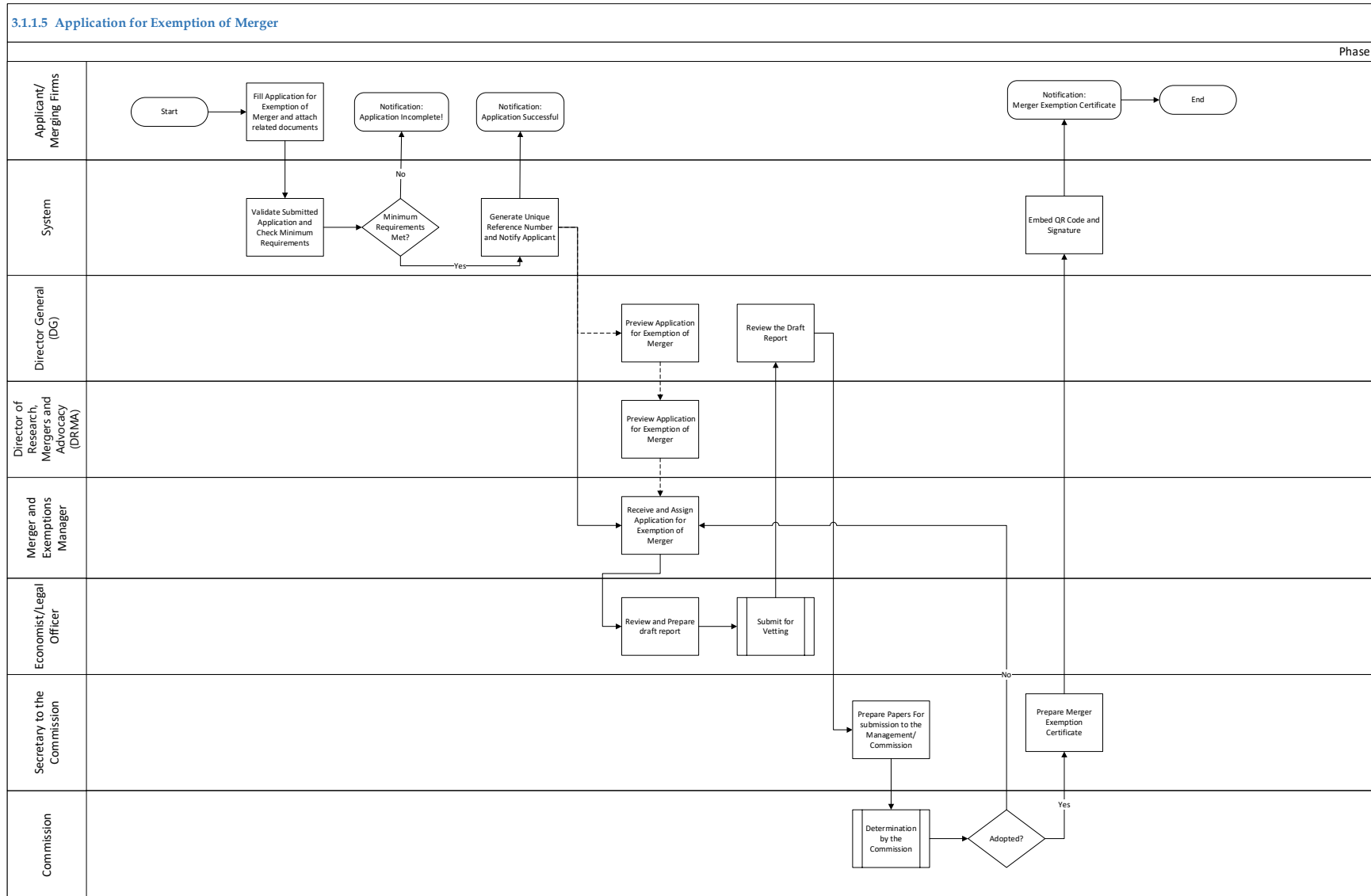
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	<ul style="list-style-type: none"> ▪ One year <i>issuance of</i> Merger Exemption Certificate or Notice of Prohibition of Merger ▪ Decision of Commission ▪ Plan and/or program of monitoring Exempted Merger
Process Input	1. Merger Analysis Report
Process Flow	<ol style="list-style-type: none"> 1. Applicant fills and submits the Application for Exemption of Merger and attach related documents 2. System validates for the minimum requirements for submission 3. System generate and assign reference number to submitted application 4. Director General preview application for exemption for merger application and recommend anytime while the application is processed 5. Director of Research, Merger and advocacy preview the exemption for merger application recommend anytime while the application is processed 6. Merger and Exemptions Manager assign exemption for merger application to Economist(s) or Legal Officer(s) for analysis. OR Merger and Exemptions Manager, taking into account complexity of the matter may attend the matter himself/herself 7. Economist(s) or Legal Officer(s) do analysis on application and produce draft report and submit for vetting process 8. Director general, may choose to call for management meeting to deliberate the Merger Analysis Report OR submit the same direct to Legal Services Manager for onward transmission to Commission for deliberation. <i>submission of papers to the commission process lifecycle (Determination by the</i>

Commission) OR submission of papers to the Management process lifecycle (Deliberation by the Management)

9. Where the Merger Analysis Report with recommendation on Exemption of Merger is tabled at Management, the Management review submitted report and adopt or recommend for improvements
10. If Management recommend for improvements, Director of Research, Merger and Advocacy improve the report and resubmit to Management
11. If Management adopt the report, Secretary to the Commission transmit adopted report to the Commission for decision
12. The Commission review and consider submitted Merger Analysis Report that have recommendation for application of exemption for merger application made earlier.
13. If the transmitted Merger Analysis Report that have recommendation for application of exemption for merger application is not adopted, The Commission, through Legal Services Manager return transmitted monitoring report with directives to Management
14. Secretary to the Commission send Merger Analysis Report that have recommendation for application of exemption for merger application with Commission's directives to Director of Research, Merger and Advocacy
15. Director of Research, Merger and Advocacy improve the Merger Analysis Report that have recommendation for application of exemption for merger application as per Commission's directives and resubmit to Secretary to the Commission
16. Secretary to the Commission sends Merger Analysis Report that have recommendation for application of exemption for merger application to the Commission for decision and system sends notification

	17. If the transmitted monitoring report is adopted, the Commission take note on compliance status as per adopted Merger Analysis report
Process Output	<ul style="list-style-type: none"> ▪ Merger Exemption Certificate ▪ Reasons for Commission Decision ▪ Notice of Prohibition of Merger
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Merger Exemption Certificate ▪ Number of Notice of Prohibition of Merger
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	Annual Monitoring and Evaluation Framework for the Exempted Merger

1.1.1.5.1 Process Flow Diagram



1.1.1.6 Monitoring of Approved Merger, Conditional Approved Merger, Exempted Merger and Compliance Agreement related to Merger Decision

Name of Process	Monitoring of Conditional Merger Clearance
Process Number	FCC_CBP_RMA_TB_07
Process Description	This process entails monitoring of decision regarding merger that have conditions on it. It involves generation of plan and/or program for monitoring of approved and conditional approved merger, Compliance Agreement and Exempted Merger. Periodic Monitoring report is prepared thereafter to inform the Commission status of complying with conditions agreed.
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy receive approved and conditional approved merger, Compliance Agreement and Exempted Merger and its respective Reasons for Commission Decision from Legal Services Manager</p> <p>End Point: The Commission take note and/or give specific and broad directives after deliberate on compliance status as per adopted monitoring report</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Secretary to the Commission ▪ Economist(s) or Legal Officer(s) ▪ Merging firms
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018

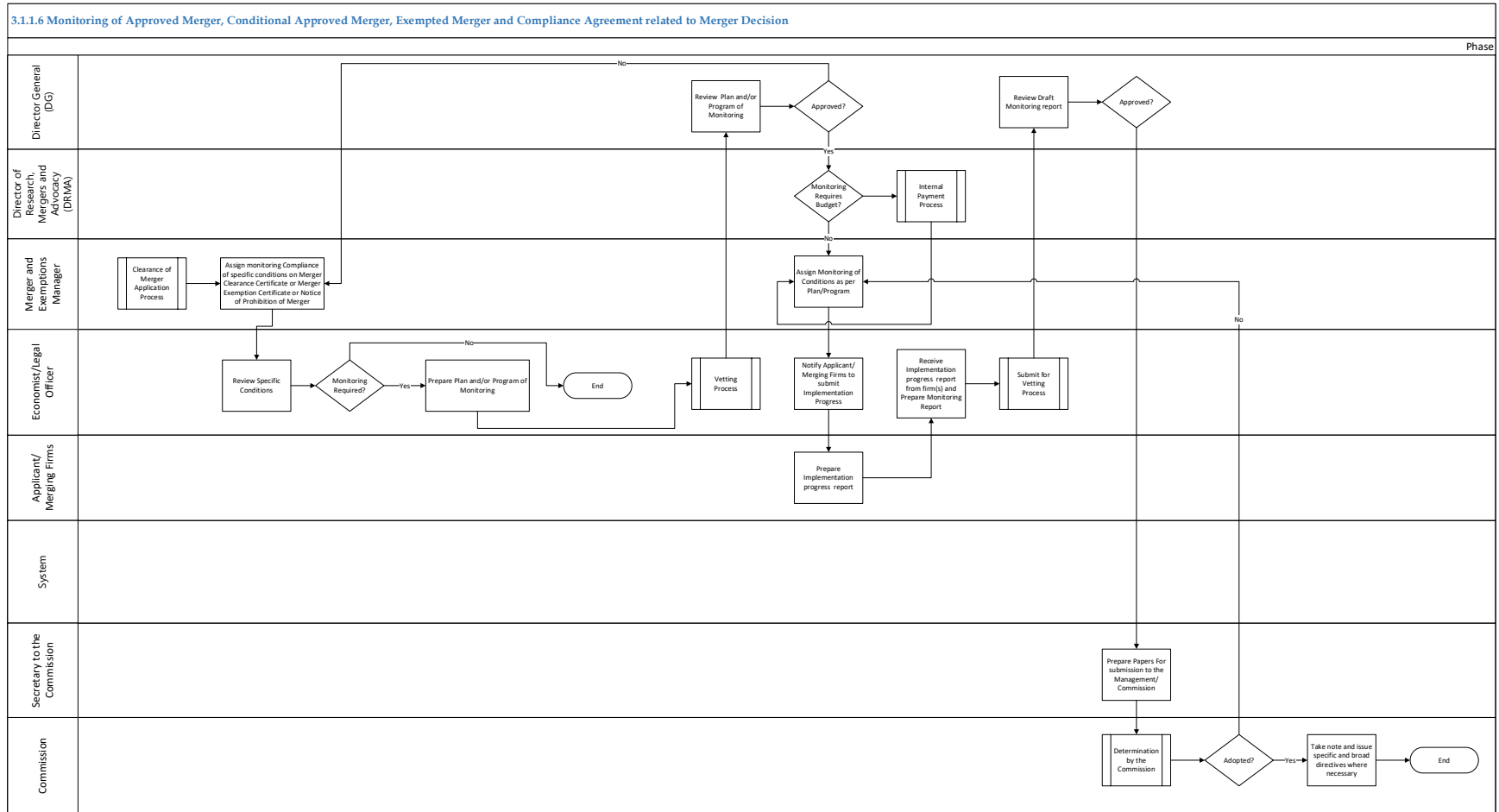
Pre-Conditions	<ul style="list-style-type: none"> ▪ Merger Clearance Certificate with or without conditions; Notice of Prohibition of Merger; or Merger Exemption Certificate, Compliance Agreement and Exempted Merger Certificate ▪ Applicant/user Authenticated and authorized to access the ser-vice
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Director General/Commission to ADOPT/ACCEPT Monitoring Report with its recommend recommendation therein.
Process Input	<ol style="list-style-type: none"> 1. Merger Clearance Certificate (FCC-18) 2. Plan and/or program of monitoring Conditional Approved Merger 3. Monitoring report
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy receive Merger Clearance Certificate or Notice of Prohibition of Merger and reasons for decision from the Secretary to the Commission 2. For Notice of Prohibition of Merger and reasons for decision, Director of Research, Merger and Advocacy assign Merger and Exemptions Manager to close the merger application 3. Merger and Exemptions Manager receive the directives and assign Economist(s) or Legal Officer(s) to close the merger application 4. Economist(s) or Legal Officer(s) receive the directives and mark the application of merger clearance as closed 5. For Merger Clearance Certificate and reasons for decision, Director of Research, Merger and Advocacy directs Merger and Exemptions Manager to monitor merging firms' implementation of the Merger approval condition(s) under Merger Exemption Certificate

	<p>6. Merger and Exemptions Manager assign issued Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger to respective Economist or legal officer for purpose of making decision as to whether there is a need to monitor compliance of merger approval conditions.</p> <p>7. Assigned Economist or legal officer examined and decide whether there are specific conditions and compliance order under Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger that their implementation need to be monitored.</p> <p>8. On event where Economist(s) or Legal Officer(s) will satisfy that there is no requirement for monitoring given Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger, Economist(s) or Legal Officer(s) mark the application for merger clearance as closed</p> <p>9. On event where Economist(s) or Legal Officer(s) satisfy that there is a requirement for monitoring given Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger, Assigned Economist(s) and/or legal officer prepare plan and/or program of monitoring said Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger.</p> <p>10. Assigned Economist or legal officer prepared plan and/or program of monitoring conditions under Merger Clearance Certificate or Merger Exemption Certificate or Notice of Prohibition of Merger and submit for vetting process</p> <p>11. Director General approve or recommend for improvements of the plan and/or program for monitoring Conditional Approved Merger</p> <p>12. For recommended improvements, Director of Research, Merger and Advocacy perform corrective actions as per directives</p>
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	<p>13. If the submitted plan and/or program of monitoring does not involve budgetary implication, Director of Research, Merger and Advocacy sanction the plan and/or program for immediate implementation</p> <p>14. Economist(s) or Legal Officer(s) perform monitoring of Conditional Approved Merger as per sanctioned plan and/or program</p> <p>15. Economist(s) or Legal Officer(s) (s) receive progress implementation report from merging firm(s)</p> <p>16. Economist(s) or Legal Officer(s) prepare monitoring report for the Conditional Approved Merger and submit for vetting process</p> <p>17. Director general approve and assign monitoring report to Director of Research, Merger and Advocacy for management deliberation</p> <p>18. Director of Research, Merger and Advocacy submit monitoring report to the secretary to the commission for transmission to management for inputs</p> <p>19. Management review submitted monitoring report and adopt or recommend for improvements</p> <p>20. If Management recommend for improvements, Director of Research, Merger and Advocacy improve the report and resubmit to Management</p> <p>21. If Management adopt the report, Secretary to the Commission transmit adopted monitoring report to the Commission for decision</p> <p>22. The Commission review and consider submitted monitoring report</p> <p>23. If the transmitted monitoring report is not adopted, The Commission return transmitted monitoring report with directives to Management</p>
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	<p>24. Secretary to the Commission sends monitoring report with Commission's directives to Director of Research, Merger and Advocacy</p> <p>25. Director of Research, Merger and Advocacy improve the monitoring report as per Commission's directives and resubmit to Secretary to the Commission</p> <p>26. Secretary to the Commission send monitoring report to the Commission for decision</p> <p>27. If the transmitted monitoring report is adopted, the Commission take note on compliance status as per adopted monitoring report and issue specific and broad directives where necessary.</p>
Process Output	Monitoring Report
Measurable Outcome	Number of Monitoring Report
Exceptions to Normal Process Flow	<p>In case of zone</p> <p>1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General</p> <p>2. Head of Zone submission goes Directly to the Director General</p>
Control Points and Measurements	Implementation progress report

1.1.1.6.1 Process Flow Diagram



1.1.1.7 Notice of Revocation of Merger

Name of Process	Notice of Revocation of Merger
Process Number	FCC_CBP_RMA_TB_08
Process Description	This process entails issuance of notice of Commission's intention to revoke its own decision related to merger that was earlier approved with or without condition as a result of merging firm's breach of an obligation that was part of an approval or conditional approval of merger. This include amongst other things, if the merger was approved with or without conditions based on wrong information and/or deceit
Process Boundaries	<p>Start Point: Secretary to the Commission receive a Report detailing Status of Compliance or non-compliance status of approved or conditional approval mergers; and Exempted Merger .</p> <p>End Point: Secretary to the Commission document details of issued Notice of Revocation of Merger in Public Register and to the Official Website of the Commission</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Merging Firms ▪ Information and Communication Technology Manager ▪ Procurement Manager ▪ Head of Public Relation and Communication
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018

<p>Pre-Conditions</p>	<ul style="list-style-type: none"> ▪ Decision of Commission of approved or conditional approval mergers; Exempted Merger and Decision of Commission in regard to Exemption of Agreement. ▪ Report detailing Status of Compliance or non-compliance status of approved or conditional approval mergers; or Exempted Merger. ▪ Adopted monitoring report framework ▪ Compliance Agreement or Compliance Order if applicable ▪ Applicant/user Authenticated and authorized to access the ser-vice
<p>Frequency of Occurrence</p>	<p>Whenever need arise</p>
<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ Administrative Letter detailing status of compliance of approved or conditional approval mergers; or Exempted Merger ▪ Issuance of Notice of Apparent Breach of Merger Condition(s) in widely circulated newspapers, official commission’s website and in Public Register. ▪ Merging Firm’s Response on Notice of Apparent Breach of Merger ▪ Accept or Reject Settlement Application ▪ Invite Merging Firm for Consultation of Settlement Plan ▪ INVITE the merging firm to consult with Commission on regard to apparent breach with the aim of establishing a Settlement Plan satisfactory to the Commission for which all obligations of the firm with respect to the approval or conditional approval may be settled ▪ Approve or Reject Ground for Argument ▪ Signing Compliance Agreement or Compliance Order ▪ Revoke the Decision to Approve or Conditionally Approve Merger and Publish the same in widely circulated newspapers, official commission’s website and in Public Register

<p>Process Input</p>	<ol style="list-style-type: none"> 1. Notice of Revocation of Merger (FCC-17) 2. Notice of Apparent Breach (FCC-16) 3. Application for Settlement 4. Request to Review Notice of Apparent Breach 5. Compliance Agreement 6. Public Register
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Secretary to the Commission receive decision of the Commission on the status of compliance of the Conditional Merger 2. If status of decision of the Commission on the Compliance of the conditional merger is compliant, Secretary of the Commission send the decision on the status of compliance to the Merging firms 3. If the Commission observe that merger was approved based on incorrect information or third part competitor submit evidence of deceit, the Commission issue Notice of Apparent Breach (FCC-16) BEFORE taking any further action to revoke merger approval or conditional approval 4. System send notification to merging firms 5. Where the Commission decide to issue a Notice of Apparent Breach, Director of Research, Mergers and Advocacy may direct Mergers and Exemption Manager to draft a Notice of Apparent Breach for review. 6. Mergers and Exemption Manager draft a Notice of Apparent Breach and submit to the Director of Research, Mergers and Advocacy. 7. Director of Research, Mergers and Advocacy submit a Notice of Apparent Breach Director General.

8. Director General transmit the same to Legal Services Manager/ Secretary to the Commission for onward submission to Commission for signature.
9. Secretary to the Commission send signed Notice of apparent breach to Merging firms and publish the Notice of Apparent Breach on widely circulated newspaper and to the Commission's official website
10. Within ten (10) working days after issuance of FCC-16, Merging Firm may apply for Settlement and submit to the Commission a Settlement plan to remedy breach OR request to review the Notice of Apparent Breach from Merging Firms on the ground that the merging firm has substantially complied with its obligations with respect to the approval or conditional approval of the merger.
11. If the Merging Firms fails to respond within ten (10) days after issuance of Notice of Apparent Breach, Secretary to the Commission notify the Commission to issue Notice of Revocation of Merger (FCC-17)
12. The Commission issue Notice of Revocation of Merger Decision
13. Secretary to the Commission publish Notice of Revocation of Merger Decision on widely circulated newspaper and to the Commission's official website
14. If the Merging Firms respond to Notice of Apparent Breach and apply for settlement, Secretary to the Commission receive application for settlement and submit the to the Commission for decision
15. If the Commission accept the proposed settlement plan, the Commission issue Compliance Agreement and monitor its compliance
16. If the Commission rejects the proposed settlement plan, the Commission invite Merging Firms to consult with the Commission

	<p>concerning the apparent breach with the aim of establishing settlement plan and System send invitation notification to Merging Firms</p> <p>17. If the Merging Firm respond to the invitation and agree with settlement plan, the Commission issue Compliance Agreement and monitor its Compliance</p> <p>18. If Merging Firm fail to respond to the invitation and agree with settlement plan, the Commission issue Notice of Revocation of Merger (FCC-17) Decision and system send notification</p> <p>19. Secretary to the Commission publish Notice of Revocation of Merger Decision on widely circulated newspaper and to the Commission’s official website</p> <p>20. If Merging Firm respond to the Notice of Apparent Breach by request to review the Notice of Apparent Breach, Secretary to the Commission receive and submit the request to review the Notice of Apparent Breach to the Commission for decision</p> <p>21. If the Commission accept the proposed ground of argument, The Commission issue Compliance Agreement and monitor its Compliance and system send notification</p> <p>22. If the Commission rejects the proposed ground of argument, the Commission issue Notice of Revocation of Merger Decision (FCC-17) and system send notification</p> <p>23. System stores details of issued Notice of Revocation of Merger in Public Register</p>
<p>Process Output</p>	<ul style="list-style-type: none"> ▪ Notice of Apparent Breach of Merger ▪ Compliance Agreement/Order ▪ Notice of Revocation of Merger (FCC-17) Decision ▪ Notice of Revocation of Merger (FCC-17) ▪ Application for Settlement ▪ Request to Review Notice of Apparent Breach

	<ul style="list-style-type: none"> ▪ Updated Public Register
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of issued Notice of Apparent Breach ▪ Number of issued Compliance Agreement ▪ Number of issued Notice of Revocation of Merger (FCC-17)
Exceptions to Normal Process Flow	<p>In case of zone</p> <p>1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General</p> <p>2. Head of Zone submission goes Directly to the Director General</p>
Control Points and Measurements	Merger Revocation Register

Settlement Procedures

Name of Process	Settlement
Process Number	FCC_CBP_RMA_TB_09
Process Description	This process entails engagement of merging firm for settlement after Commission’s issuance Notice of Apparent Breach of Merger Approval Conditions
Process Boundaries	<p>Start Point: Receiving application for settlement from the Applicant</p> <p>End Point: Dispatching Settlement Compliance Agreements to Applicant</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Legal Services Manager

	<ul style="list-style-type: none"> ▪ Mergers and Exemptions Manager ▪ Economist(s) or Legal Officer(s) ▪ Record Officer ▪ Applicant
Stakeholders	Any third party, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023
Pre-Conditions	<ul style="list-style-type: none"> ▪ Notice of Apparent Breach of Merger Approval Conditions ▪ Applicant/user Authenticated and authorized to access the ser-vice
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ The Commission grants or reject the application for Settlement ▪ The Commission accept or reject the Settlement Plan ▪ The Commission approve or reject Settlement Report
Process Input	1. Application for settlement
Process Flow	<ol style="list-style-type: none"> 1. Applicant submit an application for settlement 2. System check validity for minimum requirement for submission 3. System generate and assign reference number to submitted applicant. 4. Director General preview application and recommend any time when application is InProgress 5. Director of Research, preview application and recommend any time when application is InProgress

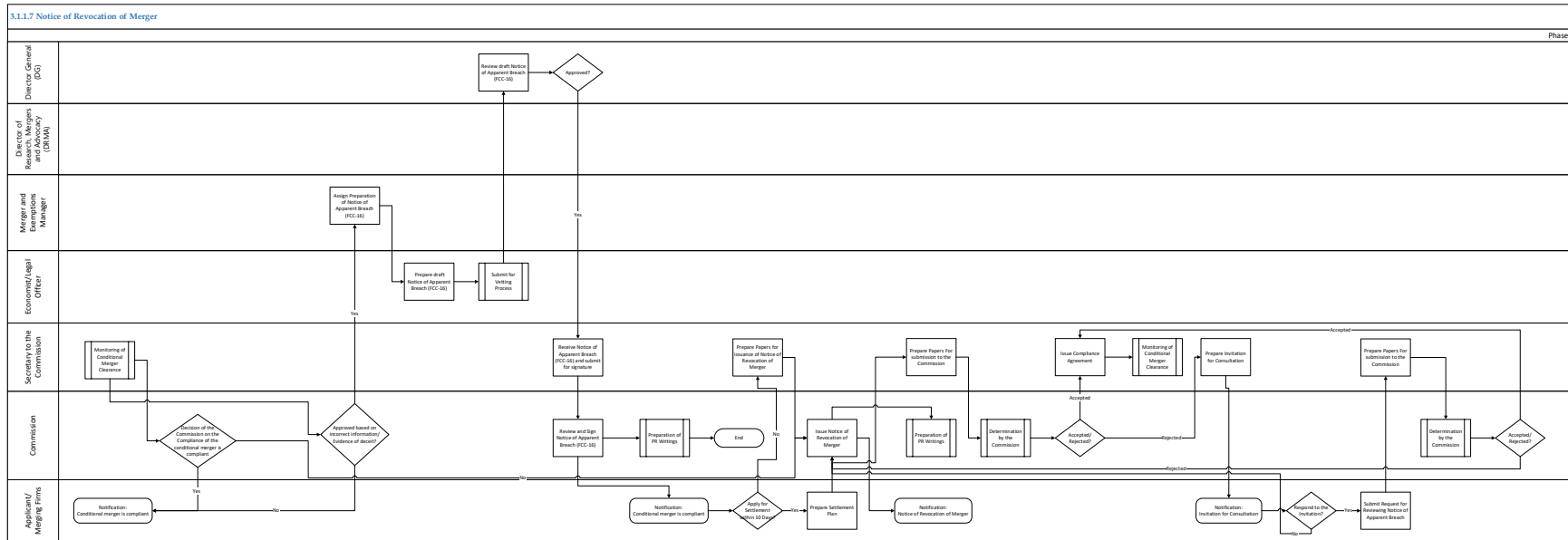
	<p>6. Mergers and Exemptions Manager preview the settlement application and assign the Economist(s) or Legal Officer for analysis and preparation of submission paper</p> <p>7. Economist(s) or Legal Officer(s) analyses the settlement application, prepare submission paper and submit for vetting process</p> <p>8. Director General approval or submit to the commission for approval</p> <p>9. If Director General recommend submission to the commission, sub-process for submission of papers to the commission (Determination by the Commission) follows (exercised by the Secretary to the Commission)</p> <p>10. If the Director General Approves the settlement application skip to step 13</p> <p>11. If the Commission reject the application for settlement, the Commission orders the Secretary to the Commission to serve the Order to strike out the application for settlement to the Applicant</p> <p>12. System send notification Order to strike out the application for settlement to Applicant</p> <p>13. If the Commission/DG grants the application for Settlement, the Commission/DG orders the Applicant to submit Settlement Plan within a specified period of time</p> <p>14. Applicant submit Settlement Plan</p> <p>15. Director General preview the Settlement Plan and assign to Director of Research Mergers and Advocacy for assignment and preparation of analysis report</p> <p>16. Director of Research Mergers and Advocacy preview the Settlement Plan and assign to the Mergers and Exemptions Manager to act on instruction provided</p>
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	<p>17. Mergers and Exemptions Manager preview the settlement and assign to the Economist(s) or Legal Officer for preparation of Analysis report</p> <p>18. Economist(s) or Legal Officer analyse the Settlement Plan, prepare Analysis Report and submit for vetting</p> <p>19. Director General approve the Analysis Report and submit to the Commission for determination. sub-process for submission of papers to the commission (Determination by the Commission) follows (exercised by the Secretary to the Commission)</p> <p>20. If the Commission rejects the Settlement Plan, the Commission orders the Applicant to resubmit a fresh Settlement Plan addressing specific issues as provided in the Order</p> <p>21. If the Commission accept the Settlement Plan as it is, proceed with step number 23 of this process</p> <p>22. If the Commission accept the Settlement Plan with reservations, the Commission direct the Director General to constitute a technical team for scrutinization of Settlement Plan and submit the report within 30 days</p> <p>23. Director General assign Director of Research, Mergers and Advocacy to prepare Terms of Reference and instrument of appointment for the technical team to scrutinize Settlement Plan</p> <p>24. Director of Research, Mergers and Advocacy assign Mergers and Exemptions Manager to prepare Terms of Reference and instrument of appointment for the technical team to scrutinize Settlement Plan</p> <p>25. Mergers and Exemptions Manager assign Economist(s) or Legal Officer(s) to prepare Terms of Reference and instrument of appointment for the technical team to scrutinize Settlement Plan</p> <p>26. Economist(s) or Legal Officer(s) prepare draft Terms of Reference, instrument of appointment, proposed names of technical team members and Submit for vetting process</p>
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	<p>27. The Director General review and approve Terms of Reference, Instrument of Appointment and Appoint the technical team.</p> <p>28. The Technical Team prepare and submit Negotiation Plan to the DG for approval</p> <p>29. The DG review and approve the negotiation plan</p> <p>30. If approved, the Technical Team engage in settlement process with the applicant and prepare settlement report evidencing applicant's agreement to terms of settlement or reason(s) for settlement failure</p> <p>31. The Technical Team submit prepared Settlement Report to Director General for approval</p> <p>32. Director General approve the prepared Settlement Report and assign Secretary to the Commission to submit to the Commission for determination</p> <p>33. Secretary to the Commission submit Settlement Report using submission of papers to the commission process lifecycle (Determination by the Commission)</p> <p>34. The Commission review the Settlement Report and provide decision</p> <p>35. For rejected Settlement Report, Enforcement process complete life cycle</p> <p>36. For approved Settlement Report, the Commission direct the Director General to prepare Settlement Compliance Agreement</p> <p>37. Director General assign the Director of Research Mergers and Advocacy to prepare draft Settlement Compliance Agreement</p> <p>38. Director of Research Mergers and Advocacy preview and assign to the Mergers and Exemptions Manager to prepare a draft Settlement Compliance Agreement</p>
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	<p>39. Mergers and Exemptions Manager preview and assign to the Economist(s) or Legal Officer(s) to prepare a draft Settlement Compliance Agreement</p> <p>40. Economist(s) or Legal Officer(s) prepare a draft Settlement Compliance Agreement and submit for vetting process</p> <p>41. Director General approve and assign Secretary to the Commission submit to the Commission for approval</p> <p>42. Secretary to the Commission submit approved Investigation Report using submission of papers to the commission process lifecycle (Determination by the Commission)</p> <p>43. The Commission approve and sign Settlement Compliance Agreement and direct Secretary to the Commission to seek Applicant signatures</p> <p>44. System send notification about Settlement Compliance Agreement to Merging firms/Parties to the agreement.</p>
Process Output	<p>Settlement Compliance Agreement</p> <p>Settlement Plan</p> <p>Analysis Report</p> <p>Negotiation Plan</p> <p>Settlement Report</p>
Measurable Outcome	<p>Number of issued Settlement Compliance Agreement</p>
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Settlement plan ▪ Negotiation Plan

1.1.1.7.1 Process Flow Diagram



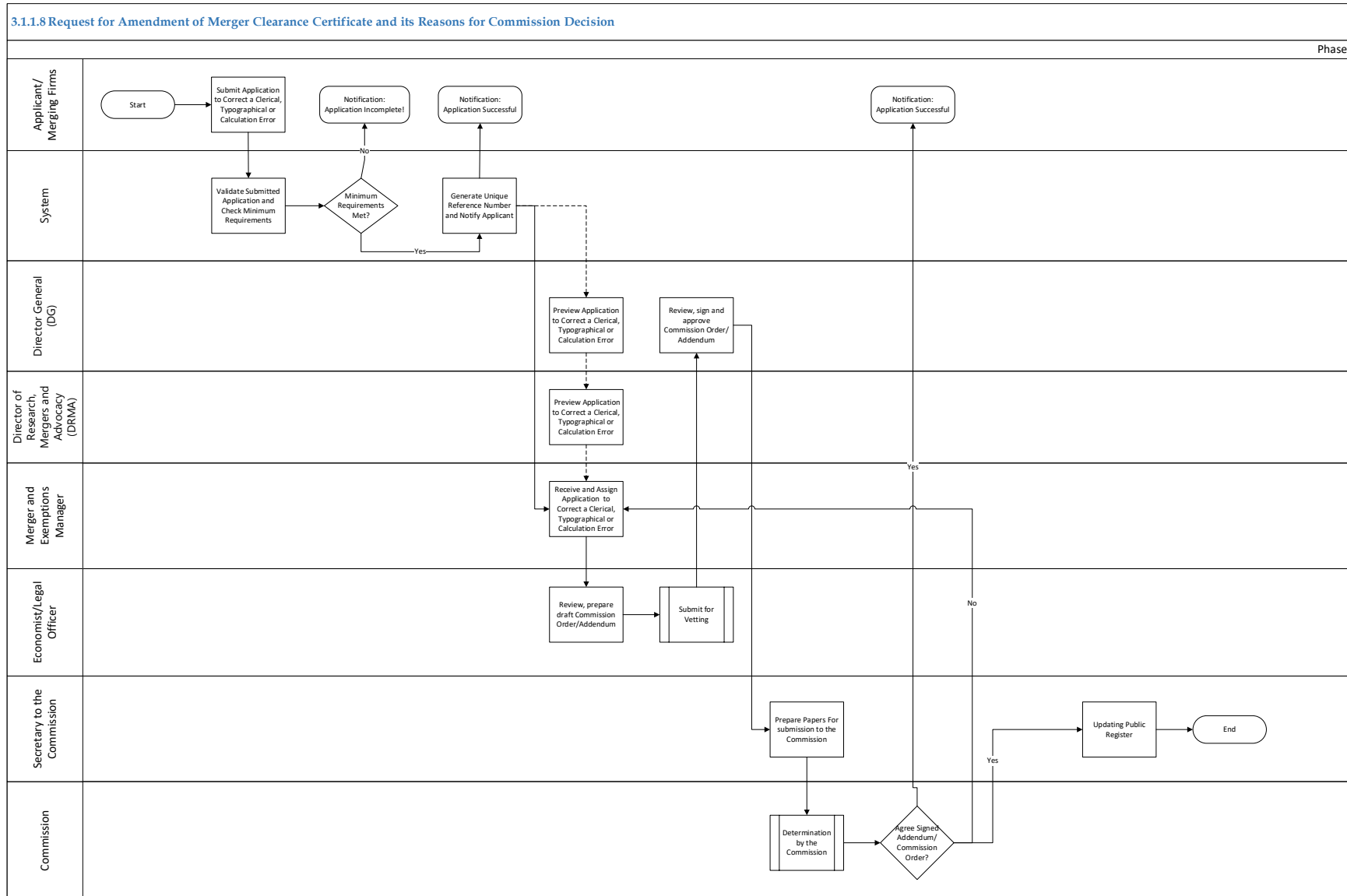
1.1.1.8 Request for Amendment of Merger Clearance Certificate and its Reasons for Commission Decision

Name of Process	Request for Amendment of Merger Clearance Certificate and its Reasons for Commission Decision
Process Number	FCC_CBP_RMA_TB_10
Process Description	This process entails application made by merging firm to request Commission in regard to the recent decision made in regard to merger application, amend its final decision for purposes of correcting a clerical or typographical error or error of calculation; rectifying an accidental slip or omission; or clarifying an ambiguity.
Process Boundaries	<p>Start Point: Applicant submit request of amendment of final decision of commission</p> <p>End Point: Commission correct a clerical or typographical error or error of calculation; rectifying an accidental slip or omission; or clarifying an ambiguity.</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General (DG) ▪ Director of Research, Merger and Advocacy (DRMA) ▪ Merger and Exemptions Manager ▪ Applicant ▪ Law Firm ▪ Record Officer
Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none"> ▪ Rule 26 of the Competition Rules, 2018
Pre-Conditions	<p>Merger Clearance Certificate (Form FCC.18)</p> <p>Reasons for Commission Decision</p>
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	Signed Addendum or Order of Commission
Process Input	<p>Letter from Merging firm</p> <p>Merger Clearance Certificate (Form FCC.18)</p> <p>Reasons for Commission Decision</p>
Process Flow	<ol style="list-style-type: none"> 1. Applicant submit an application for requesting a Commission to correct a clerical or typographical error or error of calculation; rectifying an accidental slip or omission; or clarifying an ambiguity from its recent decision and merger clearance certificate issued. 2. System check validity for minimum requirement for submission 3. System generate and assign reference number to submitted applicant. 4. Director General preview application and recommend any time when application is in Progress 5. Director of Research, preview application and recommend any time when application is in Progress 6. Merger and Exemptions Manager review and assign to Economist(s) or Legal officer(s) for draft of reply letter or to advise on modality of correction 7. Where assigned Economist(s) or Legal Officer(s) is of the opinion that there is indeed a clerical or typographical error or error of calculation; or a need of rectifying an accidental slip or omission; or a phrase that need to be clarifying an ambiguity, advise the matter to the Mergers and Exemption Manager 8. Economist(s) or Legal Officer(s) prepare modality for rectification of error noted either through addendum or draft Commission Order and submit for vetting process.

	<p>9. DG review, sign and approve for onward submission to Commission</p> <p>10. On event where DG agree with DRMA submission, assign the matter to Secretary of Commission for submission to Commission <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>11. Commission will deliberate and on the event, they agree, signed addendum or Commission Order.</p> <p>12. System sends notification about the letter together with signed addendum or Commission Order to merging firm/applicant/law firm.</p> <p>13. Legal Services Manager is updating Public Register on the refer changes to public register where necessary.</p>
Process Output	<ul style="list-style-type: none"> ▪ Administrative letter to merging firm ▪ Signed Addendum by Commission or signed Commission Order ▪ Update of Public Register and Official Website of Commission.
Measurable Outcome	Number of letters requesting amendment of final decision of Commission.
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	Administrative Letter to Merging firm.

1.1.1.8.1 Process Flow Diagram



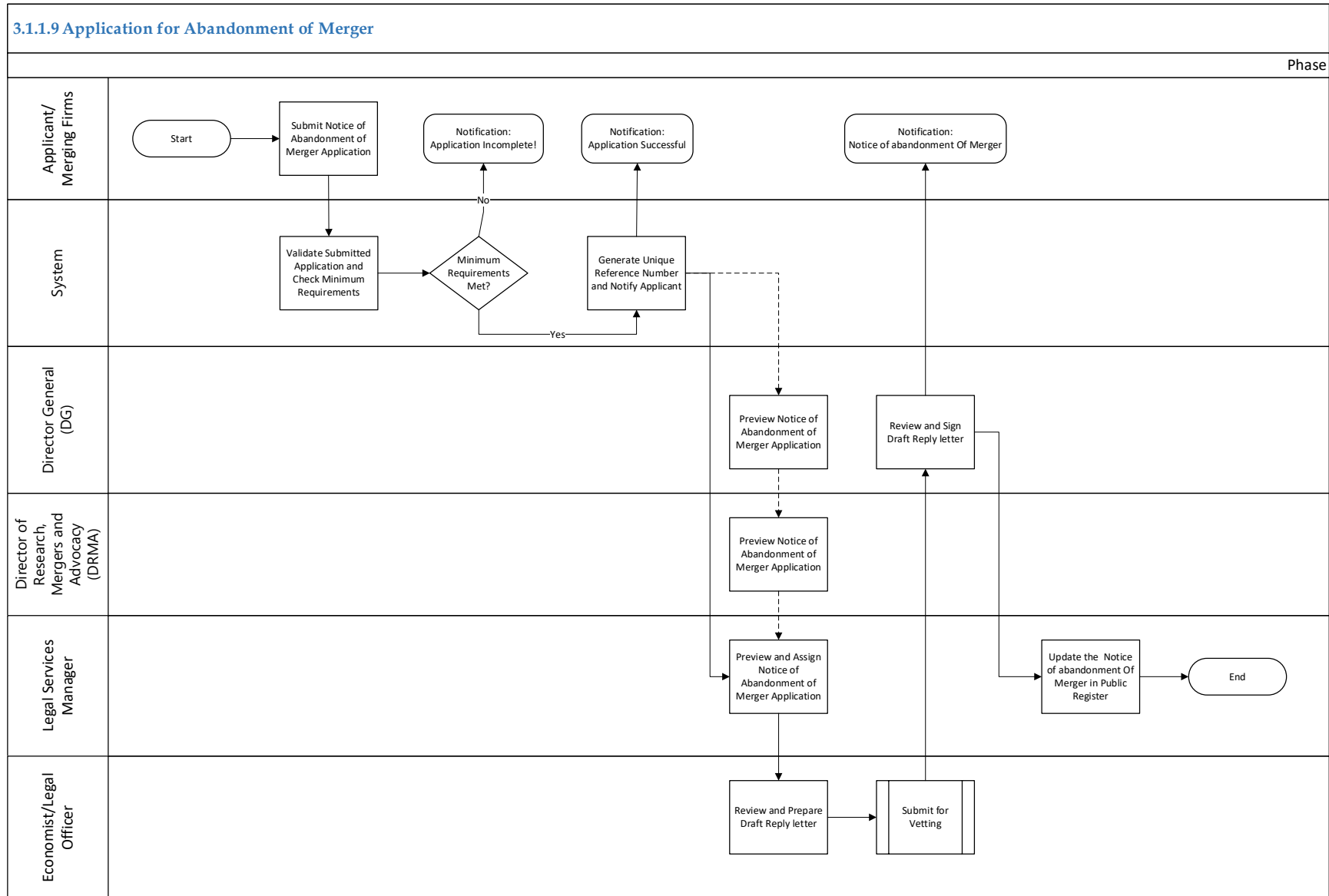
1.1.1.9 Application for Abandonment of Merger

Name of Process	Notice of Abandonment of Merger
Process Number	FCC_CBP_RMA_TB_11
Process Description	This process entails application made by merging firm under Form FCC.9 that it has abandoned the approved merger transaction or ongoing merger and has no intention to implement it
Process Boundaries	Start Point: Applicant submit Notice of Abandonment under Form FCC.9 End Point: Director General signed letter confirming abandonment.
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General (DG) ▪ Director of Research, Merger and Advocacy (DRMA) ▪ Merger and Exemptions Manager ▪ Applicant ▪ Law Firm ▪ Record Officer
Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none"> ▪ Rule 45 of the Competition Rules, 2018
Pre-Conditions	Notice of Complete Filing (Form FCC.11) or Merger Clearance Certificate (Form FCC.18)
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Signed letter confirming abandonment.
Process Input	Assessment/declaration
Process Flow	1.Applicant submit a Notice of Abandonment of Merger Application which is currently under examination or which has already approved by the Commission

	<p>2. System check validity for minimum requirement for submission</p> <p>3. System generate and assign reference number to submitted Notice of Abandonment of Merger Application and issue reference to applicant.</p> <p>4. Director General preview a Notice of Abandonment of Merger Applications and recommend anytime when application is in Progress</p> <p>5. Director of Research, preview a Notice of Abandonment of Merger Applications and recommend any time when application is in Progress</p> <p>6. Merger and Exemptions Manager review and assign to Economist(s) or Legal officer(s) for draft of reply letter</p> <p>7. Economist(s) or Legal Officer(s) review and draft reply letter informing merging parties that the parties to the merger shall remain in the same position as if the merger had never been notified; and the filing fee paid in respect of that merger shall be forfeited to the Commission.</p> <p>8. Economist(s) or Legal Officer(s) prepare draft reply letter and submit for vetting process</p> <p>9. DG for review and sign electronically reply letter</p> <p>10. System sends the signed letter as notification to applicant.</p> <p>11. Legal Services Manager is updating Public Register on the refer notice of abandonment for those merger which already approved.</p>
Process Output	<p>Administrative letter to merging firm</p> <p>Update of Public Register and Official Website of Commission.</p>
Measurable Outcome	<p>Number of Notice of abandonment submitted.</p>
Exceptions to Normal Process Flow	<p>In case of zone</p>

	<p>12. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General</p> <p>13. Head of Zone submission goes Directly to the Director General</p>
<p>Control Points and Measurements</p>	<p>Administrative Letter to Merging firm.</p>

1.1.1.9.1 Process Flow Diagram

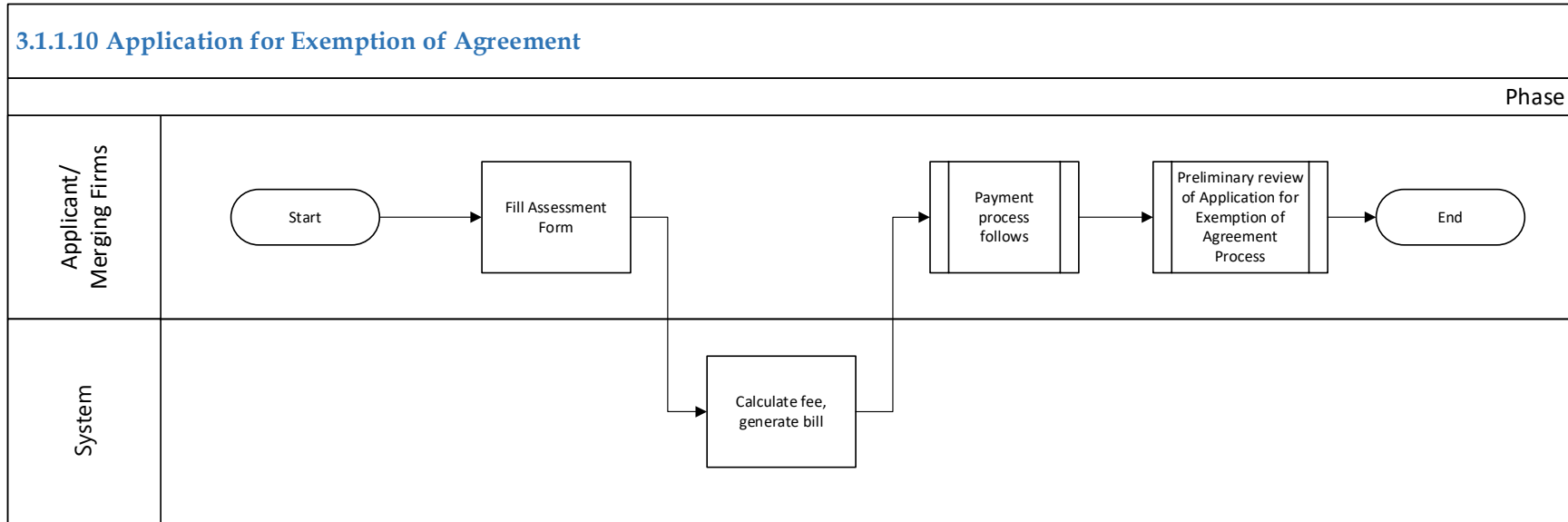


1.1.1.10 Application for Exemption of Agreement

Name of Process	Application for Exemption of Agreement
Process Number	FCC_CBP_RMA_TB_12
Process Description	This process entails Parties to the Agreement apply for exemption of agreement and requesting control number for payment of fee for application of agreement.
Process Boundaries	Start Point: Parties to the Agreement apply for exemption of agreement and pay fee for application of agreement End Point: Recognition Payment
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director of Research, Merger and Advocacy ▪ Applicant ▪ Law Firm ▪ Accountant
Stakeholders	Law Firms, FCC,
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Agreement between two parties that warranting Exemption for Agreement
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Issuance of Control Number to the Parties in Agreement
Process Input	Request of control number from Parties to the Agreement, GePG
Process Flow	<ol style="list-style-type: none"> 1. Applicant apply for Exemption of Agreement and fill assessment form and submit 2. System calculate fee and generate bill 3. Applicant request for a control number

	<p>4. System issue control number and send it to applicant</p> <p>5. Applicant make payment and payment process follows and proceed with process number FCC_CBP_RMA_TB_13</p>
Process Output	Payment receipt
Measurable Outcome	Number of Payment receipts
Exceptions to Normal Process Flow	Not Applicable
Control Points and Measurements	Control number

1.1.1.10.1 Process Flow Diagram



1.1.1.11 Preliminary Review of Application for Exemption of Agreement

Name of Process	Preliminary Review of Application for Exemption of Agreement
Process Number	FCC_CBP_RMA_TB_13
Process Description	This process entails issuance of either notice of material incompleteness or provision of information on specific exemption sought and/or notice of complete filing upon FCC satisfied that all information submitted under application for exemption of agreement are materially complete.
Process Boundaries	<p>Start Point: Parties submitting an application for exemption of agreement through dully filled Application for Exemption of Agreement Form (FCC-3)</p> <p>End Point: Director of Research, Merger and Advocacy sign and issue Notice of Complete Filing to Parties</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Merger and Exemptions Manager ▪ Economist(s) or Legal Officer(s) ▪ Parties
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Proof of Payment of Fee for Application of Exemption for Agreement.

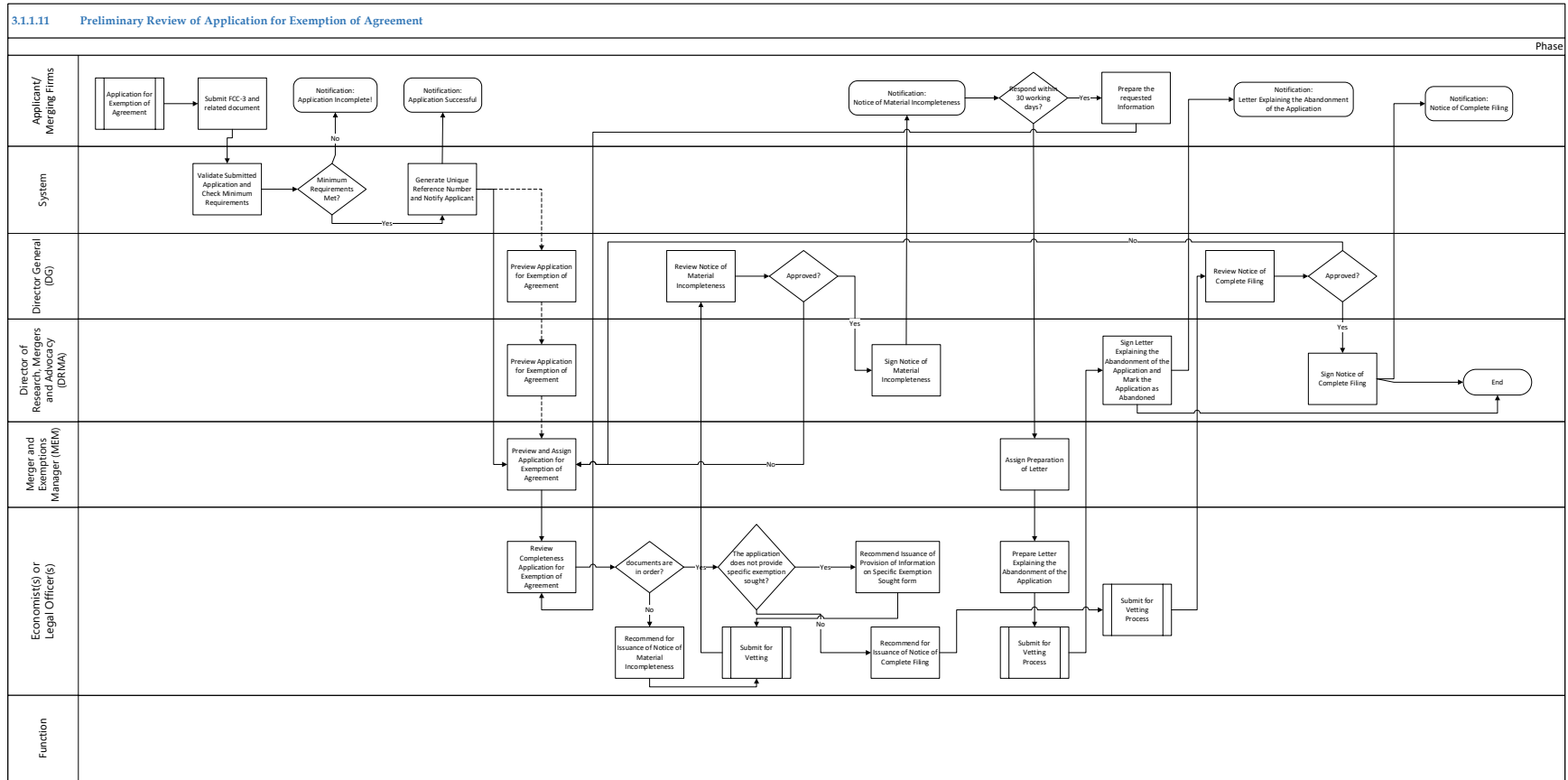
	<ul style="list-style-type: none"> ▪ Applicant/user Authenticated and authorized to access the ser-vice
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Notice of Complete (FCC-4C) or Incomplete Notice (FCC-4A) for Application of Exemption of Agreement ▪ Administrative letter on the Notice of Abandonment of the Application for Exemption of Agreement. ▪ Notice of Provision of Information on Specific Exemption Sought (FCC-4B)
Process Input	<ul style="list-style-type: none"> ▪ Application for Exemption of Agreement Form (FCC-3) and its related documents ▪ Confidentiality Claim Form (FCC-2)
Process Flow	<ol style="list-style-type: none"> 1. Parties Intending to make or giving effect on agreement notify the Commission through Application for Exemption of Agreement (FCC-3) Form and its related/supportive document and submit 2. System validates the minimum requirement for submission 3. System check if payment was made 4. If payment made, System generates reference number to submitted Application for Exemption of Agreement 5. Director General preview submitted Application for Exemption of Agreement Form and related documents and give directives to Director of Research, Merger and advocacy anytime when the process is in progress 6. Director of Research, Merger and Advocacy preview the submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Division of Corporate Affairs for payment assessment, verification and issuance of payment receipt 7. Director of Corporate Services return submitted Application for Exemption of Agreement (FCC-3) Form and related

	<p>documents to Director of Research, Merger and advocacy with assessed payment details and receipt</p> <p>8. Director of Research, Merger and Advocacy assign submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Merger and Exemptions Manager to review completeness of filed documents</p> <p>9. Merger and Exemptions Manager assign application for submitted Application for Exemption of Agreement (FCC-3) Form and related documents to Economist(s) or Legal Officer(s)</p> <p>10. Economist(s) or Legal Officer(s) screen to review completeness of the submitted Application for Exemption of Agreement (FCC-3) Form and related documents</p> <p>11. If the submitted Application for Exemption of Agreement Form and related documents is not complete or the application does not provide specific exemption sought, Economist(s) or Legal Officer(s) recommend to Merger and Exemptions Manager for issuance of Notice of Material Incompleteness (FCC-4A) Form or Provision of Information on Specific Exemption Sought (FCC-4B) Form respectively and vetting process proceed</p> <p>12. Director General take note and send back to DRMA for signature and issuance to parties or send back for corrections</p> <p>13. Director of Research, Merger and Advocacy effect corrections if any, sign electronically and issue Notice of Material Incompleteness or Provision of Information on Specific Exemption Sought to Parties and system send notification</p> <p>14. If parties fail to respond to Notice of Material Incompleteness Form or Provision of Information on Specific Exemption Sought or both within 30 working days after date of issuance, the application to exemption for agreement is abandoned</p> <p>15. The Director of Research, Merger and Advocacy issue a letter to the Parties explaining the abandonment of the application for exemption sought and system send notification</p>
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	<p>16. If parties respond to Notice of Material Incompleteness Form or Provision of Information on Specific Exemption Sought or both within 30 working days after date of issuance but does not meet requirement set out, Director of Research, Mergers and Advocacy require the Parties to provide required information where necessary</p> <p>17. If Parties fail to submit required information, Director of Research, Merger and Advocacy consider the agreement abandoned</p> <p>18. If Parties submit the required information, proceed with step number 21 to 23 herein below</p> <p>19. If the submitted Application for Exemption of Agreement Form and related documents is complete, Economist(s) or Legal Officer(s) recommend to Merger and Exemptions Manager for issuance of Notice of Complete Filing (FCC-4C) and vetting process follows</p> <p>20. Director General take note and send back to DRMA for signature and issuance to parties or send back for corrections</p> <p>21. Director of Research, Merger and Advocacy effect corrections if any, sign electronically and issue Notice of Complete Filing to Parties and system send notification</p>
Process Output	<ul style="list-style-type: none"> ▪ Issued Notice of Complete Filing for Exemption of Agreement ▪ Notice of Material Incompleteness (FCC-4A) Form ▪ Provision of Information on Specific Exemption Sought (FCC-4B) ▪ Notice of Complete Filing (FCC-4C) ▪ Letter of Abandonment of Application of Exemption Though
Measurable Outcome	Number of Issued Notice of Complete Filing for Exemption of Agreement

<p>Exceptions to Normal Process Flow</p>	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General Head of Zone submission goes Directly to the Director General
<p>Control Points and Measurements</p>	<p>Application for Exemption of Agreement Form</p>

1.1.1.1.1 Process Flow Diagram



1.1.1.12 Investigation of Application for Exemption of Agreement

Name of Process	Investigation of Application for Exemption of Agreement
Process Number	FCC_CBP_RMA_TB_14
Process Description	This process entails investigation of exemption of agreement, which commence immediately after issuance of notice of complete filing for application for exemption of agreement and terminates when report of application for exemption agreement is submitted to management for deliberations
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy assign Application for Exemption of Agreement to Merger and Exemptions Manager to initiate investigation</p> <p>End Point: Economist(s) or Legal Officer(s) archive and maintain a repository of Application for Exemption of Agreement submitted to Management for deliberation</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Merger and Advocacy ▪ Procurement Manager ▪ Information and Communications Technology Manager ▪ Merger and Exemptions Manager ▪ Economist(s) or Legal Officer(s) ▪ Record Officer
Stakeholders	Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018

Pre-Conditions	<p>Issued Notice of Complete Filing for Application for Exemption of Agreement</p> <p>Applicant/user Authenticated and authorized to access the service</p>
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Authorize or recommend for improvement ▪ Need for clarity or Additional Information ▪ Need for stakeholders’ engagement
Process Input	Report of Application for Exemption of Agreement
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy assign Application for Exemption of Agreement to Mergers and Exemptions Manager to initiate investigation 2. Merger and Exemptions Manager crosscheck and assign Application for Exemption of Agreement to Economist(s) or Legal Officer(s) for investigation 3. Economist(s) or Legal Officer(s) screen an Application for Exemption of Agreement and establish data and information gap as well as potential stakeholder for engagement 4. Economist(s) or Legal Officer(s) prepare Public Notice and submit for vetting process 5. Director General authorize or recommend for improvement the request for publication of the prepared Public Notice 6. For recommended improvements, Director of Research, Merger and Advocacy perform corrective actions as per recommendations 7. For authorized Public Notice, Director of Research, Merger and Advocacy directs Merger and Exemptions Manager to submit approved Public Notice to Procurement Manager as well as Information and Communications Technology

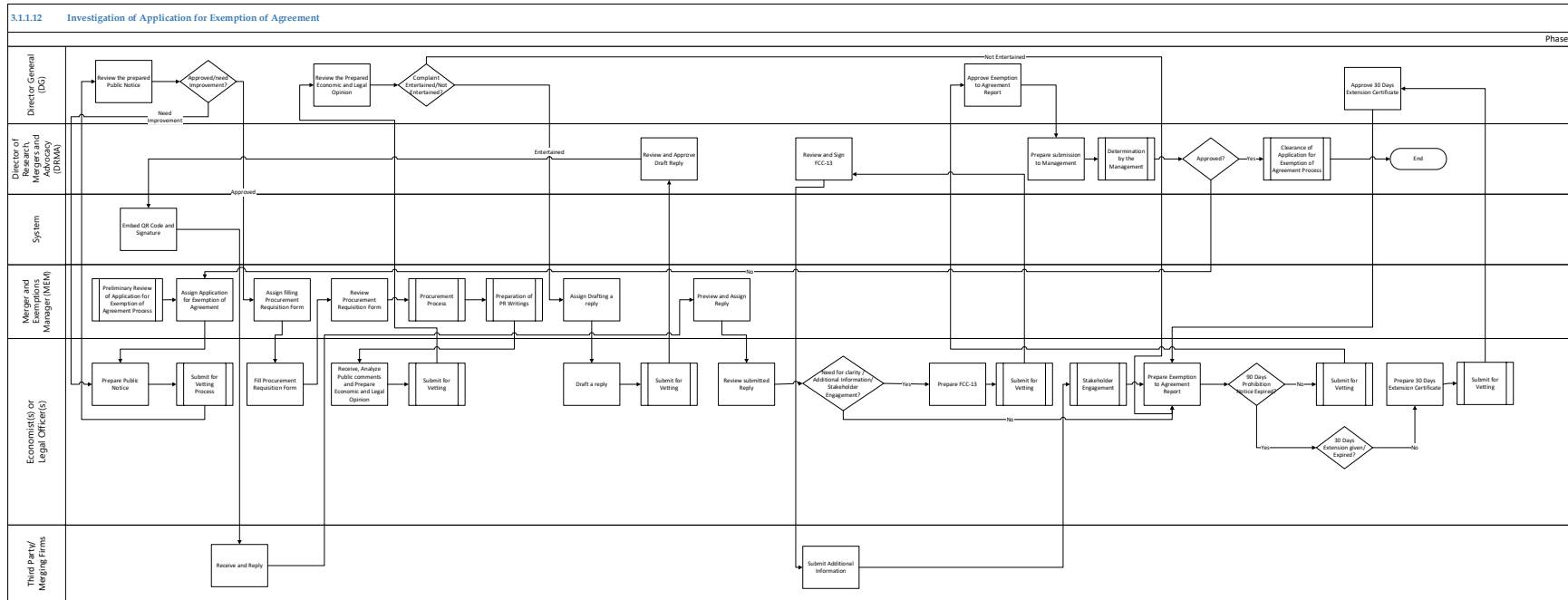
	<p>Manager and Head of Communication and Public Relation Unit for publication</p> <ol style="list-style-type: none">8. Merger and Exemptions Manager directs Economist(s) or Legal Officer(s) to fill Procurement Requisition Form for approval to proceed with publication of approved Public Notice9. Economist(s) or Legal Officer(s) fill and submit Procurement Requisition Form to Merger and Exemptions Manager10. Merger and Exemptions Manager submit approved Public Notice and filled Procurement Requisition Form to Procurement Manager, as well as submit approved Public Notice to Information and Communications Technology Manager for publication which will subsist for a period of 30 days from the date of its publication at the Commission's official website and in widely circulated newspaper11. Where there is comment or objection from public, DG receives and preview public comments and objection submitted by Third Party in duly filled Notice of Intention to Participate (FCC-10), applications reach Merger and Exemptions Manager and directs Economist(s) or Legal Officer(s)12. Economist(s) or Legal Officer(s) analyse the objection under FCC-10 and prepare economic and legal opinion as to whether the said objection/complaint/opinion should be entertained or not.13. In case of a need to entertain an objection received from the public through FCC-10, a Economist(s) or Legal Officer(s) shall recommend on whether public oral hearing is warranted or objection will be entertained by a way of written submission by each party.14. Economist(s) or Legal Officer(s) prepare economic and legal opinion of the assigned FCC-10 and submit for vetting process
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	<p>15. Director General attend and decide whether the complaint should be entertained in accordance with prepared legal and economic opinion.</p> <p>16. If the Director General decides not to entertain complaint, steps 31-36 shall be followed with reply "Management Decision Not to Entertain Objection". FCC-10 process is terminated thereafter.</p> <p>17. If the DG decides to entertain reasons submitted under FCC-10, It shall direct the Director of Research, Mergers and Advocacy to notify the Third Party who submitted the said FCC-10 and Merging Firm to respond to the argument under FCC-10.</p> <p>18. Director of Research, Mergers and Advocacy inform the Mergers and Exemptions Manager to draft a reply of the said FCC-10 to Third Party and Notify Merging Firm on the reasons submitted under FCC-10</p> <p>19. Mergers and Exemptions Manager notify Economist(s) or Legal Officer(s) to draft a notification to Third Party and Merging Firm</p> <p>20. Economist(s) or Legal Officer(s) draft a notification and submit to for vetting process</p> <p>21. Director of Research, Mergers and Advocacy / Director General review sign and send to Records / registry Officer for Dispatch</p> <p>22. System send notification about signed acknowledgement letter to Third Party and signed transmittal letter with attached FCC-10 and its annexures to Merging Firm.</p> <p>23. Merging Firm submit reply to the FCC-10 then top down process follows</p> <p>24. During investigation period, in case where Economist(s) or Legal Officer(s) is of the opinion that there is a Need for clarity or Additional Information, Economist(s) or Legal</p>
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	<p>Officer(s) prepare Request for Additional Information (FCC-13) and submit for vetting process</p> <p>25. Director of Research, Merger and Advocacy sign electronically and issue Request for Additional Merger Information to merging firms</p> <p>26. During investigation period, in case where Economist(s) or Legal Officer(s) is of the opinion that there is a need for certain stakeholders' engagement, Economist(s) or Legal Officer(s) collect required information from relevant stakeholders.</p> <p>27. Economist(s) or Legal Officer(s) prepare Exemption to Agreement Report and submit for vetting process</p> <p>28. Director General review prepared Exemption to Agreement Report, approve and send back to DRMA for submission to Secretary Commission to form part of agenda in management meeting submission of papers to the management process lifecycle</p> <p>29. Economist(s) or Legal Officer(s) archive and maintain a repository of Exemption to Agreement Report submitted to Management for deliberation</p> <p>30. If period under 90 Days Prohibition Notice issued is expired (exactly the 90th day from the first date of its issuance) and merger analysis report has not been deliberated and decided at the Commission level, Economist(s) or Legal Officer(s) prepare 30 Days Extension Certificate (FCC-14B) and submit for vetting process</p> <p>31. Director General review, provide go ahead or send it back for corrections</p> <p>32. If Director General provide go ahead, Director of Research, Merger and Advocacy sign and issue 30 Days Extension Certificate to parties under agreement.</p>
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	33. Economist(s) or Legal Officer(s) archive and maintain a repository of Application for Exemption Agreement submitted to Management for deliberation
Process Output	<ul style="list-style-type: none"> ▪ Report of Application for Exemption of Agreement ▪ Public Notice ▪ Procurement Requisition Form
Measurable Outcome	Number of Report of Application for Exemption of Agreement
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Issuance of Public Notice ▪ Repository of Application for Exemption of Agreement

1.1.1.12.1 Process Flow Diagram



1.1.1.13 Clearance of Application for Exemption of Agreement

Name of Process	Clearance of Application for Exemption of Agreement
Process Number	FCC_CBP_RMA_TB_15
Process Description	This process entails clearance of application for exemption of agreement whereby the commission review submitted application for exemption of agreement report and issue either exemption certificate or Notice of Refusal to grant exemption and reasons for decision to parties
Process Boundaries	<p>Start Point: Secretary to the Commission receive Report of Application for Exemption of Agreement submitted by Director of Research, Merger and Advocacy for management inputs</p> <p>End Point: Secretary to the Commission document details of the Application for Exemption of Agreement in Exemption of Agreement Register</p>
Process Owner	Secretary to the Commission
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Management ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Parties
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Submission Report of Application for Exemption of Agreement Applicant/user Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ Adopt Report of Application for Exemption of Agreement or recommend for Improvement ▪ Grant or prohibit the Application for Exemption of Agreement
<p>Process Input</p>	<p>Report of Application for Exemption of Agreement</p>
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Secretary to the Commission receive Report of Application for Exemption of Agreement submitted by Director of Research, Merger and Advocacy and send to management for inputs 2. Management review submitted Report of Application for Exemption of Agreement and adopt or recommend for improvement 3. If Management recommend for Improvement, Secretary to the Commission send the reviewed Report of Application for Exemption of Agreement to Director of Research, Merger and Advocacy for improvement 4. If Management adopt the report, Secretary to the Commission transmit adopted Report of Application for Exemption of Agreement to the Commission (i.e., FCC Board) for decision (Determination by Commission process follows) 5. The Commission review and consider transmitted Report of Application for Exemption of Agreement 6. If transmitted Report of Application for Exemption Agreement is adopted, proceed with step number 12, 13, 14, 15 and 16 herein below 7. If transmitted Report of Application for Exemption of Agreement is not adopted, the Commission return transmitted Report of Application for Exemption of Agreement with directives to Management and system send notification 8. Secretary to the Commission send Report of Application for Exemption of Agreement with Commission’s directives to Director of Research, Merger and Advocacy

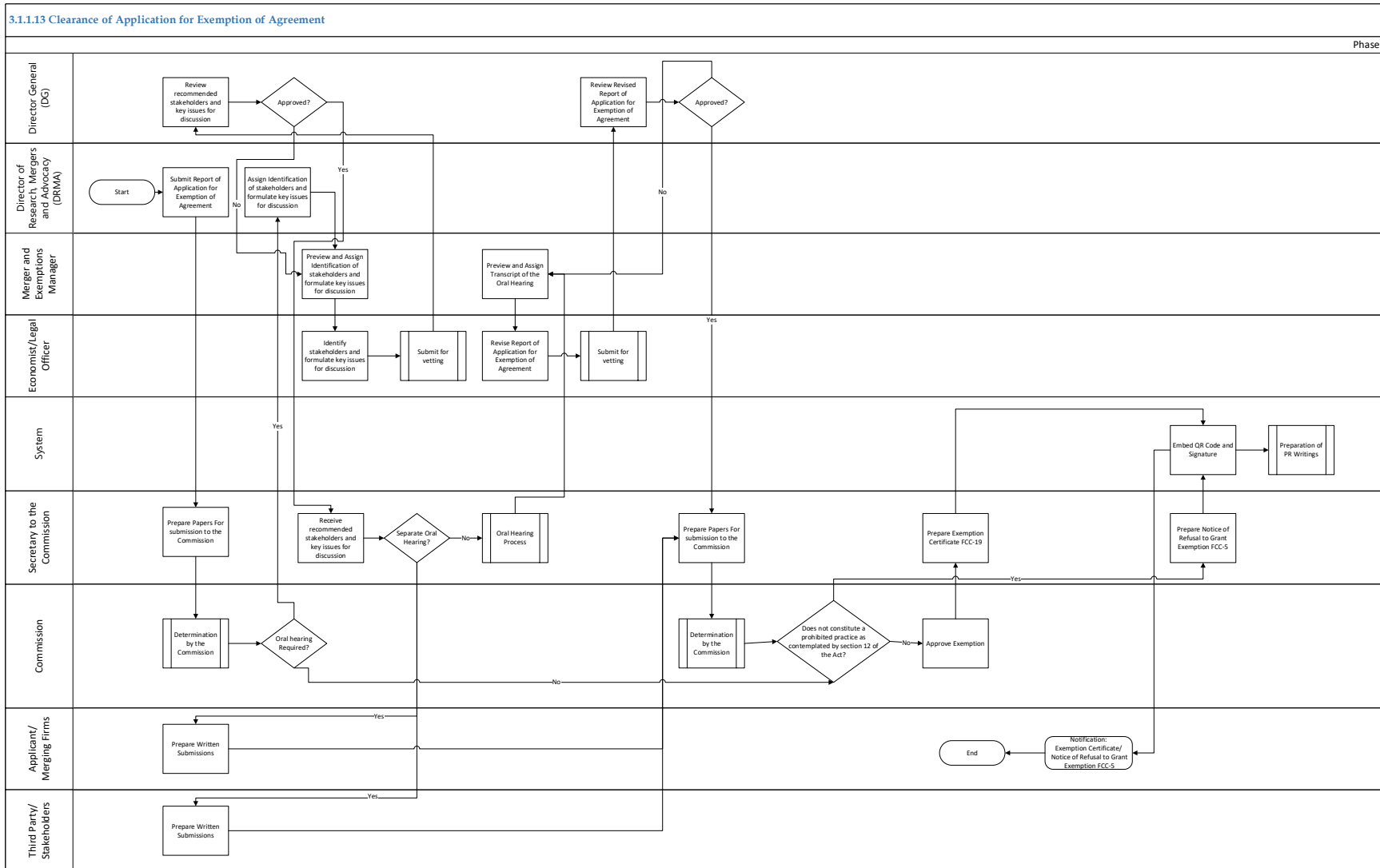
	<p>9. Director of Research, Merger and Advocacy improve the Report of Application for Exemption of Agreement as per directives given by the Commission and forward to Secretary to the Commission</p> <p>10. Secretary to the Commission retransmit improved Report of Application for Exemption of Agreement to the Commission and system send notification</p> <p>11. The Commission review, consider and deliberate transmitted Report of Application for Exemption of Agreement. On event where there will be FCC-10 and based on economic and legal analysis made therein show that such FCC-10 shall be entertained, the Commission, during deliberation, will decide whether it shall hold oral hearing session to hear argument of Third-Party Intention to Participate in Exemption for Agreement determination Process (submitted earlier under FCC-10) at the same meeting together with Parties. This will occur only if there is submission of FCC-10 and Director General has decided earlier to entertain the Third-Party Submission or the Third Party has Appeal Decision of Director General to the Chairman of Commission.</p> <p>12. Where the Commission decide to hear the Parties and Third Parties separately, jump to paragraph 19</p> <p>13. Where the Commission decide to conduct Oral Hearing Session, it shall, at the recommendation of Director General, identify significant stakeholder(s) relevant to the case; and formulate key issues for discussion in relation to the Application for Exemption of Agreement based on the submission made earlier under FCC-10.</p> <p>14. Director of Research, Mergers and Advocacy in consultation with Legal Services Manager, identified key stakeholders relevant to participate in oral hearing session. Director of Research, Mergers and Advocacy also formulate key issues and present the same to Director General for review.</p>
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	<p>15. Director General review the revised Report of Application for Exemption of Agreement, formulated key issues for case and proposal for key stakeholders to be invited in oral hearing session.</p> <p>16. Legal Services Manager at the direction of Director General will thereafter, cause oral hearing to be conducted and invite relevant expert(s) for transcription services (transcriber).</p> <p>17. If the Third Party and significant stakeholder(s) invited appear for oral representation, the Commission will conduct oral hearing and Secretary to the Commission prepare transcript of the oral hearing proceedings at the meeting and submit to Director of Research, Merger and Advocacy to incorporate the finding to Report of Application for Exemption of Agreement.</p> <p>18. If the Third Party and Significant Stakeholder failed to appear to the oral hearing session, the Commission will have discretion to adjourn, reschedule or halt the entire oral hearing session and/or decide another mode of hearing such as hearing session by a way of written submission (see paragraph 13 herein below).</p> <p>19. Where the Commission decide to hear merging parties and third parties separately, it shall order for parties to make written submission with both parties given opportunities to reply of each argument presented under written submission made by parties.</p> <p>20. Director of Research, Merger and Advocacy utilize findings gathered from oral and written submissions made and improve the revised Report of Application for Exemption of Agreement as per directives given by the Commission. After improvement to the report be made, and at the direction of Director General, Director of Research, Mergers and Advocacy shall forward the improved version of the report to Legal Services Manager</p> <p>21. Secretary to the Commission, will thereafter, at the Direction of Director General send revised Report of Application for</p>
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	<p>Exemption of Agreement to Commission for decision and system send notification.</p> <p>22. The Commission shall thereafter, make decision whether there is proposed agreement constitute a prohibited practice and hence warranted exemption. (see 23-25).</p> <p>23. Where the Commission, after deliberation of Report of Application for Exemption of Agreement be of the opinion that exemption for agreement thought does not constitute a prohibited practice as contemplated by section 12 of the Act, the Commission shall issue a notice of refusal to grant an exemption on Form FCC. 5.</p> <p>24. Where the Commission, after deliberation of Report of Application for Exemption of Agreement be of the opinion that exemption for agreement thought constitute, a prohibited practice as contemplated by section 12 of the Act, the Commission issue a notice to grant an exemption on Form FCC. 19.</p> <p>25. To each decision made under 23-24, the Legal Services Manager shall issue Exemption Certificate (FCC-19) or Notice of Refusal to grant exemption (FCC-5) and reasons for decision to Parties under Agreement; or</p> <p>26. Secretary to the Commission upon issuances of 25 make available to merging firms and third party (if applicable) copy of Commission Reasons for Decision; and Publish a notice of its decision the Public Register (Gazette) and to official Website of the Commission.</p> <p>27. Head of Public Relation Unit will produce Press Release informing the Public on the Decision of Commission.</p>
<p>Process Output</p>	<ul style="list-style-type: none"> ▪ Exemption Certificate (FCC-19) ▪ Notice of Refusal to Grant Exemption (FCC-5) ▪ Reasons for decision ▪ Monitoring report framework

Measurable Outcome	Number of issued Exemption Certificate or Notice of Refusal to Grant Exemption
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Exemption of Agreement Register ▪ Reasons for Decision

1.1.1.13.1 Process Flow Diagram



1.1.1.14 Revocation of Exemption of Agreement Certificate

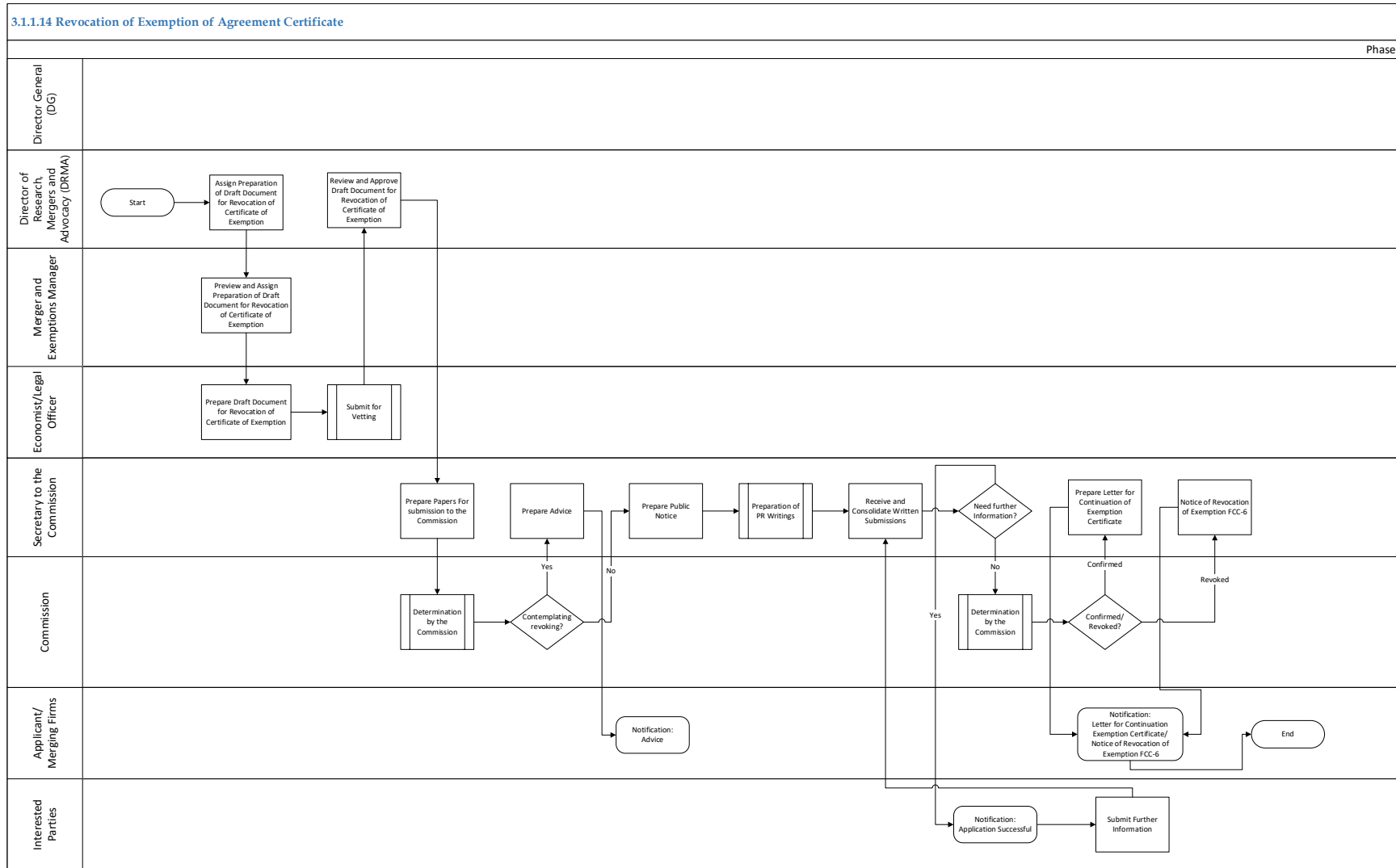
Name of Process	Revocation of Exemption Certificate
Process Number	FCC_CBP_RMA_TB_16
Process Description	This process entails consideration of board paper and confirm in writing to the applicant continuation of the exemption as previous granted or revoke exemption certificate by issuing notice of revocation of exemption
Process Boundaries	<p>Start Point: Director of Research, Merger and Advocacy prepare and submit a draft Board Paper to the Management on the reasons as to why Certificate of Exemption should be revoked</p> <p>End Point: Secretary to the Commission document details of Notice of Revocation of Exemption in Revocation of Exemption Register</p>
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Management ▪ Director of Research, Merger and Advocacy ▪ Secretary to the Commission ▪ Economist(s) or Legal Officer(s) ▪ Management ▪ Head of Public Relation and Communication ▪ Procurement Manager ▪ Information and Communication Technology Manager
Stakeholders	Ministry of Industry and Trade, Regulatory Authorities, Consumer Associations, Competitors to Merging Firms, Suppliers to Merging Firms, Print Media, and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Exemption Certificate (FCC-19) issued earlier ▪ Monitoring framework ▪ Applicant/user Authenticated and authorized to access the service

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Adopt or recommend for improvement of Board Paper ▪ Need for further information ▪ Revoked or confirmed Exemption Certificate
Process Input	<ul style="list-style-type: none"> ▪ Approved Application of Exemption ▪ Reasons for revocation of exemption certificate
Process Flow	<ol style="list-style-type: none"> 1. Director of Research, Merger and Advocacy prepare and submit a draft Board Paper to the Legal Service Manager for his onward submission to Management for the deliberation of the reasons as to why Certificate of Exemption should be revoked 2. Management receives draft Board Paper for revocation of Exemption Certificate submitted by Director of Research, Merger and Advocacy for management inputs 3. Management review submitted Board Paper and adopt or recommend for improvement 4. If Management recommend for improvement of Board Paper, Director of Research, Merger and Advocacy consider management comments and resubmit Board Paper to Secretary to the Commission 5. Secretary to the Commission receive submitted Board Paper, and proceed with step number 6 herein below 6. If Management adopt Board Paper, Secretary to the Commission send adopted Board Paper to the Commission for decision and system send notification (Determination by the Commission follows) 7. The Commission review and consider transmitted Board Paper 8. If the Commission is contemplating revoking an exemption granted, the Commission advise the Person Concerned and system send notification

	<p>9. Secretary to the Commission publish notice in widely circulated newspaper and in Commission’s Official website</p> <p>10. Secretary to the Commission receive Submissions through the system (FCC from the public and other interested Parties, when applicable</p> <p>11. If there is a need for further information, Secretary to the Commission request required details from the Parties to the exempted agreement or any other third Parties using FCC-13 form and submit</p> <p>12. If there is no need for further information, Secretary to the Commission incorporate details of the Written submission and retransmit the Board Paper to the Commission</p> <p>13. The Commission consider transmitted Board Paper and confirm or revoke the Exemption Certificate</p> <p>14. For confirmed Exemption Certificate, the Commission confirm in writing and send to the applicant continuation of the exemption as previous granted and system send notification</p> <p>15. For revoked Exemption Certificate, the Commission issue Notice of Revocation of Exemption (FCC-6) Form to Parties and system send notification</p> <p>16. System stores details of Notice of Revocation of Exemption in Revocation of Exemption Register</p>
Process Output	<p>Notice of Revocation of Exemption</p> <p>Board Paper</p> <p>Written Submissions from Parties</p>
Measurable Outcome	<p>Number of Issued Notice of Revocation of Exemption</p>
Exceptions to Normal Process Flow	<p>Not Applicable</p>

Control Points and Measurements	Revocation of Exemption Register
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1.1.1.14.1 Process Flow Diagram



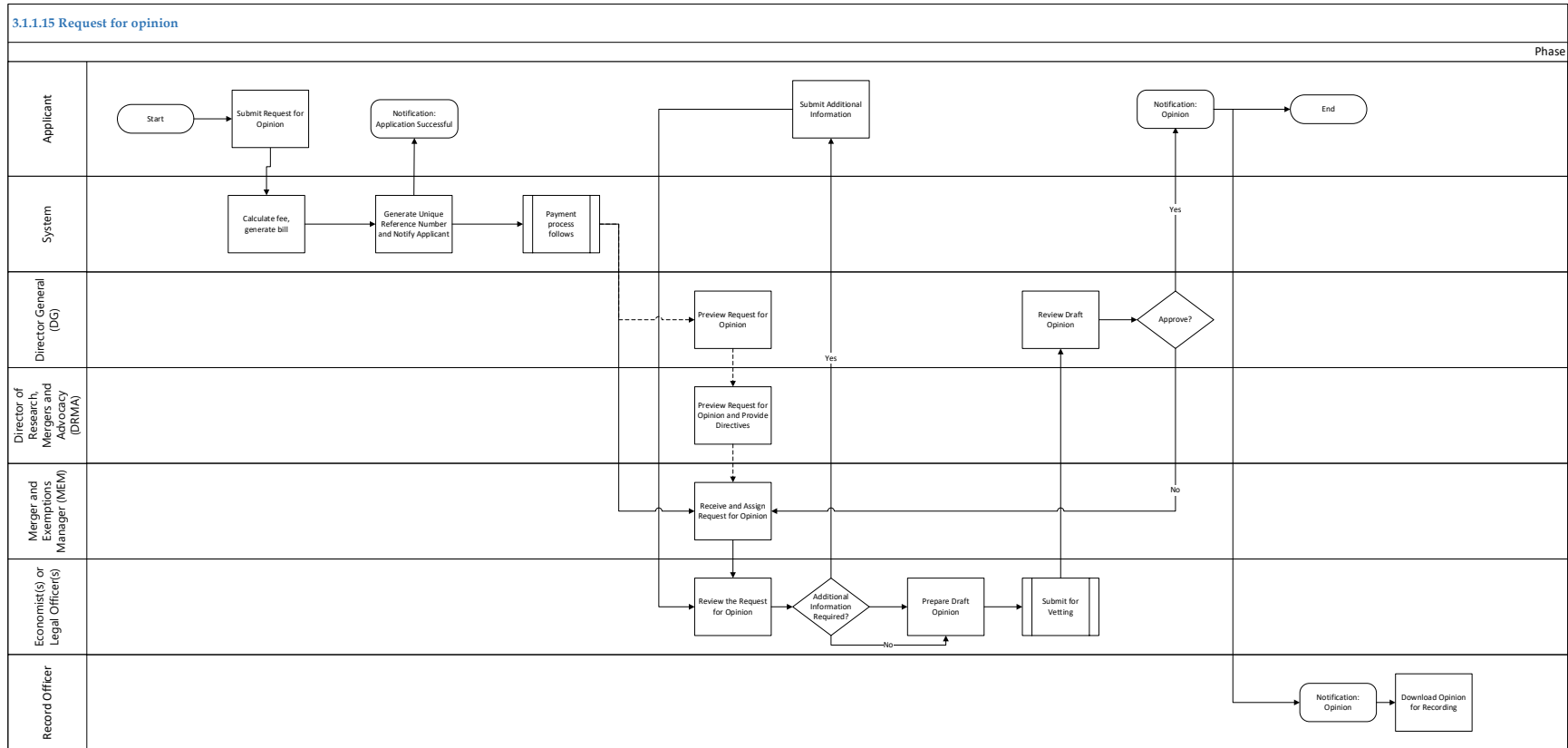
1.1.1.15 Request for opinion

Name of Process	Request for opinion/review of agreement
Process Number	FCC_CBP_RMA_TB_17
Process Description	This process entails application for opinion whether the intended merger is notifiable under FCA (Fair Competition Act)
Process Boundaries	Start Point: Applicant submit request for control number End Point: Opinion
Process Owner	Director of Research, Merger and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General (DG) ▪ Director of Research, Merger and Advocacy (DRMA) ▪ Director of Corporate Service (DCS) ▪ Merger and Exemptions Manager ▪ Applicant ▪ Law Firm ▪ Accountant ▪ Record Officer
Stakeholders	Law Firms, FCC, Applicant
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Registered companies ▪ Applicant/user Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	Control number
Process Input	Assessment/declaration
Process Flow	<ol style="list-style-type: none"> 1. Applicant request for opinion and submit a request for control number 2. System generate bill and payment process follows 3. System generates reference number to submitted request for opinion 4. Director General preview request for opinion and provide directives to Director of Research, Merger and advocacy any time when process progress 5. DRMA review and give directives to Merger and Exemptions Manager any time when process progress 6. Merger and Exemptions Manager review and assign to Economist(s) or Legal Officer(s) 7. Economist(s) or Legal Officer(s) review and request for additional information from applicant where applicable 8. Economist(s) or Legal Officer(s) prepare draft opinion and submit for vetting process 9. DG review, approve and system send opinion notification to applicant 10. Records Officer download opinion recording
Process Output	Opinion
Measurable Outcome	Number of opinions dispatched
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 11. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General

	12. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	Approvals

1.1.1.15.1 Process Flow Diagram



1.1.2 Competition and Market Research

Competition and Market Research services intends to carry out inquiries studies and research into matters relating to competition and the protection of the interests of consumers in order to understand competition status in respective markets and inform advocacy as well as investigation functions. Competition and Market Research includes the following business processes: -

1. Mini Study
2. Initiation of Research Study and
3. Conducting Research Study

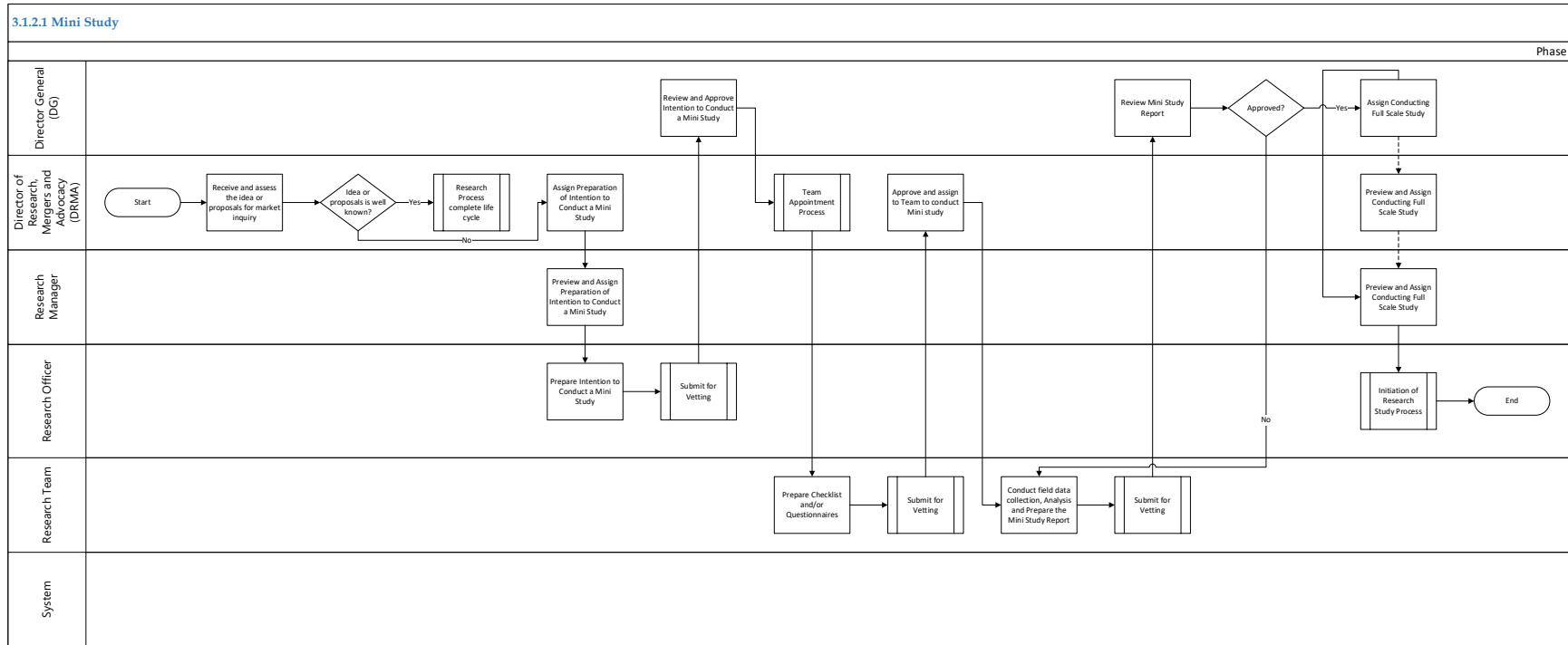
1.1.2.1 Mini Study

Name of Process	Mini Study
Process Number	FCC_CBP_CMRTB_10
Process Description	This process entail procedure to conduct mini study for idea or proposals for market inquiry which are not well known (Internal driven)
Process Boundaries	<p>Start Point: Director of Research Mergers and Advocacy assess the idea or proposals for market inquiry for research</p> <p>End Point: Research Officer record details of the mini study in the Studies and Research Register</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research Mergers and Advocacy ▪ Research Manager ▪ Research Officer
Stakeholders	Ministry of Industry and Trade, MDAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ List of recorded ideas, work plan and proposals for market inquiry for research

	<ul style="list-style-type: none"> ▪ Applicant/user must be authenticated an authorized to access the services
Frequency of Occurrence	whenever need arises
Decisions associated with the process	Idea or proposals for market inquiry is known or not well known
Process Input	<ol style="list-style-type: none"> 1. Intention to Conduct a Mini Study 2. Checklist and/or Questionnaires
Process Flow	<ol style="list-style-type: none"> 1. Director of Research Mergers and Advocacy receive and assess the idea or proposals for market inquiry for research 2. If the idea or proposals for market inquiry is well known, Initiation of Research Process complete life cycle follows 3. If the idea or proposals for market inquiry is not well known, The Director of Research Merges and Advocacy assign the Manager for Research to prepare Intention to Conduct a Mini Study 4. The Research Manager assign research officer to prepare Intention to Conduct a Mini Study 5. Research Officer prepare and submit Intention to Conduct a Mini Study and submit for vetting process 6. Director General review Intention to Conduct a Mini Study, approve and assign to Director of Research Mergers and Advocacy for implementation 7. Director of Research Mergers and Advocacy receive approved Intention to Conduct a Mini Study document and appoints the team to carry out the study and Sub-process for team appointment proceed 8. Team prepare lead questions and document in checklist and/or questionnaires for mini study 9. Team submit prepared Checklist and/or Questionnaires for vetting process 10. Director of Research Mergers and Advocacy approve prepared Checklist and/or Questionnaires and assign to Team for conducting mini study

	<p>11. Team conduct field data collection and analysis in collaboration with the concerned stakeholders</p> <p>12. Team prepare the Mini Study Report and submit for vetting process</p> <p>13. Director General approve/reject mini study report</p> <p>14. If approved, Director General provide view on the idea or proposal for market inquiry and assign to the Director of Research Mergers and Advocacy for conducting full scale study</p> <p>15. If not approved, prepared min research report sent back for correction and re-submission</p> <p>16. Director of Research, Mergers and Advocacy receive and assign the provided view on the idea or proposal for market inquiry to Research Manager</p> <p>17. Research Manager receive and assign the provided view on the idea or proposal for market inquiry to Research Officer as a notification</p> <p>18. System stores details of the mini study in the Study and Research Register</p>
Process Output	Mini Study Report
Measurable Outcome	Number of Mini Study Reports
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Studies and Research Register

1.1.2.1.1 Process Flow Diagram



1.1.2.2 Initiation of Research Study

Name of Process	Initiation of Research Study (Internal/External Driven)
Process Number	FCC_CBP_CMRTB_11
Process Description	This process entails initiation of research study as per need identified by FCC, request of the Regulatory Body or Order of the Minister
Process Boundaries	<p>Start Point: Regulatory Body consult the Commission in advance on the subject matter and scope of the research study or Order of Minister to initiate the research study</p> <p>End Point: Director General appoints the team to conduct research study</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Minister of Industry and Trade ▪ The Commission ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Regulatory Body ▪ Research Manager ▪ Research Officer
Stakeholders	Ministry of Industry and Trade, MDAs, LGAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Mini Study Report ▪ Request from Regulatory Body ▪ Order from the Minister ▪ Applicant/user must be authenticated and authorized to access the services
Frequency of Occurrence	Whenever need arises

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ Research Study Initiated by Regulatory Body, FCC or Order of the Minister ▪ Regulatory Body adopt or did not adopt Terms of Reference ▪ Commission adopt or reject strategy paper
<p>Process Input</p>	<ol style="list-style-type: none"> 1. View of the Commission on the subject matter and scope 2. Mini Study Report 3. Request from Regulatory Body 4. Order of the Minister
<p>Process Flow</p>	<p>Start Case 1: Research Study Initiated by Regulatory Body</p> <ol style="list-style-type: none"> 1. Regulatory Body consult the Commission in advance on the subject matter and scope of the research study and Determination(s) by the Commission sub process follows 2. The Commission provide a view on the Subject matter and scope of the research study 3. Director General receive the View of the Commission on the subject matter and scope of the research study and assign to Director of Research, Mergers and Advocacy 4. Director of Research, Mergers and Advocacy receive View of the Commission and assign to Research Manager 5. Research Manager receive View of the Commission and assign to Research Officer to prepare Terms of Reference 6. Research Officer prepare draft Terms of Reference and submit for vetting process 7. Director General approve the draft Terms of Reference and assign to the Director of Research, Mergers and Advocacy for engagement of the Regulatory Body 8. Director of Research, Mergers and Advocacy engage Regulatory Body on Terms of Reference and system send notification to regulatory body 9. If Regulatory Body did not adopt Terms of Reference, Director of Research, Mergers and Advocacy incorporates comments/inputs of the Regulatory Body to produce Final Terms of Reference

10. If Regulatory Body adopt Terms of Reference, Director of Research, Mergers and Advocacy mark adopted Terms of Reference as final

11. Director of Research, Mergers and Advocacy proceed with step number 14 herein below

End Case 1: Research Study Initiated by Regulatory Body

Start Case 2: Research Study Initiated by FCC

12. Director of Research Mergers and Advocacy prepare draft Strategy Paper and submit to the Director General for review and approval

13. Director General review the submitted draft Strategy Paper, approve, and assign to Secretary to the Commission

14. Secretary to the Commission transmit draft Strategy Paper to the Commission for review

15. The Commission consider and determine submitted draft Strategy Paper

16. Secretary to the Commission pass decision of the Commission and draft Strategy Paper to Director of Research Mergers and Advocacy

17. For non-adopted Strategy Paper, Director of Research Mergers and Advocacy note decision of the Commission

18. For adopted Strategy Paper, Director of Research Mergers and Advocacy receive decision of the Commission and appoints the team to conduct research study and team appointment sub process follows

End Case 2: Research Study Initiated by FCC

Start Case 3: Research Study Initiated by Order of the Minister

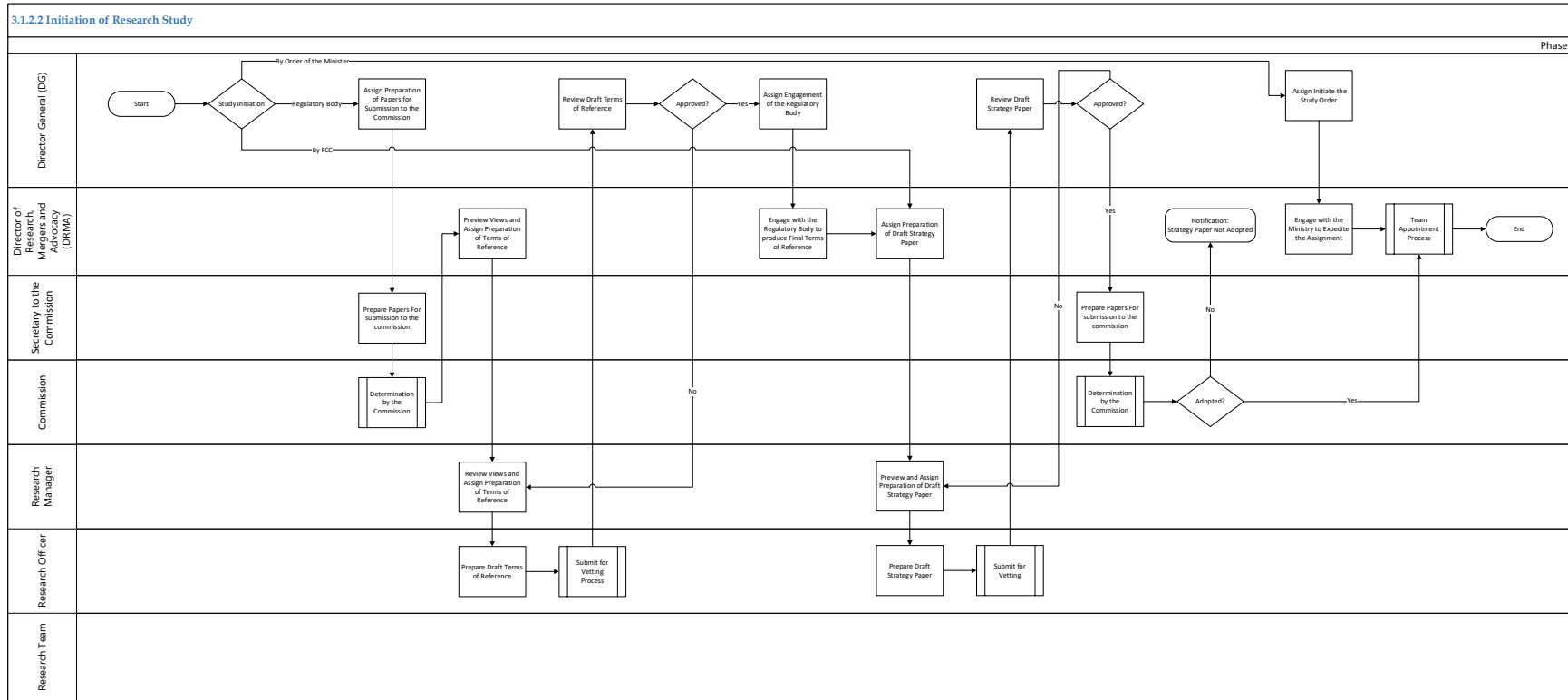
1. Minister Order the Director General to initiate the study on idea or proposal for market inquiry

2. Director General receives the Order of the Minister to initiate the study and assign to Director of Research, Mergers and Advocacy

3. Director of Research, Mergers and Advocacy receive Order of the Minister and liaise with Ministry to expedite the assignment, when applicable

	<p>4. Director of Research Mergers and Advocacy select the team for conducting research and submit to DG for consideration</p> <p>5. Director General approve the selected team to conduct the research study</p> <p>End Case 3: Research Study Initiated by Order of Minister</p>
Process Output	Strategy paper
Measurable Outcome	Number of strategy papers
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> ▪ For Research Study Initiated by Order of Minister, some of research team members may not be appointed by Director General ▪ Director General may use external specialist to conduct research where appropriate
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Strategy Paper ▪ Terms of Reference ▪ Order from the Minister ▪ Request from the Regulatory Body

1.1.2.2.1 Process Flow Diagram



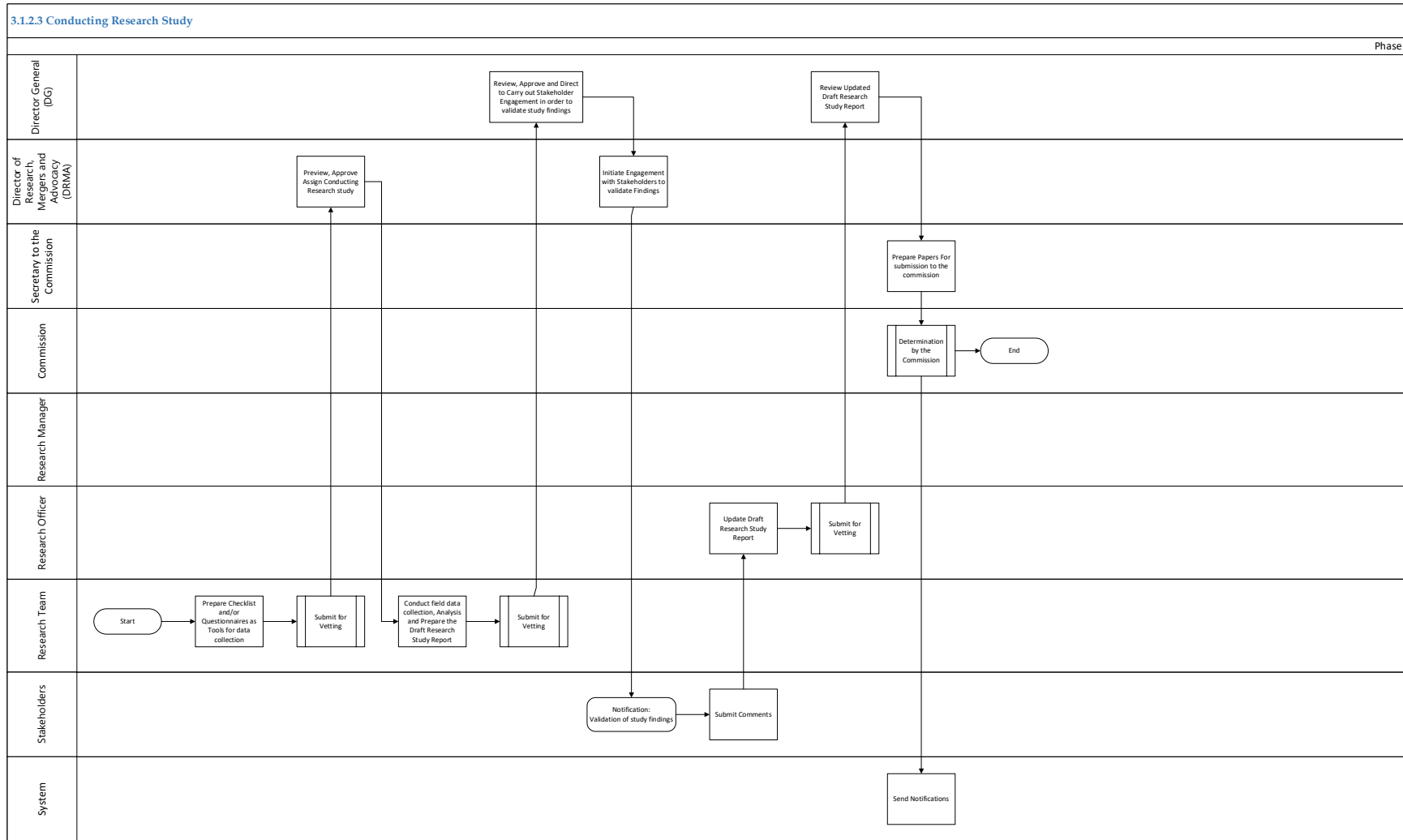
1.1.2.3 Conducting Research Study

Name of Process	Conducting Research Study
Process Number	FCC_CBP_CMR_TB_12
Process Description	This process entails procedure for conducting research study and prepare research study report
Process Boundaries	<p>Start Point: Team prepares Checklist and/or Questionnaires as tools for data collection</p> <p>End Point: System stores details of the Final Research Study Report and decision of the Commission in Studies and Research Register</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Research Manager ▪ Research Officer
Stakeholders	Ministry of Industry and Trade, MDAs, LGAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	<ul style="list-style-type: none"> ▪ Approved strategy paper ▪ Applicant/user must be authenticated and authorized to access the services
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Commission Approve Final Study report
Process Input	Strategy Paper
Process Flow	1. Team prepare Checklist and/or Questionnaires as tools for data collection and submit for vetting process

	<ol style="list-style-type: none">2. Director of Research, Mergers and Advocacy approve prepared Checklist and/or Questionnaires and assign to Team for conducting research study3. Team conducts field data collection in collaboration with the concerned stakeholders4. Team conducts data cleaning & analysis and prepare the draft Research Study Report and submit for vetting process5. Director General review the submitted draft Research Study Report, approve, and direct DRMA to carry out stakeholder engagement in order to validate study findings6. Director of Research, Mergers and Advocacy instruct the Research Manager to carry out stakeholder engagement in order to validate study findings and system send notifications to stakeholders.7. Stakeholders capture comment and submit using external FCC portal8. Research Manager prepare and submit the draft research study report incorporating comments from stakeholder engagement and submit for vetting process9. Director General review the submitted draft Research Study Report, approve, and assign to Secretary to the Commission10. The Secretary to the commission prepares notice and submit the document to the management for discussion and recommendation(s)11. If Management recommend for Improvement, Secretary to the Commission view and send to the Director of Research, Mergers and Advocacy for improvement12. If Management adopt the research study report, Secretary to the Commission prepare notice for the commission meeting and submit the same to the Commission (i.e., FCC Board) together with documents for determination13. Secretary to the Commission send draft Research Study Report to the Commission for determination and system send notification
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	<p>14. The Commission consider and determine submitted draft Research Study Report</p> <p>15. System send notification about decision of the Commission and Final Research Study Report to Director of Research, Mergers and Advocacy, Research Manager and Research Officer for further steps</p> <p>16. System stores details of the Final Research Study Report and decision of the Commission in Studies and Research Register</p>
Process Output	Final Research Study Report
Measurable Outcome	Number of Final Research Study Reports
Exceptions to Normal Process Flow	Not Applicable
Control Points and Measurements	Study and Research Register

1.1.2.3.1 Process Flow Diagram



1.1.3 Competition Advocacy

Competition Advocacy activities entails those activities related to promotion of competitive environment for economic activities by means of non-enforcement mechanism, mainly through relationship with relevant stakeholders and by increasing public awareness for the benefit of competitions. Competitive economy targets various Policy Makers to influence adoption of competitive regime and raise public awareness regarding the benefit of competition to the economy. Competition advocacy includes the following business processes: -

- i. Review of the policy, bills or legislation; and
- ii. Public Awareness.

1.1.3.1 Review of Policy, Bills or Legislation

Name of Process	Review of Policy, Bills or Legislation
Process Number	FCC_CBP_CA_TB_13
Process Description	This process entails review of policy, bills or legislation initiated by either external parties or FCC to assess their effect on competition and consumer welfare
Process Boundaries	<p>Start Point: Party submit request to review policy, bills or legislation and related documents or Advocacy Officer identify the need to review policy, bills or legislation</p> <p>End Point: Advocacy Officer document details of the Decision of the Commission and Analysis Report in Advocacy Database</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ The Commission ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Secretary to the Commission ▪ Advocacy Manager ▪ Advocacy Officer ▪ Record Officer

Stakeholders	Ministry of Industry and Trade, Parliament of Tanzania, Attorney General, Regulatory Authorities, Consumer Associations, Industry Associations, Media House, Business Community and Law Firms
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ Guideline for Policy and Legislation Analysis ▪ Merchandize Mark Act,1963 as amended in 2012
Pre-Conditions	Applicant/user must be authenticated an authorized to access the services
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Review of policy, bills or legislation Initiated by Parties or FCC ▪ Collected desk search information are enough or not enough ▪ Commission reject or accept Analysis Report
Process Input	1. Request for bill, policy or legislation review
Process Flow	<p>Start Case 1: Review of policy, bills or legislation Initiated by Parties</p> <ol style="list-style-type: none"> 1. Party fill form and attach relevant document and submit request to review policy, bills or legislation and related documents 2. System checks minimum requirement and validate the submitted request 3. System generate and assign reference number to the submitted request 4. Director General receive and preview request to review policy, bills or legislation anytime when the application is in progress 5. Director of Research, Mergers and Advocacy receive the directives and preview request to review policy, bills or legislation anytime when the application is In Progress 6. Advocacy Manager receive the request and directives and assign to Advocacy Officer for policy, bills or legislation review 7. Advocacy Officer receive the directives for policy, bills or legislation review and proceed with step number 6 herein below

End Case 1: Review of policy, bills or legislation Initiated by Parties

Start Case 2: Review of policy, bills or legislation Initiated by FCC

1. Advocacy Officer identify the need to review policy, bills or legislation
2. Advocacy Officer prepare proposal for policy, bills or legislation review
3. Advocacy Officer submit prepared proposal for policy, bills or legislation review for vetting process
4. Director of Research, Mergers and Advocacy approve the submitted proposal for policy, bills or legislation review and assign to Advocacy Manager
5. Advocacy Manager receive approved proposal for policy, bills or legislation review and assign to Advocacy Officer for action

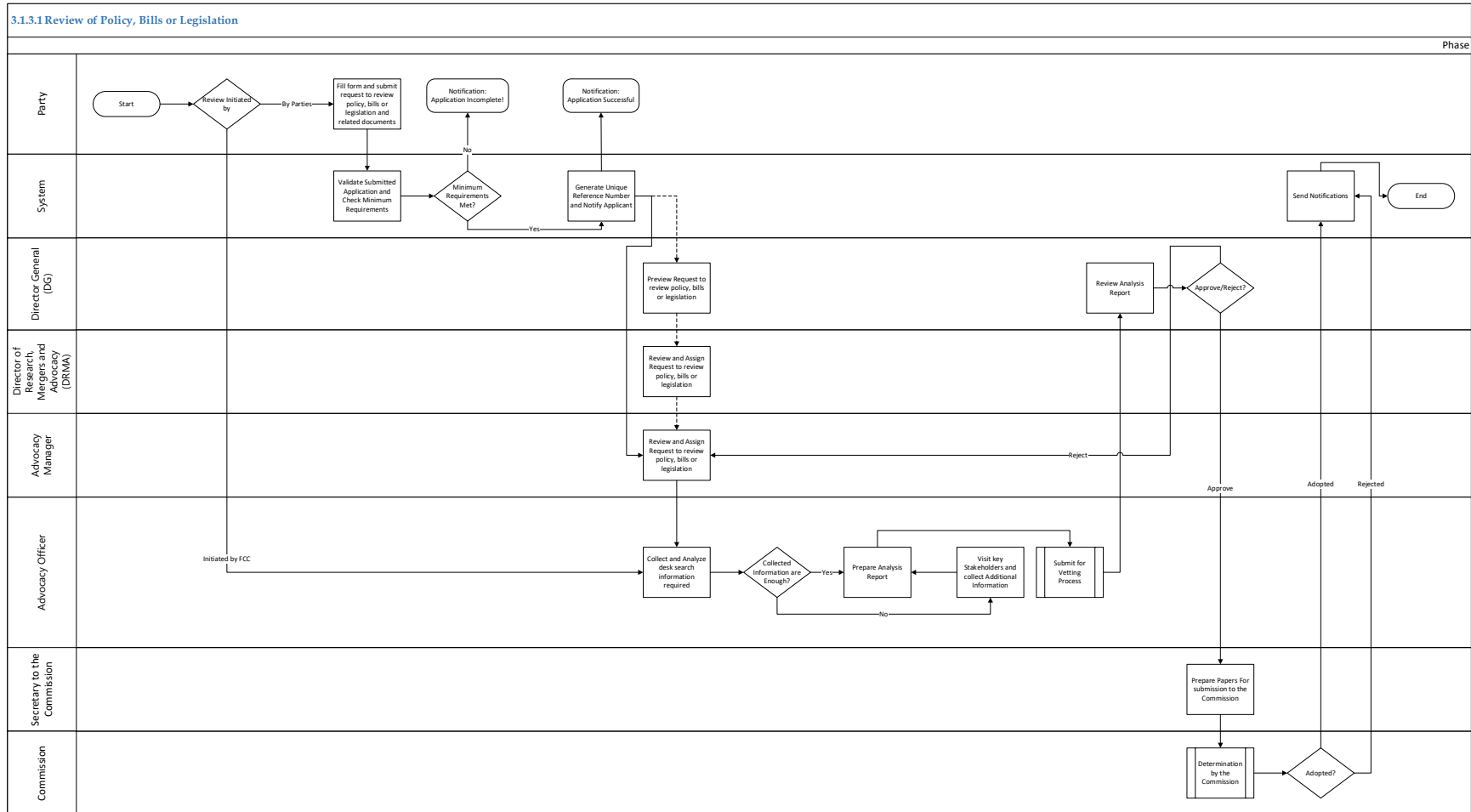
End Case 2: Review of policy, bills or legislation Initiated by FCC

6. Advocacy Officer collect desk search information required for policy, bills or legislation review
7. Advocacy Officer analyse collected information and policy, bills or legislation
8. If collected desk search information are enough, Advocacy Officer proceed with step number 12 to 25 herein below
9. If collected desk search information are not enough, Advocacy Officer engage key stakeholders
10. Advocacy Officer visit key stakeholders and collect additional information and capture in the system
11. Advocacy Officer analyse additional information collected from key stakeholders as well as policy, bills or legislation under review
12. Advocacy Officer prepare Analysis Report for policy, bills or legislation and submit for vetting
13. Director General approve Analysis Report for policy, bills or legislation and assign to Secretary to the Commission
14. The Secretary to the commission prepares notice and submit the document to the management for discussion and recommendation(s)

	<p>15. If Management recommend for Improvement, Secretary to the Commission send to the Director of Research, Mergers and Advocacy for improvement</p> <p>16. If Management adopt the Analysis Report for policy, bills or legislation, Secretary to the Commission prepare notice for the commission meeting and submit the same to the Commission (i.e., FCC Board) together with documents for determination and system send notification to Commission</p> <p>17. The Commission review transmitted Analysis Report for policy, bills or legislation and provide decisions</p> <p>18. If the Commission reject Analysis Report system send notification about Decision of the Commission and Analysis Report to Director of Research, Mergers and Advocacy for reference</p> <p>19. If the Commission approve the Analysis Report, System send notification about Decision of the Commission and Analysis Report to Director of Research, Mergers and Advocacy for reference and to Party for further processing</p> <p>20. Director of Research, Mergers and Advocacy receive Decision of the Commission and Analysis Report and assign to Advocacy Manager for reference</p> <p>21. Advocacy Manager receive Decision of the Commission and Analysis Report and assign to Advocacy Officer for reference</p> <p>22. System stores details of the Decision of the Commission and Analysis Report in Advocacy Register</p>
Process Output	<p>Proposal for policy, bills or legislation review</p> <p>Analysis Report for policy, bills or legislation</p> <p>Updated Advocacy Register</p>
Measurable Outcome	<p>Number of Analysis Reports</p>
Exceptions to Normal Process Flow	<p>Not applicable</p>
Control Points and Measurements	<p>Advocacy Register</p>

	Notice for the commission meeting
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1.1.3.1.1 Process Flow Diagram



1.1.3.2 Public Awareness

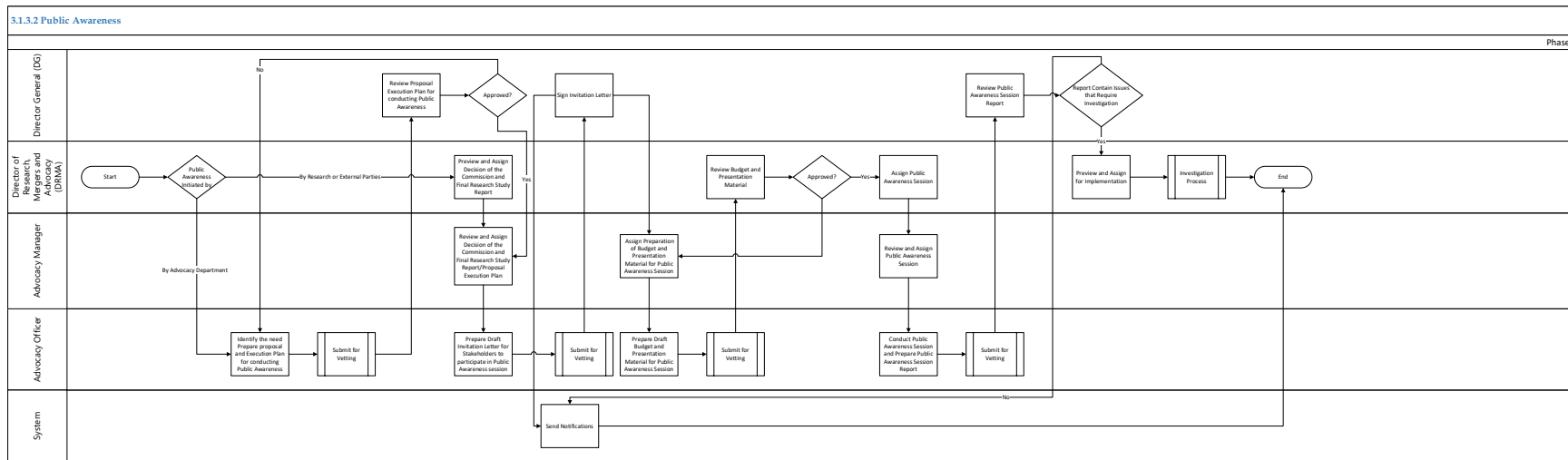
Name of Process	Public Awareness
Process Number	FCC_CBP_CA_TB_14
Process Description	This process entails procedure to conduct public awareness session to promote competition culture in the economy
Process Boundaries	<p>Start Point: Stakeholders or Advocacy Officer identify the need to perform Public Awareness</p> <p>End Point: Advocacy Officer document details of the Public Awareness Session in Advocacy Register</p>
Process Owner	Director of Research, Mergers and Advocacy
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Research, Mergers and Advocacy ▪ Advocacy Manager ▪ Advocacy Officer ▪ Record Officer ▪ Head of Public Relations and Communication ▪ Information and Communication Technology Manager ▪ Procurement Manager
Stakeholders	Ministry of Industry and Trade, Parliament of Tanzania, Attorney General, Regulatory Authorities, Consumer Associations, Industry Associations, Media Houses, Business Community, Law Firms and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ Guideline for Policy and Legislation Analysis ▪ Advocacy Strategy 2023 ▪ Merchandize Mark Act,1963 as amended in 2012
Pre-Conditions	<ul style="list-style-type: none"> ▪ Public awareness Notice ▪ Applicant/user must be authenticated an authorized to access the services

Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Public Awareness Session Report contain or does not contain issues that require investigation
Process Input	Final Research Study Report Public Awareness Needs
Process Flow	<p>Start Case 1: Public Awareness Initiated by Research or External Parties</p> <ol style="list-style-type: none"> 1. Director of Research, Mergers and Advocacy assign decision of the Commission and Final Research Study Report to Advocacy Manager 2. Research Manager receive decision of the Commission and Final Research Study Report and assign to Advocacy Officer for implementation 3. Advocacy Officer proceed with step number 6 herein below <p>End Case 1: Public Awareness Initiated by Research or External Parties</p> <p>Start Case 2: Public Awareness Initiated by Advocacy Department</p> <ol style="list-style-type: none"> 1. Advocacy Officer identify the need to perform Public Awareness 2. Advocacy Officer prepare proposal for conducting Public Awareness and Execution Plan and submit for vetting 3. Director General approve the proposal to conduct Public Awareness and its Execution Plan, and assign to Director of Research, Mergers and Advocacy for implementation 4. Director of Research, Mergers and Advocacy assign approved proposal to conduct Public Awareness and its Execution Plan to Advocacy Manager 5. Advocacy Manager receive approved proposal to conduct Public Awareness and its Execution Plan, and assign to Advocacy Officer for implementation <p>End Case 2: Public Awareness Initiated by Advocacy Department</p>

	<p>6. Advocacy Officer prepare draft Invitation Letter for stakeholders to participate in Public Awareness session and submit for vetting process</p> <p>7. Director General sign Invitation Letter, notification sent to respective stakeholders and to Advocacy Officer for further processing</p> <p>8. Advocacy Officer prepare draft Budget and Presentation Material for Public Awareness Session and submit for vetting process</p> <p>9. Director of Research, Mergers and Advocacy review and approve Budget and Presentation Material and assign to Advocacy Officer for Public Awareness Session</p> <p>10. Advocacy Officer conduct Public Awareness Session using approved Presentation Material</p> <p>11. Advocacy Officer identify Stakeholders who did not appear, so that they will be invited in next Public Awareness Session</p> <p>12. Advocacy Officer prepare Public Awareness Session Report and submit for vetting process</p> <p>13. Director General review Public Awareness Session Report and provide decision</p> <p>14. If the Public Awareness Session Report contain issues that require investigation and has been approved, Director General assign the Decision to Director of Restrictive Trade Practices for implementation</p> <p>15. If the Public Awareness Session Report does not contain issues that require investigation, Director General assign the Public Awareness Session Report and Decision to Director of Research, Mergers and Advocacy for reference</p> <p>16. Director of Research, Mergers and Advocacy assign the Public Awareness Session Report and Decision to Advocacy Manager for reference</p> <p>17. Advocacy Manager assign the Public Awareness Session Report and Decision to Advocacy Officer</p> <p>18. System stores details of the Public Awareness Session in Advocacy Register</p>
Process Output	Public Awareness Session Report
Measurable Outcome	Number of Public Awareness Session Reports

Exceptions to Normal Process Flow	Not Applicable
Control Points and Measurements	Updated Advocacy Register

1.1.3.2.1 Process Flow Diagram



1.2 Restrictive Trade Practices

1.2.1 Consumer Protection

The consumer protection services address matters related to protecting consumers from unfair and misleading market conducts in line with Fair Competition Act, 2003 (FCA). These services include the following business processes: -

- i. Review of standard form consumer Contracts;
- ii. Complaints Handling;
- iii. Complaint Investigation;
- iv. Enforcement;
- v. Interim Compliance Order; and
- vi. Settlement.

1.2.1.1 Review of Standard Form Consumer Contract

Name of Process	Registration (Review) of Standard Form Consumer Contract
Process Number	FCC_CBP_CP_TB_14
Process Description	This process entails review of the submitted dully filled standard form contract and related documents as well as issuance of sealed certificate for approved standard form contract to Applicant
Process Boundaries	Start Point: Submission of dully filled Standard Form Contract (SFC-1) and related documents End Point: Issuance of sealed certificate for approved Standard Form Contract to Applicant
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Consumer Protection Manager ▪ Secretary to the Commission ▪ Consumer Protection Officer ▪ Record Officer ▪ Applicant
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TCRA, BRELA, Consumer Associations, e-GA, Business Community and Development Partners
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulation, 2014 ▪ Review of Standard Form Consumer Contract process shall be completed within 14

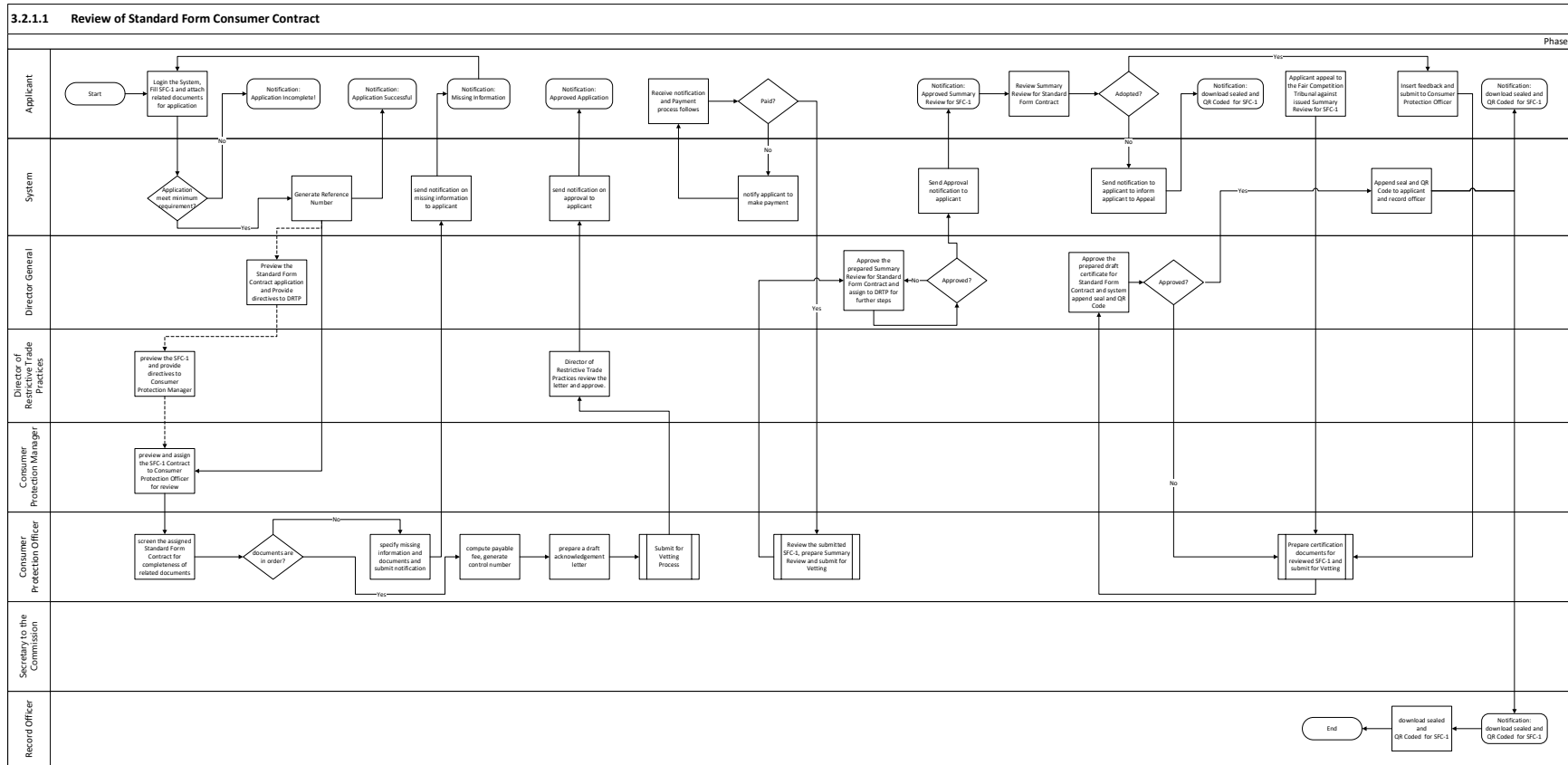
	<ul style="list-style-type: none"> ▪ Within 21 days, the process for approval/Rejection of Standard Form Consumer Contract shall be completed
Pre-Conditions	Registered business under the laws of mainland Tanzania Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approved or rejected recommendations of the Summary Review ▪ Approved or rejected Summary Review after consultation
Process Input	Standard Form Contract (SFC-1) and other legal documents
Process Flow	<ol style="list-style-type: none"> 1. Applicant fill Standard Form Contract (SFC-1), attach related documents for application of reviewing Standard Form Consumer contract and submit 2. If the application does not meet minimum requirement for submission, system notify applicant to complete application and resubmit else system generate unique reference number for the application and notify applicant for successfully application submission 3. Director General preview the Standard Form Contract application and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress 4. Director of Restrictive Trade Practices preview the Standard Form Contract application and provide directives to Consumer Protection Manager anytime when the process is in progress 5. Consumer Protection Manager preview and assign the Standard Form Contract to Consumer Protection Officer for review 6. Consumer Protection Officer screen the assigned Standard Form Contract for completeness of related documents

	<ol style="list-style-type: none">7. If documents are not in order Consumer Protection Officer specify missing information and documents and submit notification8. System send notification to applicant9. The applicant makes changes to the application as per issued notification and re-submit10. Consumer Protection Officer review standard form consumer contract submitted, prepare a draft acknowledgement letter within the system, system compute payable fee, generate control number, and submit for vetting process11. The Director of Restrictive Trade Practices review the letter and approve.12. System send notification to applicant13. Applicant receive notification and pay required fee amount as per control number14. System check and verify if applicant made a payment. If payment made, system allow the application to proceed else notify applicant to make payment15. If payment made Consumer Protection Officer review the submitted Standard Form Contract, prepare Summary Review and submit for vetting processing16. Director General approve the prepared Summary Review for Standard Form Contract and system send notification to applicant for review17. Applicant receive notification, review Summary Review for Standard Form Contract, adopt recommendation and insert feedback and submit to Consumer Protection Officer.18. For rejected Summary review, System send notification to applicant to inform applicant to Appeal to the Fair Competition Tribunal19. For rejected Summary Review after consultation, Applicant appeal to the Fair Competition Tribunal against issued Summary Review for Standard Form Consumer Contract and the final signed summary is uploaded by the Consumer Protection Officer
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	<p>20. Consumer Protection Officer prepare certification documents for reviewed Standard Form Consumer Contract and submit for vetting processing</p> <p>21. Director General approve the prepared draft certificate for Standard Form Contract and system append seal and QR Code</p> <p>22. The applicant receive notification to download sealed and QR Coded Standard Form Contract whereas other parties receive notification for process completion.</p> <p>23. Record Officer download sealed certificate for Standard Form Contract and add to the applicant file in registry</p>
Process Output	<p>Issued notice of certificate for approved Standard Form Contract</p> <p>Issued notice of summary review of Standard Form Contract</p> <p>Issued notice to Appeal to the Fair Competition Tribunal</p> <p>Issued notice to make payment for the application</p> <p>Notification to all parties on process completion</p> <p>Certificate for approved Standard Form Contract</p>
Measurable Outcome	Number of approved Standard Form Contracts
Exceptions to Normal Process Flow	<p>Review of Standard Form Contract does not apply to: -</p> <ul style="list-style-type: none"> ▪ Business to Business Standard Form Contracts ▪ Industrial relations and collective bargains agreements between employers and employee ▪ Succession and Family matters <p>In case of zone</p>

	<ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<ol style="list-style-type: none"> 1. Validated Standard Form Consumer Contract 2. Issued notice of summary review of Standard Form Contract 3. Issues notice to Appeal to the Fair Competition Tribunal 4. Issued notice to make payment for the application 5. Sealed certificate for approved Standard Form Contract

1.2.1.1.1 Process Flow Diagram



1.2.1.2 Handling of Consumer Complaint

Name of Process	Handling of Consumer Complaint
Process Number	FCC_CBP_CP_TB_15
Process Description	This process entails review of submitted complaints form (SFC-2), issuing notification on complaint filed with the Commission (SFC-3) as well as approved legal opinion to Respondent and document details in complaint register
Process Boundaries	<p>Start Point: Submission of filled Complaints Form (SFC-2) to the Commission</p> <p>End Point: Documentation of presented complaints details and approved legal opinions in the system</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer ▪ Complainant ▪ Respondent
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TCRA, BRELA, Consumer Associations, e-GA, Business community, Development Partner and general public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulation, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	<p>Complainant should be a final consumer</p> <p>Applicant Authenticated and authorized to access the service</p>

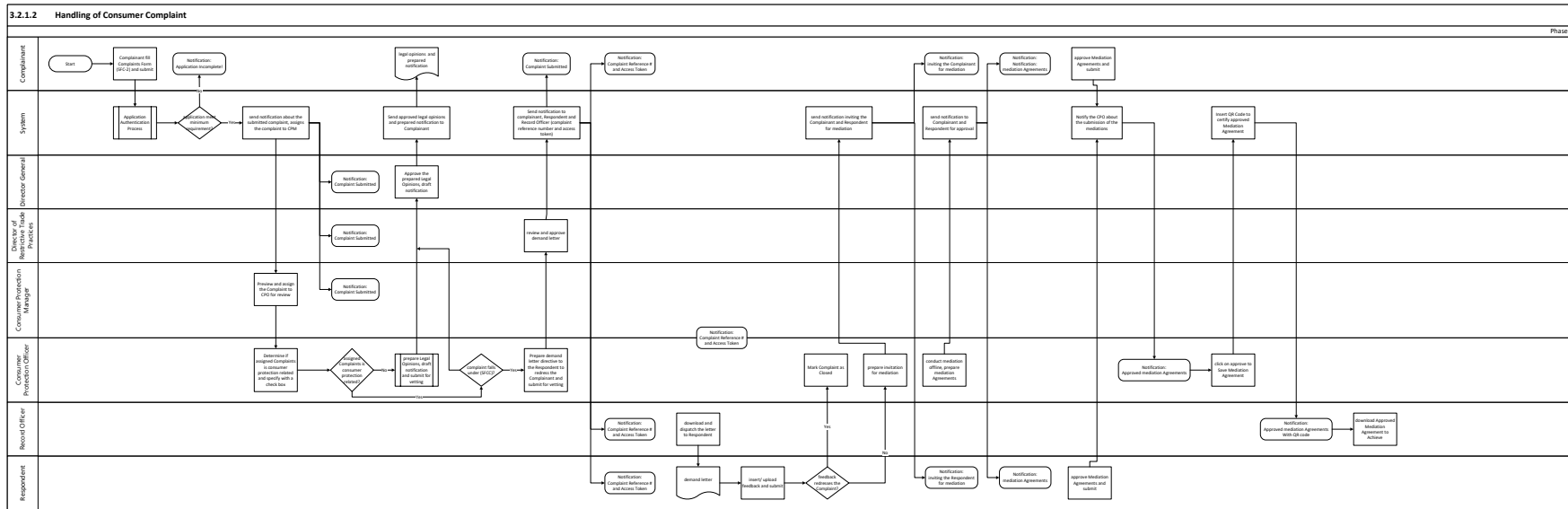
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Complaint should or should not be entertained ▪ Rejected complaint, complainant to be notified ▪ Entertained complaint, notification to Respondent ▪ Written feedback from Respondent on redress or does not redress Complaint as per demand letter ▪ Mediation Agreements establish or does not establish need for investigation ▪ Submission of defence within or beyond fourteen (14) days
Process Input	Filled Complaints Form (SFC-2)
Process Flow	<ol style="list-style-type: none"> 1. Complainant fill Complaints Form (SFC-2) and submit 2. If the application does not meet minimum requirement for submission, system notify applicant to complete application and resubmit else system generate unique reference number for the application and notify applicant for successfully application submission 3. Director General preview the submitted complaint and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress 4. Director of Restrictive Trade Practices preview submitted complaint and provide directives to Consumer Protection Manager anytime when the process is in progress 5. Consumer Protection Manager preview and assign the Complaint to Consumer Protection Officer for review 6. Consumer Protection Officer determines if assigned Complaints is consumer protection related and specify with a check box 7. If assigned complaints is not consumer protection related, Consumer Protection Officer prepare Legal Opinion, draft notification and submit for vetting processing

	<ol style="list-style-type: none">8. Director General approve (QR Code embedded automatically on approval) the prepared Legal Opinion, draft notification and notification is sent to complainant9. System send approved Legal Opinion (guiding the complainant to present complaints to respective Authority with competent jurisdiction) and prepared notification to Complainant10. If assigned complaint is consumer protection related, Consumer Protection Officer determine if the complaint falls under Standard Form Consumer Contract (SFCC) or Goods and Consumer Services that does not use SFCC11. For Complaint that falls under Goods and Consumer Services that does not use SFCC, Consumer Protection Officer prepare demand letter to the Respondent to redress the Complainant and submit for vetting processing12. Director of Restrictive Trade Practices review and sign (Signature and QR Code embedded automatically) demand letter13. The system send notification to complainant and Respondent (if details available- send complaint reference number and access token)/Record Officer for printing and dispatch to the Respondent14. Record Officer download and dispatch the letter to Respondent15. The Respondent (using complaint reference number and access token) and complainant insert/ upload feedback and submit16. If the written feedback redresses the Complaint as per demand letter, Consumer Protection Officer mark that Complaint as closed17. If the written feedback does not redress the Complaint as per demand letter, Consumer Protection Officer prepare invitation for mediation and trigger the system to send notification inviting the Complainant and Respondent for mediation18. System send notification to Complainant and Respondent19. Consumer Protection Officer conduct mediation offline, prepare mediation Agreements and send notification to Complainant and Respondent for approval
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	<ol style="list-style-type: none">20. The Respondent (using complaint reference number and access token) and complainant check to approve Mediation Agreements and submit21. The Consumer Protection Officer receive notification on submission of Respondent and Complainant, click on approve to Save Mediation Agreement22. System Insert QR Code to certify approved Mediation Agreement and send notification to and Record Officer to archive23. Record Officer download Approved Mediation Agreement, print and save in Registry24. If the Mediation Agreements establish need for investigation, Consumer Protection Officer prepare Legal Opinion and proceed with step number 33 to 37 herein below25. For Complaint that falls under Standard Form Consumer Contract, Consumer Protection Officer fill notification on Complaint Filed with the Commission (SFC-3), notify Respondent on filed complaint and submit SFC-3 for vetting processing26. Director General Approve (Signature and QR Code embedded automatically on approval) the submitted Notification on Complaint Filed with the Commission (SFC-3)27. System send notification (with complaint reference number and access token) to Respondent28. The Respondent (with complaint reference number and access token) access the system and submit defence29. If Respondent has not submitted defence within fourteen (14) days, Consumer Protection Officer prepare Final Legal Opinion based on presented complaints30. If Respondent has submitted defence within fourteen (14) days, Consumer Protection Officer perform defence analysis against presented complaints and prepare Final Legal Opinion in the system and submit for vetting processing31. Director General approve (QR Code embedded automatically on approval) the submitted Legal Opinion and assign the Director of
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	Restrictive Trade Practices whereas other parties receive notification for process completion.
Process Output	<ul style="list-style-type: none"> ▪ Mediation Agreements ▪ Approved Legal Opinions
Measurable Outcome	<p>Number of Approved Legal Opinions</p> <p>Number of redressed & non-redressed complaints</p>
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Complaints Register ▪ Notification on Complaint Filed ▪ Approved Legal Opinion

1.2.1.2.1 Process Flow Diagram



1.2.1.3 Investigation of Consumer Complaint

Name of Process	Investigation of Consumer Complaint
Process Number	FCC_CBP_CP_TB_16
Process Description	This process entails investigation of submitted complaints according to directives issued by Director General
Process Boundaries	<p>Start Point: Director General assign approved Legal Opinion and provide directives to Director of Restrictive Trade Practices for implementation</p> <p>End Point: Director General approve the Investigation Report</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer ▪ Complainant
Stakeholders	Ministry of Industry and Trade, FCT, TIRA, TCRA, EWURA, TBS, WMA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	<p>Approved Legal Opinions</p> <p>Applicant Authenticated and authorized to access the service</p>
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Complaint should or should not be entertained ▪ Complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons

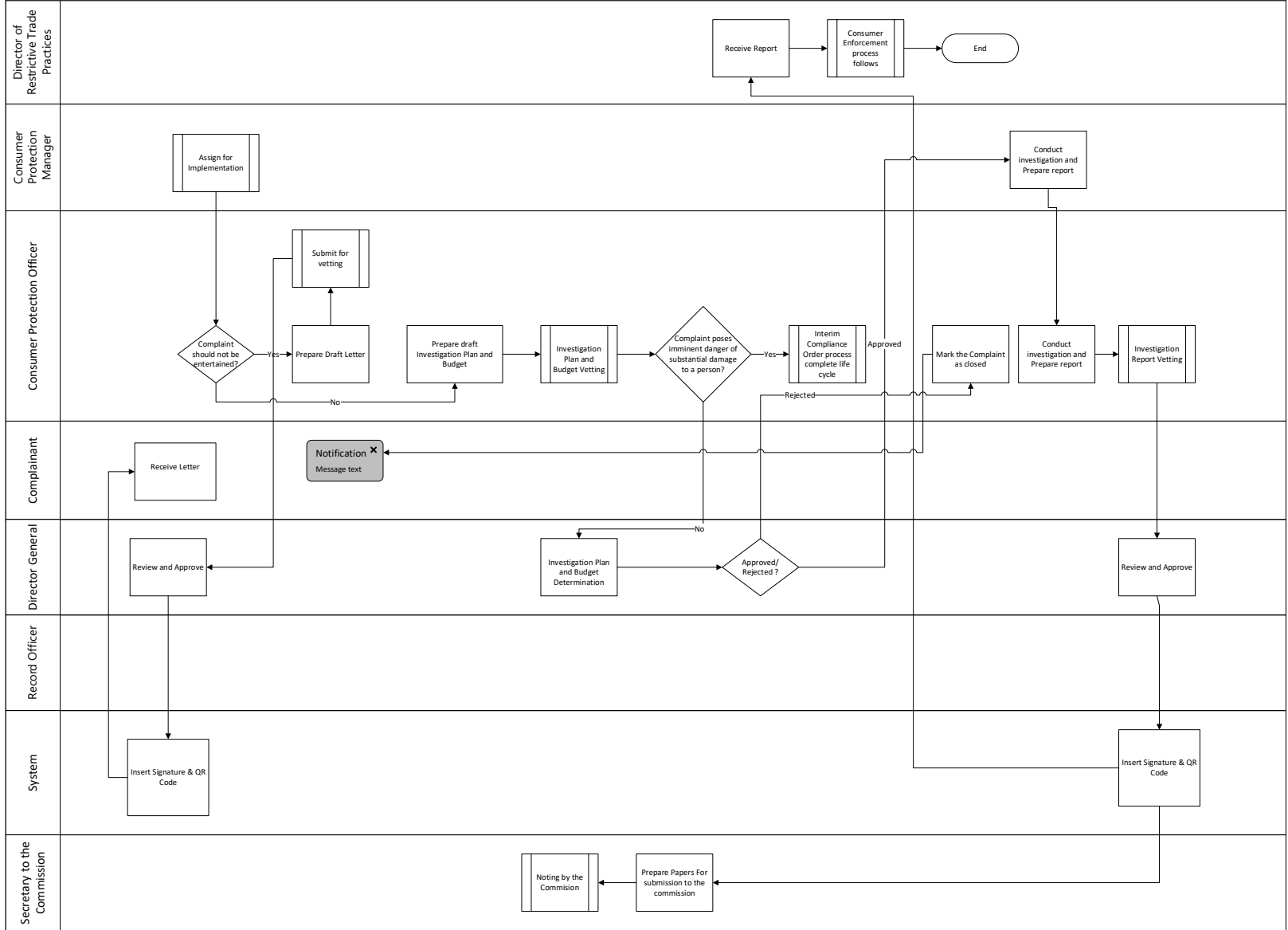
	<ul style="list-style-type: none"> ▪ Approve or reject Investigation Plan and Budget
Process Input	Approved Legal opinion
Process Flow	<ol style="list-style-type: none"> 1. Director of Restrictive Trade Practices receive directives from Director General and assign to Consumer Protection Manager for implementation 2. Consumer Protection Manager assign the directives to Consumer Protection Officer for implementation 3. If the directives entail that the complaint should not be entertained, Consumer Protection Officer prepare draft letter within the system narrating reason(s) for rejection and submit for vetting processing 4. Director General approve (Signature and QR Code embedded automatically on approval) the prepared draft letter and notification letter is sent to complainant that complaint will not be entertained 5. If the directives entail that the complaint should be entertained, Consumer Protection Officer generates complaint number (automatically generated), prepare draft Investigation Plan and Budget and submit for vetting processing 6. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle 7. Director General approve (Signature and QR Code embedded automatically on approval) the Investigation Plan and Budget and notification is sent to parties for action 8. Consumer Protection Manager assign Consumer Protection Officer for action 9. If the Investigation Plan and Budget is rejected, Consumer Protection Officer mark the Complaint as closed and notify complainant 10. If the Investigation Plan and Budget is approved, Consumer Protection Officer conduct investigation 11. Consumer Protection Officer prepare draft Investigation Report and submit for vetting processing 12. Director General approve (QR Code embedded automatically on approval) the Investigation Report, assign to Director of Restrictive Trade

	<p>Practices for action and notification is sent to Secretary to the Commission to submit approved Investigation Report to the Commission</p> <p>13. Director of Restrictive Trade Practices receive the report and Consumer Enforcement process follows.</p>
Process Output	Approved Investigation Report
Measurable Outcome	Number of Approved Investigation Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Investigation Plan and Budget ▪ Approved Investigation Report

1.2.1.3.1 Process Flow Diagram

3.2.1.3 Investigation of Consumer Complaint

Phase



1.2.1.4 Consumer Enforcement

Name of Process	Consumer Enforcement
Process Number	FCC_CBP_CP_TB_17
Process Description	This process entails procedure for enforcement of the complaint after approval of the investigation report
Process Boundaries	<p>Start Point: Director General assign Investigation Report to Director of Restrictive Trade Practices for further steps</p> <p>End Point: System notify Respondent on the Final Finding</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to the Commission ▪ Consumer Protection Manager ▪ Investigation Officer ▪ Consumer Protection Officer ▪ Record Officer ▪ Respondent ▪ Procurement Manager ▪ Information and Communication Manager ▪ Head of Public Relations and Communication
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Approved Investigation Report

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ There is a case or there is no case to answer ▪ The Commission reject or adopt Investigation Report ▪ Submission of non-confidential version of the provisional findings or written submissions ▪ Respondent has or has not submitted non-confidential version ▪ Written submission does or does not contain request for settlement ▪ Respondent applied or did not apply for oral presentation ▪ Respondent appear or did not appear for oral representation
Process Input	Approved Investigation Report
Process Flow	<ol style="list-style-type: none"> 1. Director General send notification on Investigation Report to Director of Restrictive Trade Practices and parties for further steps <p>Start Case 1: There is No Case to Answer</p> <ol style="list-style-type: none"> 2. Consumer Protection Manager, assign Consumer Protection Officer to prepare a letter informing the Respondent that Commission shall not take any further action 3. Consumer Protection Officer prepare and submit draft letter for vetting processing 4. Director General review, approve (Signature and QR Code embedded automatically on approval) the letter 5. The applicant receive notification to download Signed and QR Coded Letter whereas other parties receive notification for process completion. 6. Record Officer download signed and QR Coded Letter and add to the complainant file in registry <p>End Case 1: There is No Case to Answer</p> <p>Start Case 2: There is a Case to Answer</p> <ol style="list-style-type: none"> 7. Consumer Protection Officer prepare and submit Statement of the Case for vetting processing

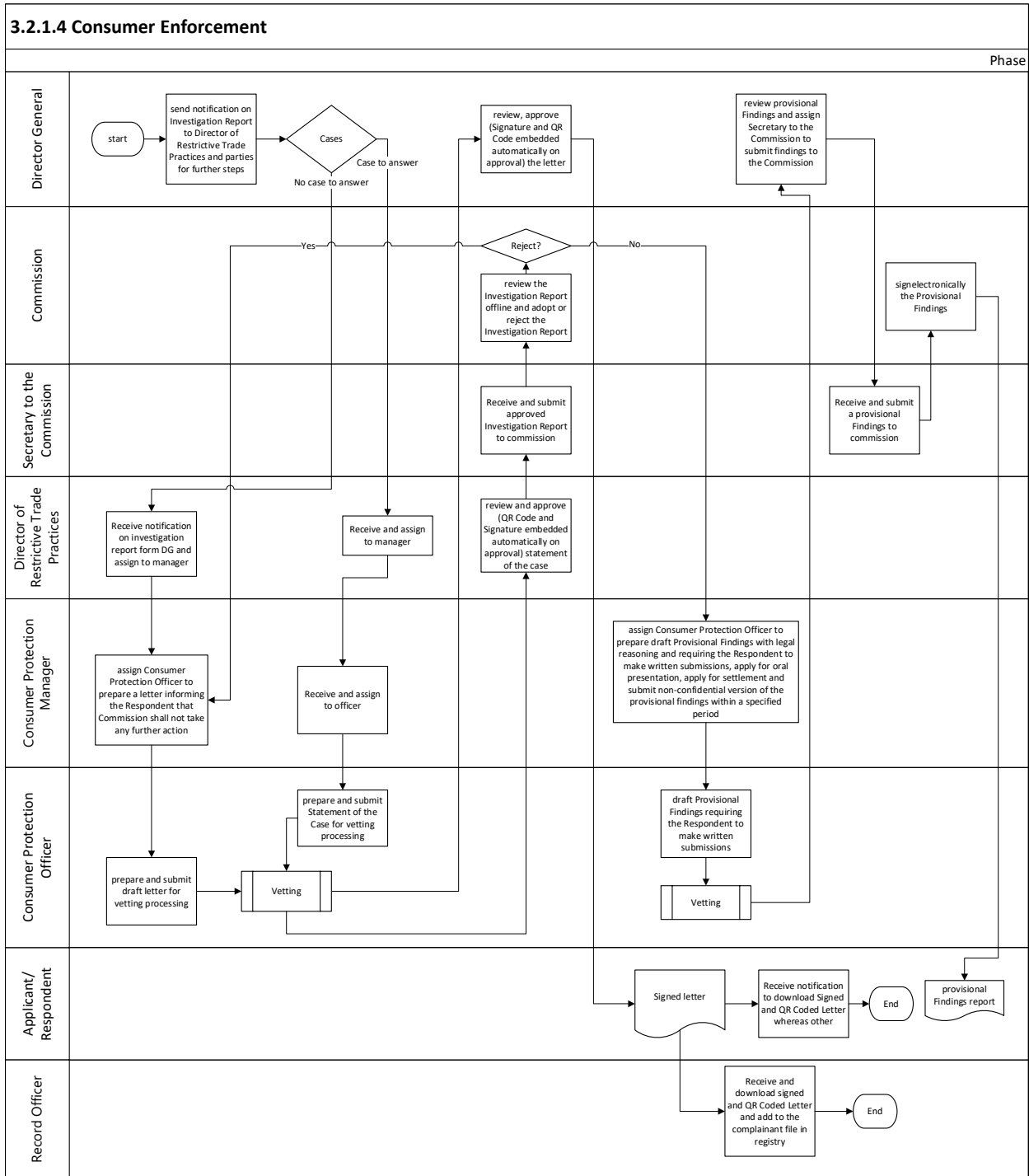
	<p>8. Director of Restrictive Trade Practices review and approve (QR Code and Signature embedded automatically on approval) statement of the case and system send notification</p> <p>9. Secretary to the Commission submit approved Investigation Report using <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>10. The Commission review the Investigation Report offline and adopt or reject the Investigation Report</p> <p>End Case 2: There is a Case to Answer</p> <p>Start Case 3: The Commission Reject Investigation Report</p> <p>11. Repeat Process Number 2 to 6 of the Enforcement Process</p> <p>End Case 3: The Commission Reject Investigation Report</p> <p>Start Case 4: The Commission Adopt Investigation Report</p> <p>12. Consumer Protection Manager assign Consumer Protection Officer to prepare draft Provisional Findings with legal reasoning and requiring the Respondent to make written submissions, apply for oral presentation, apply for settlement and submit non-confidential version of the provisional findings within a specified period</p> <p>13. Consumer Protection Officer draft Provisional Findings requiring the Respondent to make written submissions, apply for oral presentation, apply for settlement and submit non-confidential version of the provisional findings within a specified period and submit for vetting processing</p> <p>14. The Director General review provisional Findings and assign Secretary to the Commission to submit findings to the Commission</p> <p>15. Secretary to the Commission submit a provisional Findings <i>submission of papers to the Commission process lifecycle (Determination by the Commission)</i></p> <p>16. The Commission sign (offline) the Provisional Findings and assign Secretary to the Commission</p>
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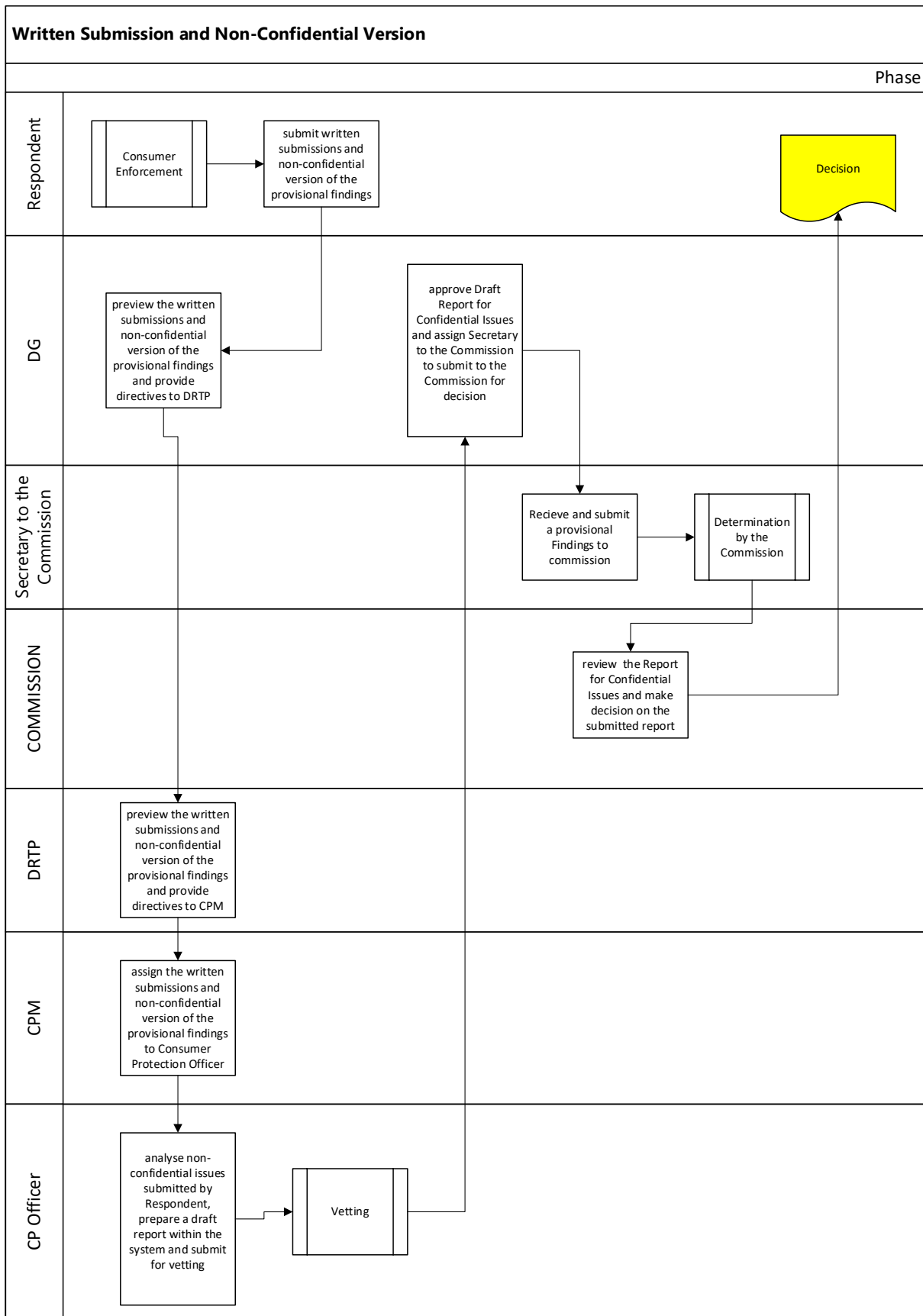
	<p>17. Secretary to the commission upload signed Provisional Findings to save in the system and notification (including complaint reference number and access token) sent to the Respondent</p> <p>End Case 4: The Commission Adopt Investigation Report</p> <p>18. The Respondent (using complaint reference number and access token) and submit written submissions and non-confidential version of the provisional findings</p> <p>Start Case 5: Analysis of Written Submission and Non-Confidential Version</p> <p>19. Director General preview the written submissions and non-confidential version of the provisional findings and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress</p> <p>20. Director of Restrictive Trade Practices preview the written submissions and non-confidential version of the provisional findings and provide directives to Consumer Protection Manager anytime when the process is in progress</p> <p>21. Consumer Protection Manager assign the written submissions and non-confidential version of the provisional findings to Consumer Protection Officer to ascertain the declared confidentiality</p> <p>22. Consumer Protection Officer analyse non-confidential issues submitted by Respondent, prepare a draft report within the system and submit for vetting processing</p> <p>23. Director general approve Draft Report for Confidential Issues and assign Secretary to the Commission to submit to the Commission for decision</p> <p>24. Secretary to the Commission submit a provisional Findings <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>25. The Commission review (offline) the Report for Confidential Issues and make decision on the submitted report and assign to Secretary to the Commission for dispatch to the Respondent</p>
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	<p>26. Secretary to the commission upload decision of the Commission to save in the system and notification (including complaint reference number and access token) sent to the Respondent</p> <p>27. The Respondent receive notification to download Commission decision whereas other parties receive notification</p> <p>28. If Respondent has not submitted non-confidential version, Commission publishes the non-confidential version of the provisional findings in the Commissions websites and widely circulating newspapers providing link on how to submit comments</p> <p>29. The public submit comments through provided link</p> <p>30. Consumer Protection Manager assign Consumer Protection Officer for analysis</p> <p>31. Consumer Protection Officer analyse written submission from the Respondent and informed comments from the public and submit Draft Analysis report for vetting processing</p> <p>32. If the written submission from Respondent contain request for settlement, Settlement process complete life cycle follows</p> <p>33. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle</p> <p>34. Director General approve (QR Code embedded automatically on approval) the Analysis Report for Written Submission and cause oral hearing to be conducted</p> <p>35. If the Respondent applied for oral presentation, The Commission invite the Respondents to make oral presentations (offline)</p> <p>36. If the Respondent appear for oral representation, the Commission conduct oral hearing and prepare transcript of the oral representation meeting</p> <p>37. The Commission serve the prepared transcript of the oral representation meeting to the Respondent for confirmation (including reference number and access token)</p>
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	<p>38. Respondent (using provide reference number and access token) submit confirmed transcript of oral representation meeting to the Commission</p> <p>39. If the Respondent did not apply or appear for oral representation, and did not submit written submission, the Commission prepare Final Findings</p> <p>End Case 5: Analysis of Written Submission and Non-Confidential Version</p>
Process Output	<ul style="list-style-type: none"> ▪ Provisional Finding ▪ Statement of a Case/Letter to inform the respondent that Commission shall not take any further action ▪ Final Findings
Measurable Outcome	Number of Approved Final Findings
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	<p>Issuance of Provisional Finding to Respondent</p> <p>Statement of a Case</p> <p>Provisional Finding</p>

1.2.1.4.1 Process Flow Diagram





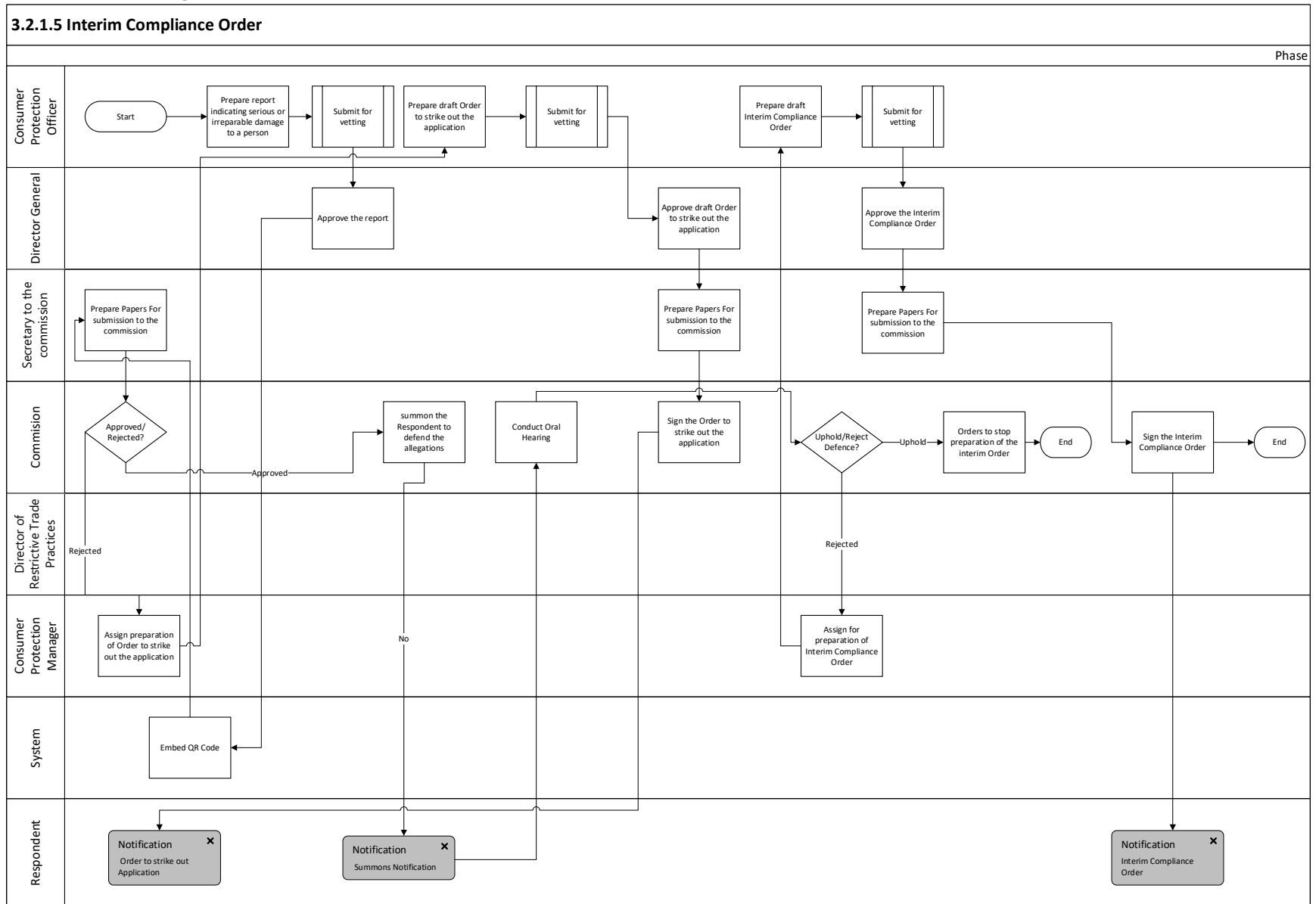
1.2.1.5 Interim Compliance Order

Name of Process	Interim Compliance Order
Process Number	FCC_CBP_CP_TB_18
Process Description	This process entails procedure for issuing interim compliance order for complaints that poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Boundaries	<p>Start Point: Consumer Protection Officer prepare report indicating serious or irreparable damage to a person</p> <p>End Point: Secretary to the Commission document details of the order in Interim Compliance Order Register</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to the Commission ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	<ul style="list-style-type: none"> ▪ Commission approve or reject the report indicating serious or irreparable damage to a person ▪ Commission reject or uphold the defence
Process Input	Details of Interim Compliance Order
Process Flow	<ol style="list-style-type: none"> 1. Consumer Protection Officer prepare report indicating serious or irreparable damage to a person 2. Consumer Protection Officer submit report indicating serious or irreparable damage to a person for vetting processing 3. Director General approve (QR Code embedded automatically on approval) the report indicating serious or irreparable damage to a person and submit to the Commission for decision and Order 4. If Commission reject the report indicating serious or irreparable damage to a person, The Commission issue the order to strike out application for Interim Compliance Order 5. The Director of Restrictive Trade Practices prepare the Order to strike out the application for Interim Compliance Order and submit to the Commission for signatures 6. The Commission sign the Order to strike out the application for Interim Compliance Order and notification is sent to the Respondent 7. If Commission approve the report indicating serious or irreparable damage to a person, the Commission summons the Respondent to defend the allegations 8. The Commission conduct oral hearing and make determination on the defence by the Respondent 9. If the Commission uphold the defence, the Commission orders to stop preparation of the interim Order 10. If the Commission reject the defence, Commission directs the Director General to prepare draft Interim Compliance Order 11. Secretary to the Commission prepare draft Interim Compliance Order and submit to the Director General for review and approval 12. The Director General review, approve the Interim Compliance Order and submit

	<p>13. Secretary to the Commission submit Interim Compliance Order to the Commission</p> <p>14. The Commission sign the Interim Compliance Order in the system and notification is sent to the Respondent</p>
Process Output	Interim Compliance Order
Measurable Outcome	Number of issued Interim Compliance Order
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General
Control Points and Measurements	Updated Interim Compliance Order Register

1.2.1.5.1 Process Flow Diagram



1.2.1.6 Settlement

Name of Process	Settlement
Process Number	FCC_CBP_CP_TB_19
Process Description	This process entails the review of submitted application for settlement and issuance of Settlement Compliance Agreement
Process Boundaries	Start Point: Receiving application for settlement from the Applicant End Point: System send Settlement Compliance Agreements to Applicant
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to The Commission ▪ Consumer Protection Manager ▪ Consumer Protection Officer ▪ Record Officer ▪ Applicant ▪ Respondent
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulations, 2014 ▪ The Fair Commission Consumer Complaint Internal Procedure, 2022
Pre-Conditions	Submitted application for settlement Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises

<p>Decisions associated with the process</p>	<ul style="list-style-type: none"> ▪ The Commission grants or reject the application for Settlement ▪ The Commission accept or reject the Settlement Plan ▪ The Commission approve or reject Settlement Report
<p>Process Input</p>	<p>Application for Settlement</p>
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Applicant fill settlement form (using complaint reference number and access token) and submit 2. The Director general receive the application for settlement from the Applicant and assign Secretary to the Commission to submit to the Commission for approval 3. Secretary to the Commission submit application for settlement using <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i> 4. If the Commission reject the application for settlement, the Commission orders the Secretary to the Commission to serve the Order to strike out the application for settlement to the Applicant 5. Secretary to the commission prepare order of strike out of the application and send notification to the Applicant 6. If the Commission grants the application for Settlement, the Commission orders the Applicant to submit Settlement Plan within a specified period of time 7. Applicant prepare Settlement Plan (using complaint reference number and access token) and submit to the Commission 8. Director General preview the Settlement Plan and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress 9. Director of Restrictive Trade Practices preview the Settlement Plan and provide directives to Consumer Protection Manager anytime when the process is in progress 10. Consumer Protection Manager review the settlement and assign to the Consumer Protection Officer for analysis

	<ol style="list-style-type: none">11. Consumer Protection Officer analyse the Settlement Plan and submit Analysis Report for vetting processing12. Director General approve (QR Code embedded automatically on approval) the Analysis Report and submit13. Secretary to the Commission submit a provisional Findings <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i>14. If the Commission rejects the Settlement Plan, the Commission orders the Applicant to resubmit a fresh Settlement Plan addressing specific issues as provided in the Order15. If the Commission accept the Settlement Plan as it is, proceed with step number 25 herein below16. If the Commission accept the Settlement Plan with conditions, the Commission direct the Director General to constitute a technical team for scrutinization of Settlement Plan and submit the report17. Director General constitute a technical team and assign Terms of Reference for scrutinization of Settlement Plan18. The Technical Team prepare Negotiation Plan in line with directives of the Commission19. The Technical Team engage in settlement process with the Applicant and prepare Settlement Report evidencing Applicant's agreement to terms of settlement or reason(s) for settlement failure20. The Technical Team submit prepared Settlement Report to Director General for approval21. Director General approve (QR Code embedded automatically on approval) the prepared Settlement Report and submit to the Commission for determination22. The Commission review the Settlement Report and provide decision23. For rejected Settlement Report, Enforcement Process life cycle follows
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	<p>24. For approved Settlement Report, the Commission direct the Director General to prepare Settlement Compliance Agreement</p> <p>25. Director General Assign Directorate of Restrictive Trade Practices to prepare draft Settlement Compliance Agreement</p> <p>26. Consumer Protection Manager review and assign to the Consumer Protection Officer to prepare the agreement</p> <p>27. Consumer Protection Officer prepare draft Settlement Compliance Agreement and submit for vetting processing</p> <p>28. Director General recommend the draft Settlement Compliance Agreement and submit</p> <p>29. Secretary to the Commission submit a provisional Findings <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>30. The Commission approve Settlement Compliance Agreement and notification is sent to applicant for signature</p> <p>31. Applicant receive notification including reference number and access token, sign the provisional finding, submit and notification is sent to the commission and other parties.</p>
Process Output	<p>Settlement Compliance Agreement</p> <p>Order to strike out the application for settlement</p> <p>Settlement Plan</p> <p>Analysis Report</p> <p>Negotiation Plan</p> <p>Settlement Report</p>
Measurable Outcome	<p>Number of issued Settlement Compliance Agreement</p>
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General 2. Head of Zone submission goes Directly to the Director General

Control Points and Measurements	<ul style="list-style-type: none">▪ Settlement plan▪ Negotiation Plan
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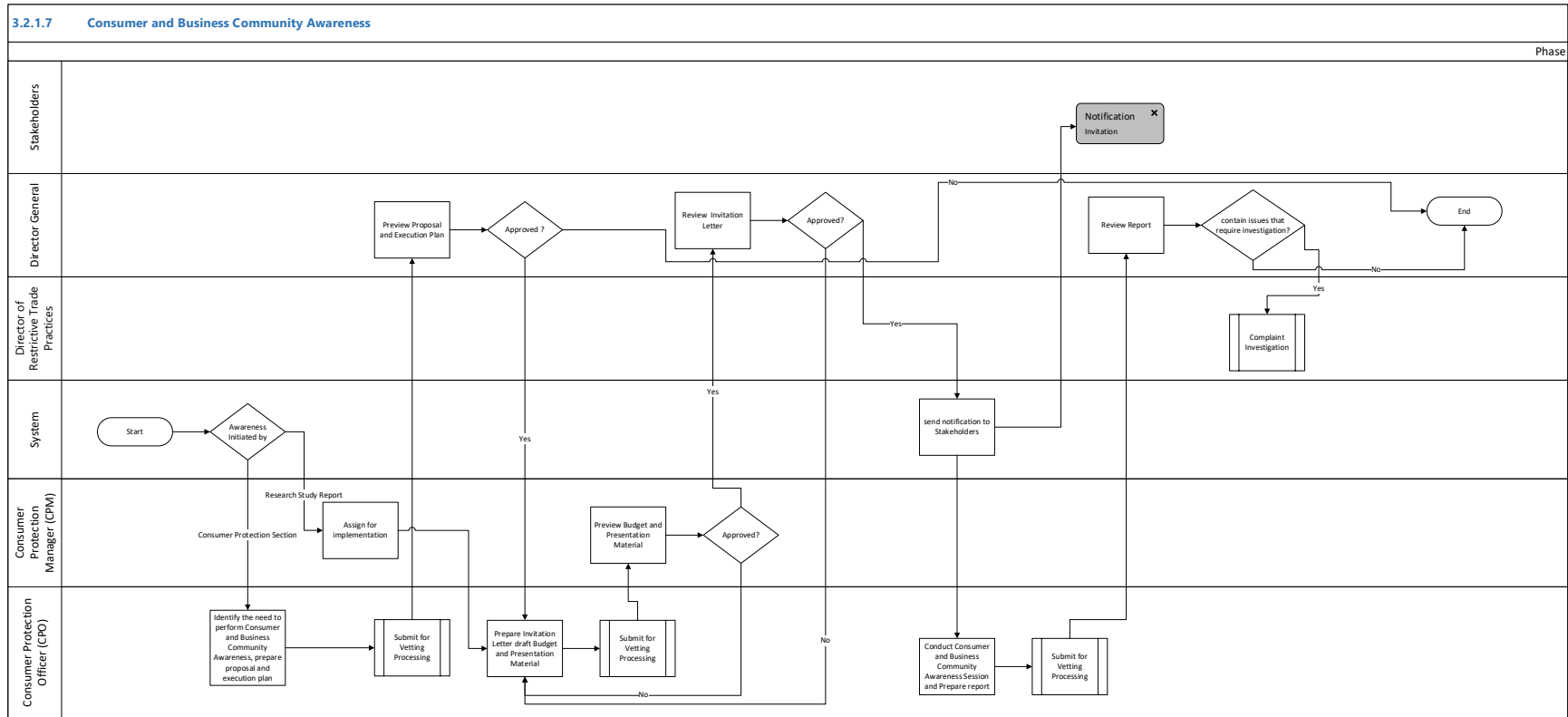
1.2.1.7 Consumer and Business Community Awareness

Name of Process	Consumer and Business Community Awareness
Process Number	FCC_CBP_CP_TB_25
Process Description	This process entails procedure to conduct Consumer and Business Community Awareness session to promote consumer welfare
Process Boundaries	Start Point: Stakeholders or Consumer Protection Officer identify the need to perform Consumer and Business Community Awareness session End Point: Officer document details of Consumer and Business Community Awareness session in Awareness Register
Process Owner	Director of Restrictive Trade Practice
Process Actors	<ul style="list-style-type: none"> • Director General • Director of Restrictive Trade Practice • Consumer Protection Manager • Consumer Protection Officer
Stakeholders	Ministry of Industry and Trade, Parliament of Tanzania, Attorney General, Regulatory Authorities, Consumer Associations, Industry Associations, Media Houses, Business Community, Law Firms and General Public
Business Rules	<ul style="list-style-type: none"> • Fair Competition Act, 2003 • The standard Form (Consumer Contacts) Regulation of 2014 • The consumer Handling Procedure of 2022 • Product recall Guideline • General Consumer Complaints Handling Standard Operating Procedures, 2023 • Market Investigation Guidelines for Consumer Protection, 2023 • Registration of Standard Form Consumer Contracts (SFCCS) Standard Operating Procedures, 2023 • Guideline to Consumer Protections
Pre-Conditions	Consumer and Business Community Awareness Notice Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Consumer and Business Community Awareness Session Report contain or does not contain issues that require investigation
Process Input	Start Case 1: Consumer and Business Community Awareness Initiated by Research or External Parties

	<ol style="list-style-type: none"> 1. Director of Restrictive Trade Practice assign decision of the Commission and Final Research Study Report to Consumer Protection Manager 2. Consumer Protection Manager receive decision of the Commission and Final Research Study Report and assign to Consumer Protection Officer for implementation 3. Consumer Protection Officer proceed with step number 9 herein below <p>End Case 1: Consumer and Business Community Awareness Initiated by Research or External Parties</p> <p>Start Case 2: Consumer and Business Community Awareness Initiated by Consumer Protection section</p> <ol style="list-style-type: none"> 4. Consumer Protection Officer identify the need to perform Consumer and Business Community Awareness, prepare proposal and execution plan and submit for vetting processing 5. Director General approve the proposal to conduct Consumer and Business Community Awareness and its Execution Plan and notification is sent to responsible parties 6. Director of Restrictive Trade Practice preview approved proposal to conduct Consumer and Business Community Awareness and its Execution Plan and provide directives to Consumer Protection Manager anytime when the process is in progress 7. Consumer Protection Manager receive approved proposal to conduct Consumer and Business Community Awareness and its Execution Plan, and assign to Advocacy Officer for implementation <p>End Case 2: Public Awareness Initiated by Consumer Protection Section</p> <ol style="list-style-type: none"> 8. Consumer Protection Officer prepare draft Invitation Letter for stakeholders to participate in Consumer and Business Community Awareness session, prepare draft Budget and Presentation Material and submit for vetting processing 9. Director of Restrictive Trade Practice review and approve Budget and Presentation Material and notification is sent to Consumer Protection Officer for further processes 10. Director General Sign Invitation Letter (Signature and QR Code Automatically Embedded) and notification is sent to respective stakeholder 11. Consumer Protection Officer Conduct Consumer and Business Community Awareness Session using approved Presentation Material 12. Consumer Protection Officer identify Stakeholders who did not appear, so that they will be invited in next Consumer and Business Community Awareness Session
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	<p>13. Consumer Protection Officer prepare Consumer and Business Community Awareness Session Report and submit for vetting processing</p> <p>14. Director General Review Consumer and Business Community Awareness Session Report and provide decision</p> <p>15. If the Consumer and Business Community Awareness Session Report contain issues that require investigation and has been approved, Director General assign the Decision to Director of Restrictive Trade Practices for implementation</p> <p>16. If the Consumer and Business Community Awareness Session Report does not contain issues that require investigation the Director General note and notification is sent to parties</p>
Process Output	Consumer and Business Community Awareness Session Report
Measurable Outcome	Number of Consumer and Business Community Awareness Session Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <p>1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Director General</p> <p>2. Head of Zone submission goes directly to the Director General</p>
Control Points and Measurements	Updated Consumer Protection Awareness Register

1.2.1.7.1 Process Flow Diagram



1.2.2 Investigation and Enforcement (Anti-Monopoly and Anti-Cartel)

Investigation and Enforcement services deals with investigation and enforcement of matters related to anti-competitive agreements, abuse of dominance and un-notified mergers in line with Fair Competition Act, 2003 (FCA). These services include the following business processes: -

- i. Complaint Management
- ii. Complaint Investigation
- iii. Enforcement
- iv. Interim Compliance Order
- v. Settlement

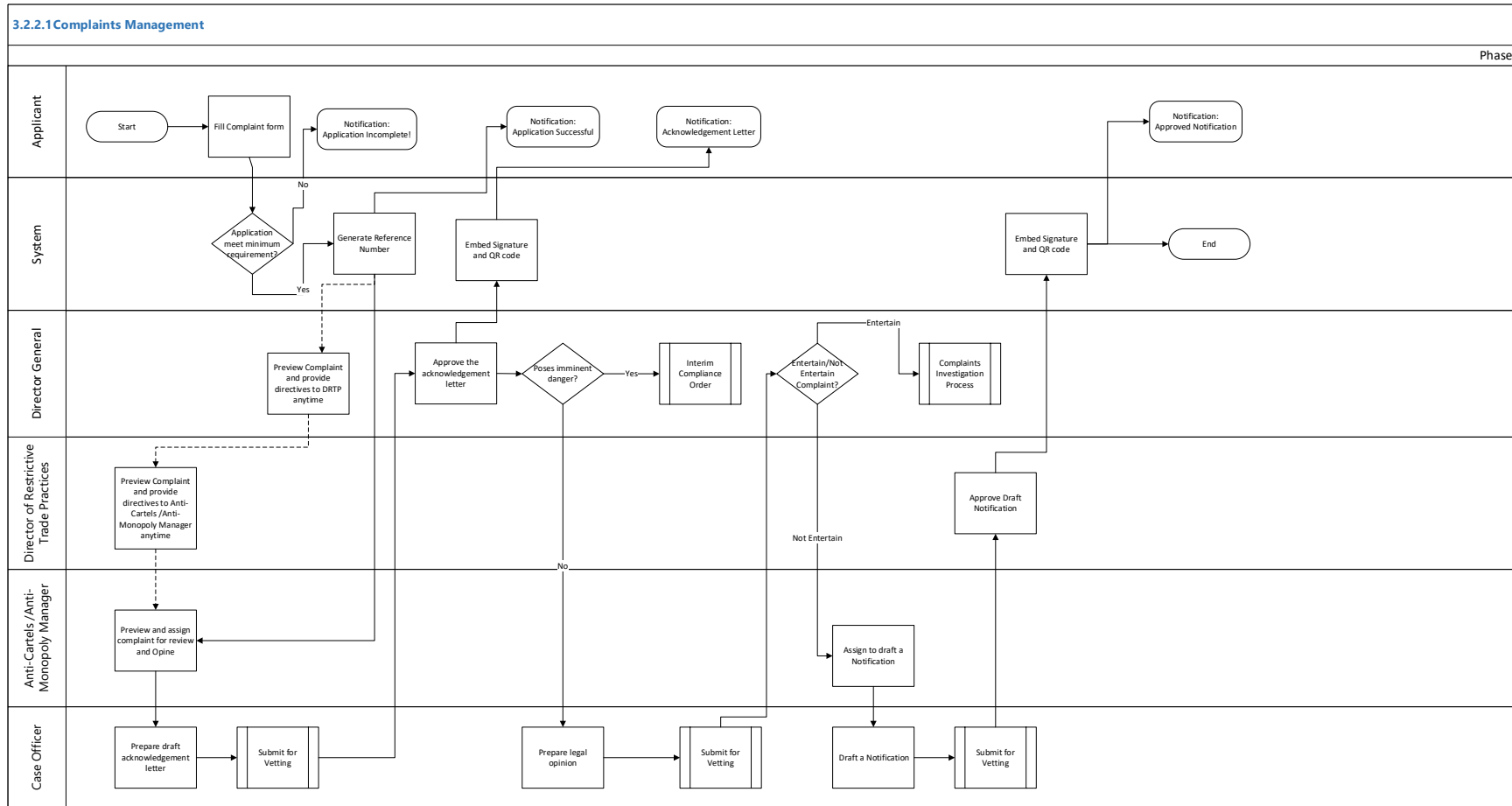
1.2.2.1 Complaints Management

Name of Process	Complaints Management
Process Number	FCC_CBP_IE_TB_20
Process Description	This process entails review of submitted complaint (FCC-1) and prepare legal opinion on whether the complaint should or should not be entertained
Process Boundaries	<p>Start Point: Submission of filled Complaint Form (FCC-1) to the commission</p> <p>End Point: Provision of decision on whether the complaint should be entertained in relation to prepared legal and economic opinion</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer (Legal Officer or Economist Officer or Statistician) ▪ Registry Officer (Record Management) ▪ Complainant
Stakeholders	Ministry of Industry and Trade, FCT, TIRA, TCRA, PURA, BRELA, BoT, EWURA, Consumer Associations, TCAA, TASAC, LATRA, Business Community

Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018 ▪ The Fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)
Pre-Conditions	Complainant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Input	1. Complaint Filed Form (FCC-1)
Process Flow	<ol style="list-style-type: none"> 1. Complainant fill Complaint Form (FCC-1) online and submit 2. If the application does not meet minimum requirement for submission, system notify Complainant to complete application and resubmit else system generate unique reference number for the application and notify applicant for successfully application submission 3. Director General Preview Complaint and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress 4. Director of Restrictive Trade Practices Preview Complaint and provide directives to Anti-Cartels Manager or Anti-Monopoly anytime when the process is in progress 5. Anti-Cartels Manager or Anti-Monopoly Manager preview and assign the complaint to Case Officer for review and opine 6. Case Officer prepare draft acknowledgement letter online and submit for vetting processing

	<ol style="list-style-type: none"> 7. Director of Restrictive Trade Practices review, approve (Signature and QR Code embedded automatically on approval) and notification is sent to complainant 8. Case Officer review assigned complaint and prepare legal opinion as to whether the complaint should be entertained or not 9. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order complete life cycle 10. Case Officer prepare and submit legal opinion and submit for vetting processing 11. Director General attend and decide whether the complaint should be entertained in accordance with prepared legal opinion 12. If the Director General decides not to entertain complaint, steps 13-15 shall be followed and notification is sent to notify applicant. If the DG decides to entertain complaints, Process FCC_CBP_IE_21 (Complaints Investigation) shall be followed 13. Anti-Cartels Manager or Anti-Monopoly notify case officer to draft a notification 14. Case officer draft a notification and submit for vetting processing 15. Director of Restrictive Trade Practices/ Director General review draft notification, approve (Signature and QR Code embedded automatically on approval) and notification is sent to complainant
Process Output	Legal and economic opinions, notification
Measurable Outcome	Number of attended Legal and economic Opinions, notifications
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Updated General Complaint Register

1.2.2.1.1 Process Flow Diagram



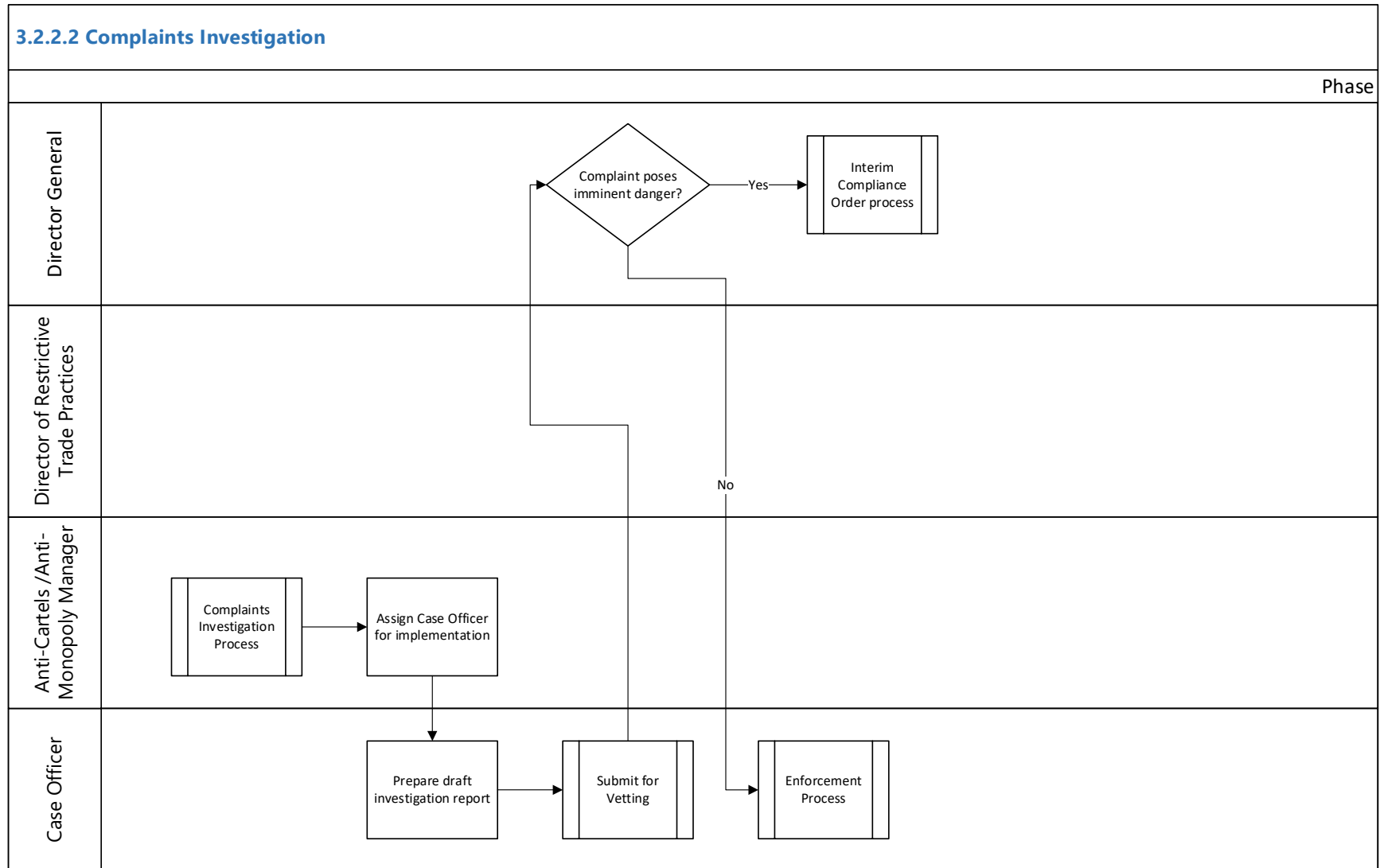
1.2.2.2 Complaints Investigation

Name of Process	Complaints Investigation
Process Number	FCC_CBP_IE_TB_21
Process Description	This process entails investigation of submitted complaints according to the decision of the Director General
Process Boundaries	<p>Start Point: Director General assign the decisions to Director of Restrictive Trade Practices for implementation</p> <p>End Point: Director General approve the investigation report and assign to Director of Restrictive Trade Practices for further steps</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer (Legal Officer or Economist Officer or Statistician) ▪ Registry Officer (Record Management)
Stakeholders	Ministry of Industry and Trade, FCT, TIRA, TCRA, EWURA, Consumer Associations, TCAA, TASAC, LATRA, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018 ▪ The fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)
Pre-Conditions	<ul style="list-style-type: none"> ▪ Decision of the Legal and Economic Opinion ▪ Decision of the Public Awareness Session Report

	<ul style="list-style-type: none"> ▪ Decision of the Competition Research
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Complaint should entertained ▪ Available information is not enough ▪ If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Input	1. Director General Decision
Process Flow	<ol style="list-style-type: none"> 1. Anti-Cartels Manager or Anti-Monopoly Manager assign the decision to Case Officer for implementation 2. Case Officer Request and Receive complaint number and prepare draft investigation report online according to the available information 3. If available information is not enough, Case Officer initiate further investigation 4. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle 5. Case Officer submit draft investigation report for vetting processing 6. Director General approve the investigation report and process FCC_CBP_IE_22 (Enforcement) follows
Process Output	Approved Investigation Report
Measurable Outcome	Number of Approved Investigation Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from Director General 2. Head of Zone submission goes directly to the Director General

Control Points and Measurements	<ul style="list-style-type: none">▪ Updated Complaints Register▪ Approved Investigation Report
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1.2.2.2.1 Process Flow Diagram



1.2.2.3 Enforcement

Name of Process	Enforcement
Process Number	FCC_CBP_IE_TB_22
Process Description	This process entails enforcement of the complaint after approval of the investigation report
Process Boundaries	<p>Start Point: Director General assign investigation report to Director of Restrictive Trade Practices for further steps</p> <p>End Point: Record Officer dispatch Final Finding to Respondent</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer (Legal Officer or Economist Officer or Statistician) ▪ Registry Officer (Record Management) ▪ Respondent
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules 2018 ▪ The fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)

Pre-Conditions	Approved Investigation Report Respondent Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ There is a case or there is no case to answer ▪ The Commission reject or adopt Investigation Report ▪ Submission non-confidential version of the provisional findings or written submissions ▪ Respondent has or has not submitted non-confidential version ▪ Written submission does or does not contain request for settlement ▪ Respondent applied or did not apply for oral representation ▪ Respondent appear or did appear for oral representation
Process Input	1. Approved Investigation Report
Process Flow	<ol style="list-style-type: none"> 1. Anti-Cartels Manager or Anti-Monopoly Manager, assign Case Officer to prepare opinion 2. Case Officer prepare and submit draft opinion for vetting processing <p>Start Case 1: There is No Case to Answer</p> <ol style="list-style-type: none"> 3. Director General direct the Director of Restrictive Trade Practices to cause and sign a letter informing the responded that the Commission shall take no further action 4. Anti-Cartels Managers or Anti-Monopoly notify case officer to draft a letter 5. Case officer draft a letter and submit for vetting processing 6. Director of Restrictive Trade Practices review, (Signature and QR Code embedded automatically on approval) notification is sent to the respondent <p>End Case 1: There is No Case to Answer</p> <p>Start Case 2: There is a Case to Answer</p>

	<p>7. Anti-Cartels Manager or Anti-Monopoly Manager notify case officer to draft a case statement</p> <p>8. Case officer draft a statement of the case and submit for vetting processing</p> <p>9. Director of Restrictive Trade Practices review, approve (Signature and QR Code embedded automatically on approval) and the system send notification to Respondent (if details available- send case statement, reference number and access token)</p> <p>10. Director of Restrictive Trade Practices submit the investigation report to the Director General for approval to be tabled to the Commission</p> <p>11. The Director General review, approve investigation report to be tabled to the commission for determination</p> <p>End Case 2: There is a Case to Answer</p> <p>Start Case 3: The Commission Reject Investigation Report</p> <p>12. Repeat Process Number 1 to 2 of the enforcement process</p> <p>End Case 3: The Commission Reject Investigation Report</p> <p>Start Case 4: The Commission Adopt Investigation Report</p> <p>13. Anti-Cartels Manager or Anti-Monopoly Manager notify case officer to prepare draft Provisional Findings (adopted investigation report) requiring the Respondent to make written submissions, apply for oral representation, apply for settlement and submit non-confidential version of the provisional findings within a specified period</p> <p>14. Case Officer prepare draft Provisional Findings (adopted investigation report) requiring the Respondent to make written submissions, apply for oral representation, apply for settlement and submit non-confidential version of the provisional findings within a specified period and submit for vetting processing</p> <p>15. Director General approve Provisional Findings to be tabled to the Commission for signing</p> <p>16. The Commission sign Provisional Findings and Notification is sent to the Respondent</p>
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End Case 4: The Commission Adopt Investigation Report

17. The Respondent (using case reference number and access token) insert/ upload written submissions and non-confidential version of the provisional findings and submit

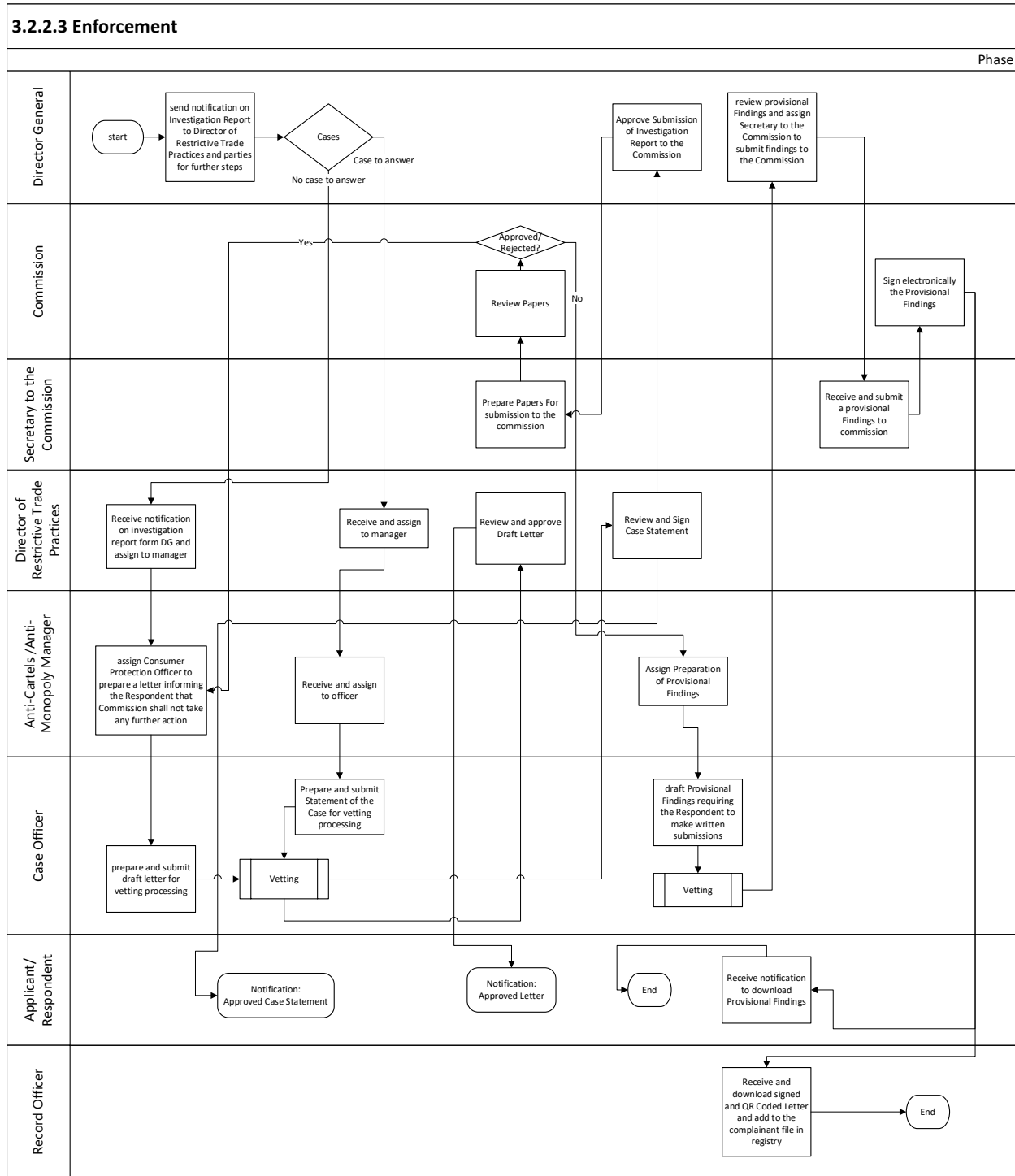
Start Case 5: Analysis of Written Submission and Non-Confidential Version

18. Director General Preview written submission(s) and non-confidential version of the provisional findings and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress
19. Director of Restrictive Trade Practices Preview written submission(s) and non-confidential version of the provisional findings and provide directives to Consumer Protection Manager anytime when the process is in progress
20. Anti-Cartels Manager or Anti-Monopoly Manager assign the written submissions and non-confidential version of the provisional findings to the Case Officer to ascertain the declared confidentiality
21. Case Officer analyse non-confidential issues submitted by Respondent and submit the Draft Report for Confidential Issues for vetting processing
22. Director general recommend the Report for Confidential Issues and assign the Secretary to the Commission to submit to the commission for determination
23. The Commission review the Report for Confidential Issues and make decision on the submitted report and assign to Secretary to the Commission for dispatch to the Respondent
24. Secretary to the commission upload decision to save in the system and notification (including reference number and access token) sent to the Respondent
25. If Respondent has not submitted non-confidential version, Commission shall publish the non-confidential version of the provisional findings on the commissions websites and widely circulating newspapers providing link on how to submit comments

	<p>26. The public submit comments through provided link</p> <p>27. Case Officer receive and consolidate informed comments from the public and submit for vetting processing</p> <p>28. The Director General review informed comments from the public and assign Secretary to the Commission to submit to the Commission</p> <p>29. Secretary to the Commission submit informed comments from the public using submission of papers to the commission process lifecycle (Determination by the Commission)</p> <p>30. If the written submission from Respondent contain request for settlement, Settlement process complete life cycle follows</p> <p>31. If the written submission from Respondent does not contain request for settlement, Case Officer submit for vetting processing</p> <p>32. If complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons, Interim Compliance Order process complete life cycle follows</p> <p>33. Director General approve (QR Code embedded automatically on approval) the Analysis Report for Written Submission and cause oral hearing to be conducted</p> <p>34. If the Respondent applied for oral presentation, the Secretary to the Commission send notification inviting the Respondents to make oral presentations</p> <p>35. If the Respondent appear for oral representation, the Commission conduct oral hearing and Secretary to the Commission prepare transcript of the oral representation meeting</p> <p>36. The Secretary to the Commission serve the prepared transcript of the oral representation meeting to the Anti-Cartels Manager or Anti-Monopoly Manager for transmitting to the Respondent</p> <p>37. The Anti-Cartels Manager or Anti-Monopoly Manager serve the prepared transcript of the oral representation meeting to the Respondent for confirmation (including reference number and access token)</p>
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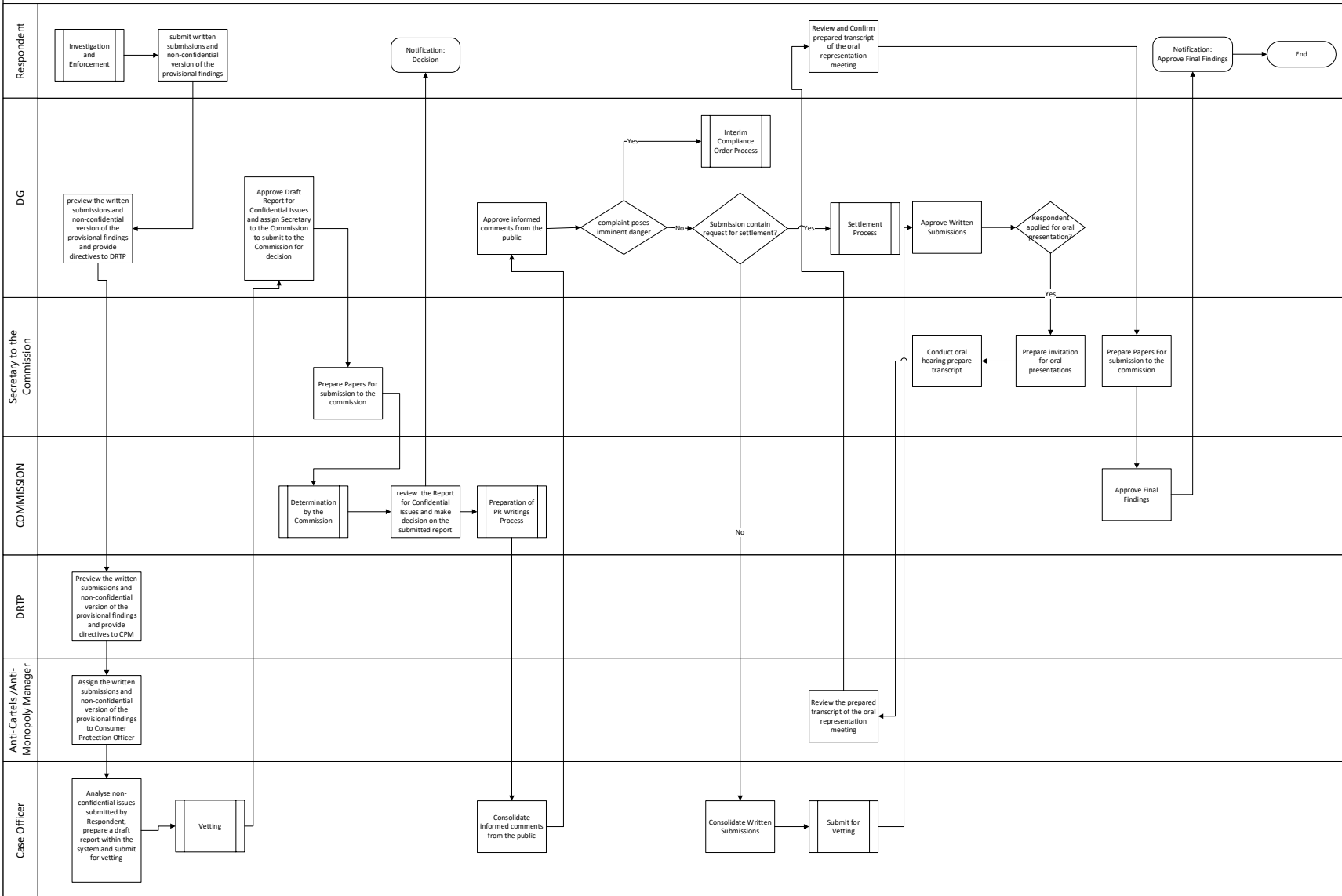
	<p>38. Respondent (using provide reference number and access token) submit confirmed transcript of oral representation meeting to the Commission</p> <p>39. If the Respondent did not apply or appear for oral representation, and did not submit written submission, the Commission prepare Final Findings</p> <p>40. The Commission approve Final Findings and system send notification to Respondent and other parties</p> <p>End Case 5: Analysis of Written Submission and Non-Confidential Version</p>
Process Output	<ul style="list-style-type: none"> ▪ Provisional Findings ▪ Statement of a Case/Letter to inform the respondent that Commission shall not take any further action ▪ Final Findings
Measurable Outcome	Number of Prepared Final Findings
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Issuance of Provisional Finding to Respondent

1.2.2.3.1 Process Flow Diagram



(Investigation and Enforcement) Written Submission and Non-Confidential Version

Phase



1.2.2.4 Interim Compliance Order

Name of Process	Interim Compliance Order
Process Number	FCC_CBP_IE_TB_23
Process Description	This process entails procedure for issuing Interim Compliance Order for complaint that poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Process Boundaries	<p>Start Point: Case Officer prepare report indicating serious or irreparable damage to a person</p> <p>End Point: Secretary to the Commission document details of the order in Interim Compliance Order Register</p>
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to the Commission/Legal Services Manager ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer ▪ Record Officer
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Standard Form Consumer Contract Regulation, 2014 ▪ The Fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)

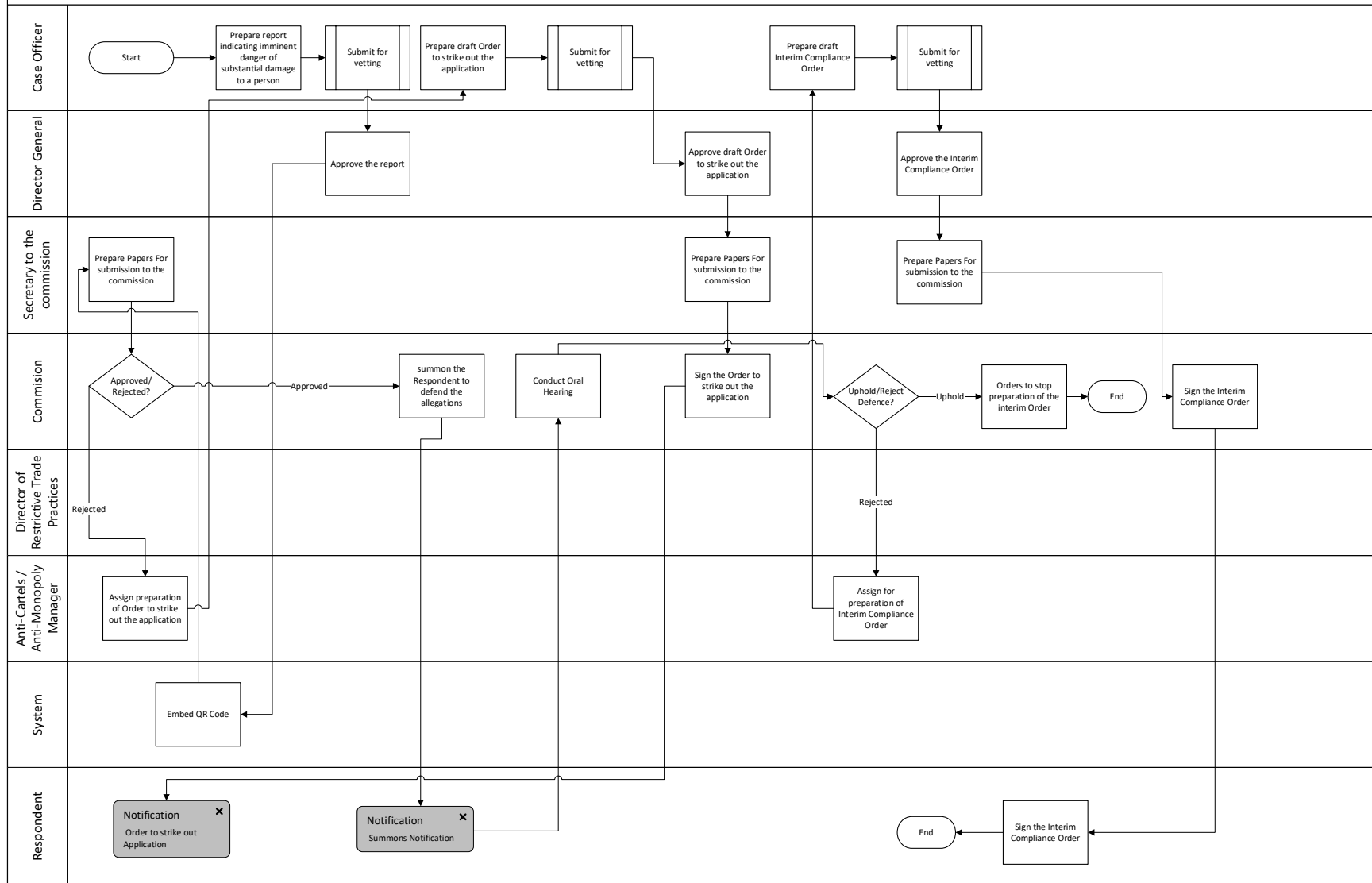
Pre-Conditions	Complaint poses imminent danger of substantial damage to a person or likely offense is committed or other good reasons
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Commission approve or reject the report indicating serious or irreparable damage to a person ▪ Commission reject or uphold the defence
Process Input	Details of Interim Compliance Order
Process Flow	<ol style="list-style-type: none"> 1. Case Officer prepare report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons 2. Case Officer submit report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons for vetting processing 3. Director General approve (QR Code embedded automatically on approval) the report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons and assign Secretary to the Commission to submit to the Commission for determination 4. Secretary to the Commission submit the Report to the Commission using submission of papers to the commission process lifecycle (Determination by the Commission) 5. If Commission reject the report indicating imminent danger of substantial damage to a person; or showing likely offense is committed; or show other good reasons, the Commission issue the order to strike out application for Interim Compliance Order 6. The Director of Restrictive Trade Practices prepare the Order to strike out the application for Interim Compliance Order and submit to the Commission for signatures 7. The Commission approve the Order to strike out the application for Interim Compliance Order and notification is sent to Respondent 8. If Commission approve the report indicating serious or irreparable damage to a person, the Commission summons the Respondent to defend the allegations

	<p>9. The Commission conduct oral hearing and make determination on the defence by the Respondent</p> <p>10. If the Commission uphold the defence, the Commission orders to stop preparation of the interim Order</p> <p>11. If the Commission reject the defence, the Commission directs Secretary to the Commission to prepare draft Interim Compliance Order</p> <p>12. Secretary to the Commission prepare draft Interim Compliance Order and submit to the Commission</p> <p>13. The Commission sign the Interim Compliance Order and notification is sent to applicant for signature</p> <p>14. The Respondent receive notification including reference number and access token, sign the Interim Compliance Order, submit and notification is sent to the commission and other parties.</p>
Process Output	Interim Compliance Order
Measurable Outcome	Number of issued Interim Compliance Order
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from Director General 2. Head of Zone submission goes directly to the Director General
Control Points and Measurements	Updated Interim Compliance Order Register

1.2.2.4.1 Process Flow Diagram

3.2.2.4 Interim Compliance Order

Phase



1.2.2.5 Settlement

Name of Process	Settlement
Process Number	FCC_CBP_IE_TB_24
Process Description	This process entails the review of submitted application for settlement and issuance of Settlement Compliance Agreement
Process Boundaries	Start Point: Receiving application for settlement from the Applicant End Point: Dispatching Settlement Compliance Agreements to Applicant
Process Owner	Director of Restrictive Trade Practices
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Restrictive Trade Practices ▪ Secretary to The Commission/ Legal Services Manager ▪ Anti-Cartels Manager ▪ Anti-Monopoly Manager ▪ Case Officer ▪ Record Officer ▪ Applicant ▪ Respondent
Stakeholders	Ministry of Industry and Trade, FCT, Bank of Tanzania, TIRA, TRA, TCRA, EWURA, TCAA, LATRA, TASAC, PURA, BRELA, Consumer Associations, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ The Fair Competition (Threshold for Notification of Merger) (Amendment) Order, 2017 ▪ Fair Competition Commission Internal Fine Computation and Settlement Guideline 2023 ▪ Cartels Investigation Manual (draft,2024) ▪ Abuse of Dominance Investigation Manual (Draft, 2024)

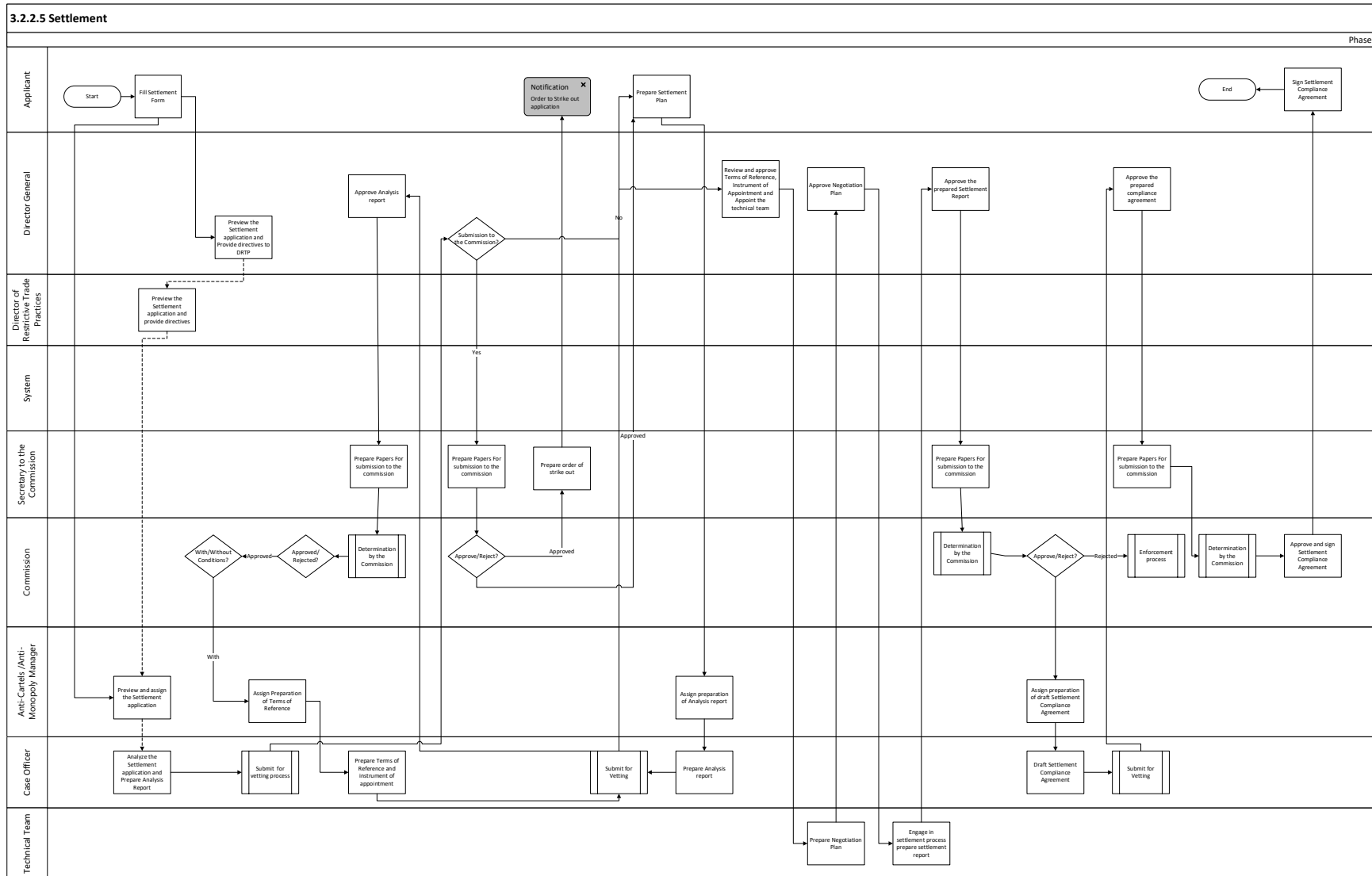
Pre-Conditions	Submitted application for settlement Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ The Commission grants or reject the application for Settlement ▪ The Commission accept or reject the Settlement Plan ▪ The Commission approve or reject Settlement Report
Process Input	2. Application for settlement
Process Flow	<ol style="list-style-type: none"> 1. Applicant fill settlement form (using complaint reference number and access token) and submit 2. Director General Preview the Settlement application and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress 3. Director of Restrictive Trade Practices Preview the Settlement application and provide directives to Consumer Protection Manager anytime when the process is in progress 4. Anti-Cartels Manager or Anti-Monopoly Manager preview the settlement application and assign the Case Officer for analysis and preparation of submission paper 5. Case Officer analyse the settlement application, prepare Analysis report and submit for vetting processing 6. If Director General recommend submission to the commission, sub-process for submission of papers to the commission (Determination by the Commission) follows (exercised by the Secretary to the Commission) 7. If the Director General Approves the settlement application skip to step 11 8. If the Commission reject the application for settlement, the Commission orders the Secretary to the Commission to serve the Order to strike out the application for settlement to the Applicant 9. Secretary to the commission prepare order of strike out of the application for settlement and send notification to the Applicant

	<ol style="list-style-type: none">10. If the Commission/DG grants the application for Settlement, the Commission/DG orders the Applicant to submit Settlement Plan within a specified period of time11. Applicant prepare Settlement Plan (using complaint reference number and access token) and submit to the Commission12. Director General preview the Settlement Plan and provide directives to Director of Restrictive Trade Practices anytime when the process is in progress13. Director of Restrictive Trade Practices preview the Settlement Plan and provide directives to Consumer Protection Manager anytime when the process is in progress14. Anti-Cartels Manager or Anti-Monopoly Manager preview the settlement and assign to the Case Officer for preparation of Analysis report15. Case Officer analyse the Settlement Plan, prepare and submit for vetting processing16. Director General approve (QR Code embedded automatically on approval) the Analysis Report and submit to the Commission for determination17. If the Commission rejects the Settlement Plan, the Commission orders the Applicant to resubmit a fresh Settlement Plan addressing specific issues as provided in the Order18. If the Commission accept the Settlement Plan as it is, proceed with step number 31 of this process19. If the Commission accept the Settlement Plan with reservations, the Commission direct the Director General to constitute a Technical Team for scrutinization of Settlement Plan and submit the report within 30 days20. Anti-Cartels Manager or Anti-Monopoly Manager assign Case Officer to prepare Terms of Reference and instrument of appointment for the Technical Team to scrutinize Settlement Plan21. Case Officer prepare Terms of Reference, instrument of appointment, proposed names of Technical Team members and Submit for vetting processing
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	<ul style="list-style-type: none">22. The Director General review and approve Terms of Reference, Instrument of Appointment and Appoint the technical team.23. The Technical Team prepare and submit Negotiation Plan to the DG for approval24. The DG review and approve (QR Code embedded automatically on approval) the Negotiation Plan25. If approved, the Technical Team engage in settlement process with the applicant and prepare settlement report evidencing applicant's agreement to terms of settlement or reason(s) for settlement failure26. The Technical Team submit prepared Settlement Report to Director General for approval27. Director General approve the prepared Settlement Report and assign Secretary to the Commission to submit to the Commission for determination28. Secretary to the Commission submit Settlement Report using <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i>29. The Commission review the Settlement Report and provide decision30. For rejected Settlement Report, Enforcement process complete life cycle31. For approved Settlement Report, the Commission direct the Director General to prepare Settlement Compliance Agreement32. Director General send notification for preparation of draft Settlement Compliance Agreement33. Anti-Cartels Manager or Anti-Monopoly Manager preview and assign to the Case Officer to prepare a draft Settlement Compliance Agreement34. Case Officer prepare a draft Settlement Compliance Agreement and submit for vetting processing35. Director General approve and assign Secretary to the Commission submit to the Commission for approval
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	<p>36. Secretary to the Commission submit approved Investigation Report using <i>submission of papers to the commission process lifecycle (Determination by the Commission)</i></p> <p>37. The Commission approve and sign Settlement Compliance Agreement and notification is sent to applicant for signature</p> <p>38. The Applicant receive notification including reference number and access token, sign the Settlement Compliance Agreement , submit and notification is sent to the commission and other parties.</p>
Process Output	<p>Settlement Compliance Agreement</p> <p>Settlement Plan</p> <p>Analysis Report</p> <p>Negotiation Plan</p> <p>Settlement Report</p>
Measurable Outcome	<p>Number of issued Settlement Compliance Agreement</p>
Exceptions to Normal Process Flow	<p>In case of zone</p> <p>3. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directives from Director General</p> <p>4. Head of Zone submission goes directly to the Director General</p>
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Settlement plan ▪ Negotiation Plan

1.2.2.5.1 Process Flow Diagram



1.3 Anti-Counterfeits Services

Anti-counterfeits services cover the fight against counterfeits goods in accordance with the Merchandise Marks Act, 1963, these services are managed by two departments namely, Anti-Counterfeits Surveillance and enforcement.

1.3.1 Anti-Counterfeits Surveillance

Anti-Counterfeits Surveillance encompasses handling applications for Stop Orders on suspected counterfeits, handling counterfeit complaints which reflect trademark infringements, conducting daily inspections in search for counterfeits goods, handling counterfeit complaints (Conducting Raids Operations and Seizures) of either offending or counterfeit goods in respective markets as well as conducting counterfeit market surveillance. Anti-Counterfeits Surveillance includes the following business processes: -

- i. Handling Applications for Stop Orders on Suspected Counterfeits;
- ii. Handling Counterfeit Complaints (Conducting Raids Operations and Seizures);
- iii. Daily Inspections; and
- iv. Counterfeit Market Surveillance

1.3.1.1 Handling Applications for Stop Orders on Suspected Counterfeits

Name of Process	Handling Applications for Stop Orders on Suspected Counterfeits
Process Number	FCC_CBP_AC_TB_25
Process Description	The process entails the procedures for lodging applications for stop orders seeking Chief Inspector’s interventions where there is a likelihood of trademark infringement (suspected counterfeits) with regards to goods that are to be imported into the country
Process Boundaries	<p>Start Point: Trademark Holder lodges applications for stop orders to the Chief Inspector, accompanied with proof of payment of requisite fee and power of attorney where a complaint is lodged by a representative or any other person.</p> <p>End Point: Record Officer dispatches signed Stop Order to the Commissioner of Customs, Tanzania Ports Authority (TPA) and Joint Port Control Unit (JPCU) for implementation</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits

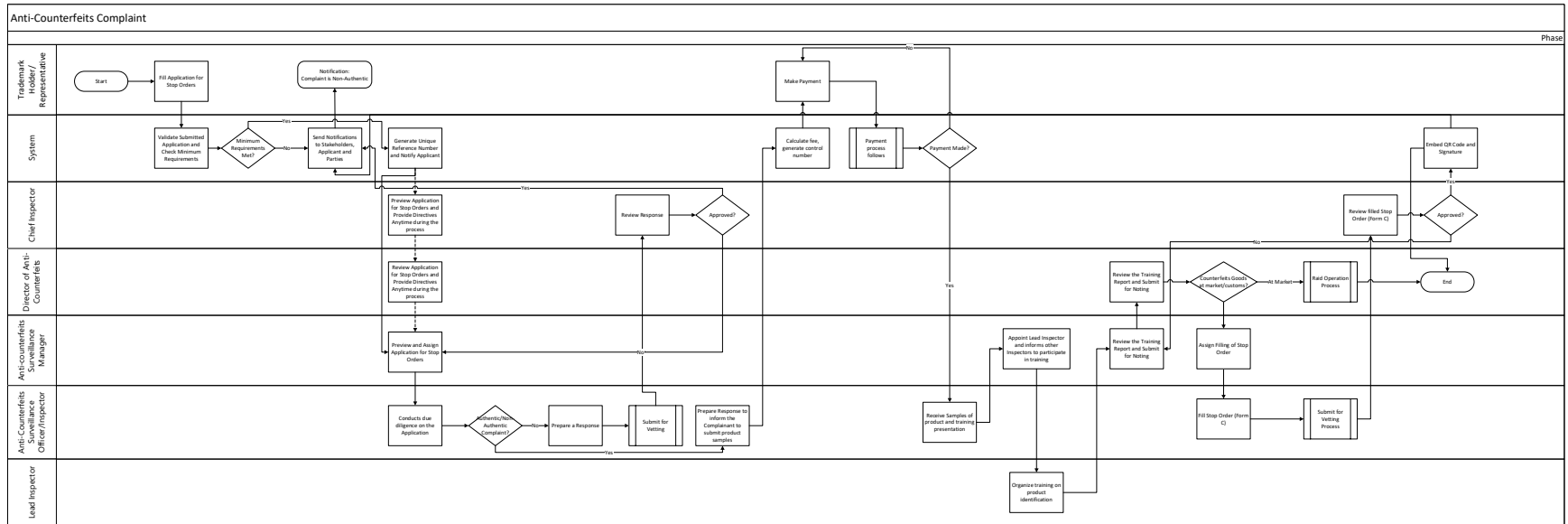
	<ul style="list-style-type: none"> ▪ Anti-counterfeits Surveillance Manager ▪ Accountant ▪ Anti-Counterfeits Surveillance Officer ▪ Lead Inspector ▪ Complainant/Brand Owner ▪ Record Officer
Stakeholders	DCI, TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, Business Community and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 as amended ▪ The Trade and Service Marks Act (BRELA) ▪ Criminal Laws
Pre-Conditions	<ol style="list-style-type: none"> 1. Proof of ownership of a trade mark (registration certificates from BRELA) 2. Business License and TIN 3. Power of Attorney 4. Proof of payment of Investigation Fee 5. Submission of samples of genuine products for identification purposes 6. Training to Officers on how to identify the trademark under investigation from the counterfeited one. 7. Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises/Ad-hoc
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Offloading goods proved to contravene the law for further enforcement procedures (authentic complaint) ▪ Release of goods which do not contravene the law (non-authentic complaint) ▪ Payment of requisite fine/penalty

	<ul style="list-style-type: none"> ▪ Destruction/disposal order
Process Input	<ol style="list-style-type: none"> 1. Counterfeit Complaint details 2. Certificate of trademark registration/ownership
Process Flow	<ol style="list-style-type: none"> 1. Trademark Holder/Representative or any other person fill an application for stop orders accompanied with certificate of trademark registration and/or power of attorney and submit 2. If the application does not meet minimum requirement for submission, system notify applicant to complete application and resubmit else system generate unique reference number for the application and notify applicant for successfully application submission 3. Chief Inspector preview the submitted application and provide directives to Director of Anti-Counterfeits anytime when the process is in progress 4. Director of Anti-Counterfeits preview the application and provide directives to counterfeits Surveillance Manager anytime when the process is in progress 5. Anti-counterfeits Surveillance Manager receives the applications for stop orders and assigns to Anti-Counterfeits Surveillance Officer/Inspector for implementation 6. Anti-Counterfeits Surveillance Officer/Inspector conducts due diligence on the application in collaboration with complainant 7. If the submitted complaint is non-authentic, Anti-Counterfeits Officer/Inspector prepares response to inform the Complainant that the application cannot be entertained 8. Anti-Counterfeits Surveillance Officer/Inspector submits the referred response for vetting processing 9. Chief Inspector approves and signs (Signature and QR Code embedded automatically on approval) the response and notification is sent to complainant and other parties 10. If the submitted complaint/application is authentic, Anti-Counterfeits Surveillance Officer prepares response to inform the Complainant to submit product samples for product

	<p>identification, Issue control number to make requisite payment/to pay prescribed fee and training presentation</p> <ol style="list-style-type: none"> 11. Applicant receive notification and pay required fee amount as per control number 12. System check and verify if applicant made a payment. If payment made, system allow the application to proceed else system notify applicant to make payment 13. Complainant submits product samples for product identification and training presentation 14. Anti-Counterfeits Surveillance Officer receives samples of product both genuine and counterfeits for identification and training presentation and submits to Anti-counterfeits Surveillance Manager 15. Anti-counterfeits Surveillance Manager appoints Lead Inspector and informs other Inspectors to participate in training which will be conducted by Complainant 16. Lead Inspector organises training on product identification to Inspectors which will be conducted by Complainant, documents details of the training and attendance in the Training Register, prepares Training Report on product identification and submits to Anti-counterfeits Surveillance Manager for review 17. Anti-counterfeits Surveillance Manager reviews the Training Report and submits to Director of Anti-Counterfeits for noting 18. For counterfeits goods at market, Raid process cycle follows 19. For counterfeits goods at customs custody, Anti-Counterfeits Surveillance Officer fills Stop Order (Form C) and submit for vetting processing 20. Chief Inspector signs (Signature and QR Code embedded automatically on approval) filled Stop Order and notification is sent to the Commissioner of Customs, Tanzania Port Authority and Joint Port Control Unit (JPCU) and other parties
Process Output	<ul style="list-style-type: none"> ▪ Issued Stop Order ▪ Response on Declined Complaints

Measurable Outcome	<ol style="list-style-type: none"> 1. Number of Issued Stop Orders on counterfeits goods 2. Number of Responses on Declined Complaints
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone plays both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Updated Training Register ▪ Stop Order

1.3.1.1.1 Process Flow Diagram



1.3.1.2 Handling Counterfeit Complaints

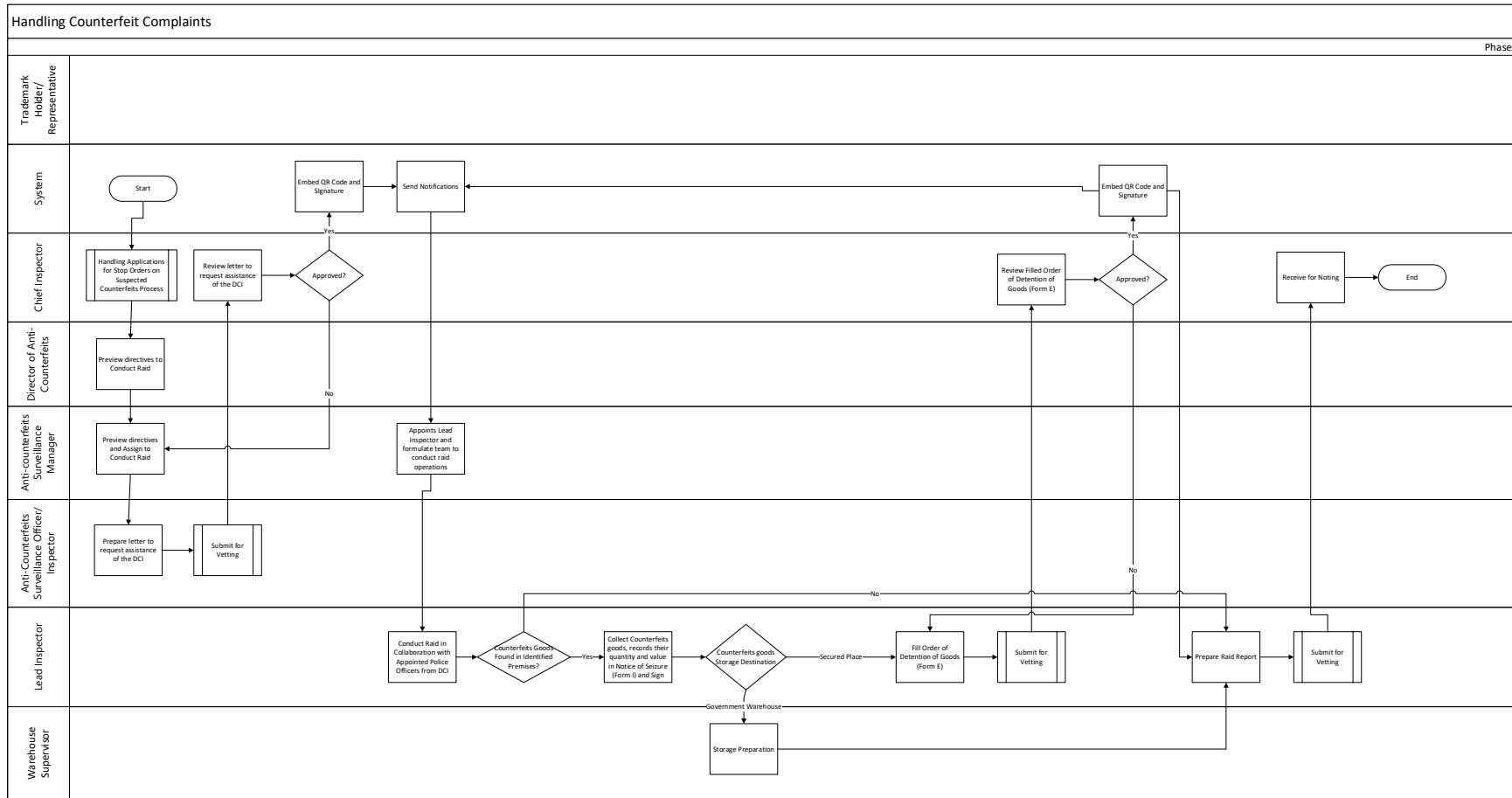
Name of Process	Handling Counterfeit Complaints
Process Number	FCC_CBP_AC_TB_26
Process Description	<p>This process entails the following:</p> <ul style="list-style-type: none"> • procedure to conduct raid operations for suspected counterfeits or offending goods in identified premises and issue notices of seizure to offenders as well as preparing raid report for Chief Inspector (For raids conducted on suo moto basis) • procedure to lodge complaints and conducting raid operations on suspected counterfeits or offending goods in identified premises and issue notices of seizure to offenders as well as preparing raid report for Chief Inspector (For raids conducted based on complaints lodged by brand owners)
Process Boundaries	<p>For raids conducted on suo moto basis,</p> <p>Start Point: The Chief Inspector provides directive to Director of Anti-Counterfeits to conduct raid operations for suspected counterfeits or offending goods</p> <p>End Point: Director of Anti-Counterfeits reviews the Raid Report and submits to the Chief inspector for noting and/or further directives</p>
	<p>For raids conducted on suo moto basis,</p> <p>Start Point: The Chief Inspector receives complaint from brand owners and directs the Director of Anti-Counterfeits to conduct raid operations for suspected counterfeits or offending goods where the complaint is authentic.</p> <p>End Point: Director of Anti-Counterfeits reviews the Raid Report and submits to the Chief inspector for noting and/or further directives</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-counterfeits Surveillance Manager ▪ Brand Owner/Representative (Applicant) ▪ Police Officer

	<ul style="list-style-type: none"> ▪ Occupant ▪ Record Officer
Stakeholders	DCI, TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, Business Community, Brand Owner/Representative
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 as amended
Pre-Conditions	<ul style="list-style-type: none"> ▪ Authentic Complaint on Counterfeits Goods ▪ Trademark registration details from BRELA ▪ Business License and TIN ▪ Power of Attorney ▪ Proof of Payment of Investigation Fee ▪ Training to Officers on trademark identification ▪ Applicant Authenticated and authorized to access the service
Frequency of Occurrence	<ul style="list-style-type: none"> • Whenever need arises/Ad-hoc • Own Initiatives/Suo moto
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Goods found in identified premises are either counterfeits or not ▪ Seized counterfeits goods are to be secured at Government Warehouse or places other than Government Warehouse
Process Input	<p>Authentic Complaint on Counterfeits Goods</p> <p>Own Initiatives/Suo moto</p>
Process Flow	<ol style="list-style-type: none"> 1. Chief Inspector receives complaint from brand owners and provides directive to Director of Anti-Counterfeits to conduct raid on suspected counterfeits or offending goods 2. Director of Anti-Counterfeits preview directives to conduct raid and provide directives to Anti-Counterfeits Surveillance Manager anytime when the process is in progress 3. Anti-counterfeits Surveillance Manager receives the directives and assigns to Counterfeits Surveillance Officer for their actions 4. Counterfeits Surveillance Officer prepares letter to request assistance of Director of Criminal Investigation (DCI) to take

	<p>charge of security during raid operations and submits submit for vetting processing</p> <ol style="list-style-type: none"> 5. Chief Inspector approves and signs (Signature and QR Code embedded automatically on approval) the letter and notification is sent to the Director of Criminal Investigation 6. Anti-counterfeits Surveillance Manager appoints Lead Inspector and formulate team to conduct raid operations 7. Inspectors in collaboration with appointed Police Officers from DCI conduct raid operations on identified premises 8. If counterfeits goods are not found in identified premises, Inspector(s) collect details of the same and proceed with step number 15 and 16 hereunder 9. If counterfeits goods are found in identified premises, Inspector collects the counterfeits goods, records their quantity and value in Notice of Seizure (Form I) 10. Inspector and Owner of Goods/Representative of the Owner counter sign Notice of Seizure 11. Inspector issues copy of signed Notice of Seizure to Owner of Goods/Representative of the Owner 12. For counterfeits goods to be secured at Government Warehouse, Inspector informs Warehouse Supervisor to start preparation for storage of the same 13. For counterfeits goods to be secured at places other than Government Warehouse, Inspector makes Order of Detention of Goods (Form E) and submit for vetting processing 14. Chief Inspector signs (Signature and QR Code embedded automatically on approval) Order of Detention of Goods and notification is sent to the Owner of Goods/Representative of the Owner 15. Inspector prepares Raid Report and submit for vetting processing 16. Chief Inspector receive notification for noting
Process Output	Approved Raid Report

Measurable Outcome	Number of submitted Raid Reports
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone plays both roles in receiving submissions from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Seizure Register ▪ Raid Reports

1.3.1.2.1 Process Flow Diagram



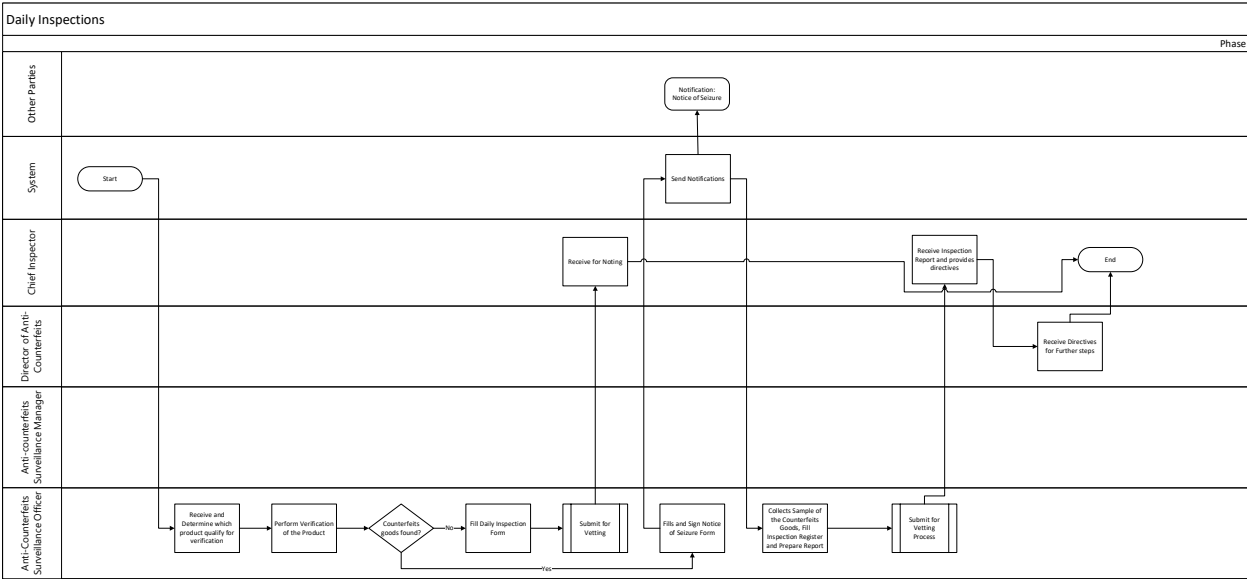
1.3.1.3 Daily Inspections

Name of Process	Daily Inspections
Process Number	FCC_CBP_AC_TB_27
Process Description	This process entails the procedures for performing daily inspection at the product entry points e.g., Ports, ICDs, Border Ports in search for counterfeits goods
Process Boundaries	<p>Start Point: Counterfeits Surveillance Officer receives Product Verification List (TANSAD) from TRA Officer and determines which products qualify for verification</p> <p>End Point: Chief Inspector receives Inspection Report and provides directives to the Director of Anti-Counterfeits for further steps</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-counterfeits Surveillance Manager ▪ Counterfeits Surveillance Officer ▪ TRA Officer ▪ Clearing and Forwarding Agents ▪ Record Officer
Stakeholders	TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, Importer, TPA, ICDs
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 as amended
Pre-Conditions	Submitted Product Verification List (TANSAD) from TRA Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Daily

Decisions associated with the process	Suspected goods are either counterfeits or not
Process Input	<ol style="list-style-type: none"> 1. Product Verification List (TANSAD) 2. Packing list
Process Flow	<ol style="list-style-type: none"> 1. Counterfeits Surveillance Officer receives Product Verification List from TRA and determines which products qualify for verification 2. Counterfeits Surveillance Officer performs verification of the products in search for counterfeits according to the customs documents 3. If counterfeits goods are not found, Anti-Counterfeits Surveillance Officer fills Daily Inspection Form and submit for vetting processing 4. Chief Inspector receive Daily Inspection report for noting 5. If counterfeits goods are found, Counterfeits Surveillance Officer fills Notice of Seizure, signs (Signature embedded automatically on approval), issues a Notice of Seizure and notification is sent to TRA and Clearing & Forwarding Agent 6. Counterfeits Surveillance Officer collects sample of the counterfeits goods or goods with omission of rules of origin 7. Counterfeits Surveillance Officer marks sampled counterfeits goods and registers in the Sample Register 8. Counterfeits Surveillance Officer registers the Notice of Seizures in the Daily Inspection Register, prepares Inspection Report and submit for vetting processing 9. Chief Inspector receives Inspection Report and provides directives to the Director of Anti-Counterfeits for further steps
Process Output	Inspection Report
Measurable Outcome	Number of Inspection Reports
Exceptions to Normal Process Flow	<p>In Case the sampled goods can't be moved: -</p> <ol style="list-style-type: none"> 1. Counterfeits Surveillance Officer takes a photo of inspected goods, and important unique features for identification; and

	<p>2. Counterfeits Surveillance Officer files the inspection report with the evidence of photos.</p> <p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone plays both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Daily Inspection Register ▪ Sample Register ▪ Notice of Seizure

1.3.1.3.1 Process Flow Diagram



1.3.1.4 Counterfeits Market Surveillance

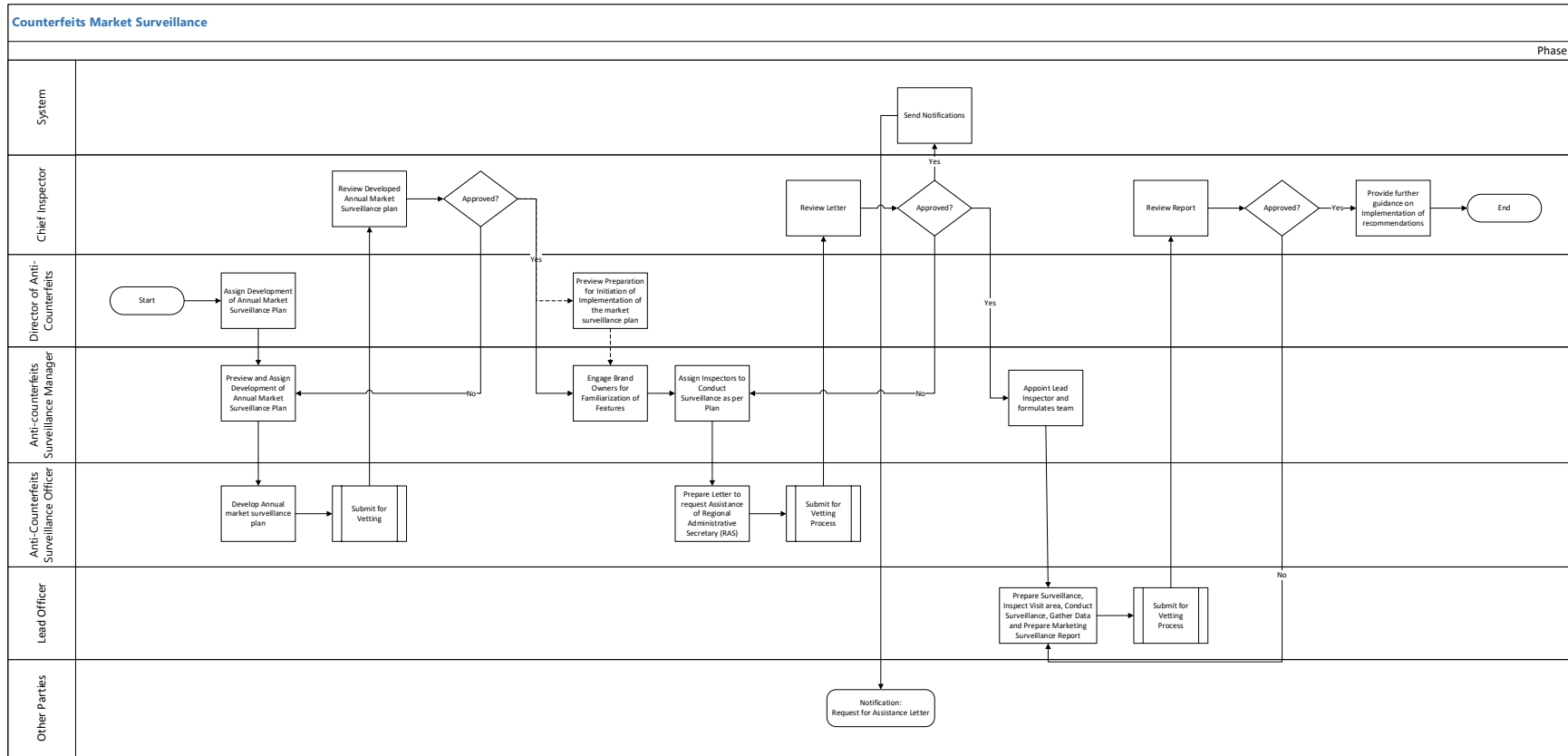
Name of Process	Counterfeits Market Surveillance
Process Number	FCC_CBP_ACS_TB_28
Process Description	This process entails the procedure for conducting market surveillance activities aimed at generating actionable insights on the prevalence of counterfeit goods in the market through data analysis and reporting to

	inform strategic decision-making, enforcement strategies, and policy interventions in combating counterfeits
Process Boundaries	<p>Start Point: Conducting regular risk assessments to identify sectors, goods and geographical areas vulnerable to counterfeit activities.</p> <p>End Point: Director of Anti-Counterfeit generates market surveillance report on the prevalence of counterfeit goods with actionable insights and recommendations and submits to the Chief inspector for implementation</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Head of Counterfeit Surveillance ▪ Inspectors ▪ Trade Officers ▪ Sellers/ distributors of goods ▪ Manufacturers ▪ Brand owners
Stakeholders	TRA, BRELA, TBS, TMDA, Brand owners, Manufacturers, Sellers/ distributors, Trade Officers and Police Force.
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010 ▪ Guidelines for Conducting Counterfeits Market Surveillance
Pre-Conditions	<ul style="list-style-type: none"> ▪ Risk assessment Report ▪ Approved Counterfeits Annual Market Surveillance Plan
Frequency of Occurrence	Quarterly
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Timely enforcement actions such as awareness and seizures ▪ Regular monitoring and updates to ensure detection of evolving counterfeit tactics and emerging risks

<p>Process Input</p>	<ol style="list-style-type: none"> 1. Risk assessment Report 2. Counterfeits Annual Market Surveillance Plan 3. Data Collection Form 4. Data Analysis 5. Market Surveillance Report
<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Based on risk assessment report, Director of Anti-Counterfeit will develop annual market surveillance plan, prioritizing activities accordingly and submit to Chief Inspector for approval 2. Upon approval, Director of Anti-Counterfeits assigns directives to Anti-Counterfeits Surveillance Manager to ensure that all the necessary preparations for initiation and implementation of the market surveillance plan are undertaken 3. Anti-counterfeits Surveillance Manager engages brand owners for familiarization of features of their goods 4. Anti-counterfeits Surveillance Manager assigns inspectors to conduct surveillance as per plan and schedule. 5. Counterfeit Surveillance Officer prepares letter to request assistance of Regional Administrative Secretary (RAS) to provide Trade Officers during surveillance and submit for vetting processing 6. Chief Inspector approves, signs and notification is sent to the respective Regional Administrative Secretary (RAS) 7. Anti-counterfeits Surveillance Manager appoints Lead Inspector and formulates team to conduct surveillance 8. Inspectors prepare for surveillance as per the plan and schedule 9. Inspectors visit areas which are under schedule or plan as assigned. 10. Inspectors in collaboration with appointed Trade Officers from RAS's office conduct surveillance

	<p>11. Inspectors gather data on suspected counterfeit goods, sources, and distribution channels through designed method.</p> <p>12. Upon completion of data collection, inspectors shall analyse data and generate Market Surveillance Report with recommendations and submit for vetting processing</p> <p>13. Chief Inspector approve and provide further guidance on implementation of recommendations</p>
Process Output	Approved Market Surveillance Report
Measurable Outcome	Number of submitted Market Surveillance Reports
Exceptions to Normal Process Flow	Where during surveillance, counterfeit goods of targeted brand are found in bulk at a shop or premise, Inspectors will request the assistance of Police in conducting seizure operations
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Market Surveillance form ▪ Market Surveillance Report

1.3.1.4.1 Process Flow Diagram



1.3.2 Warehouse Management

Warehouse management encompasses the principles and processes involved in receiving counterfeits or offending goods from raid and daily inspection conducted by Counterfeits Surveillance Officer, organizing storage in proper equipment, and issue stored goods to Counterfeits Surveillance Officer for release, donation or destruction. Warehouse management process is tabulated below: -

1.3.2.1 Warehouse Management

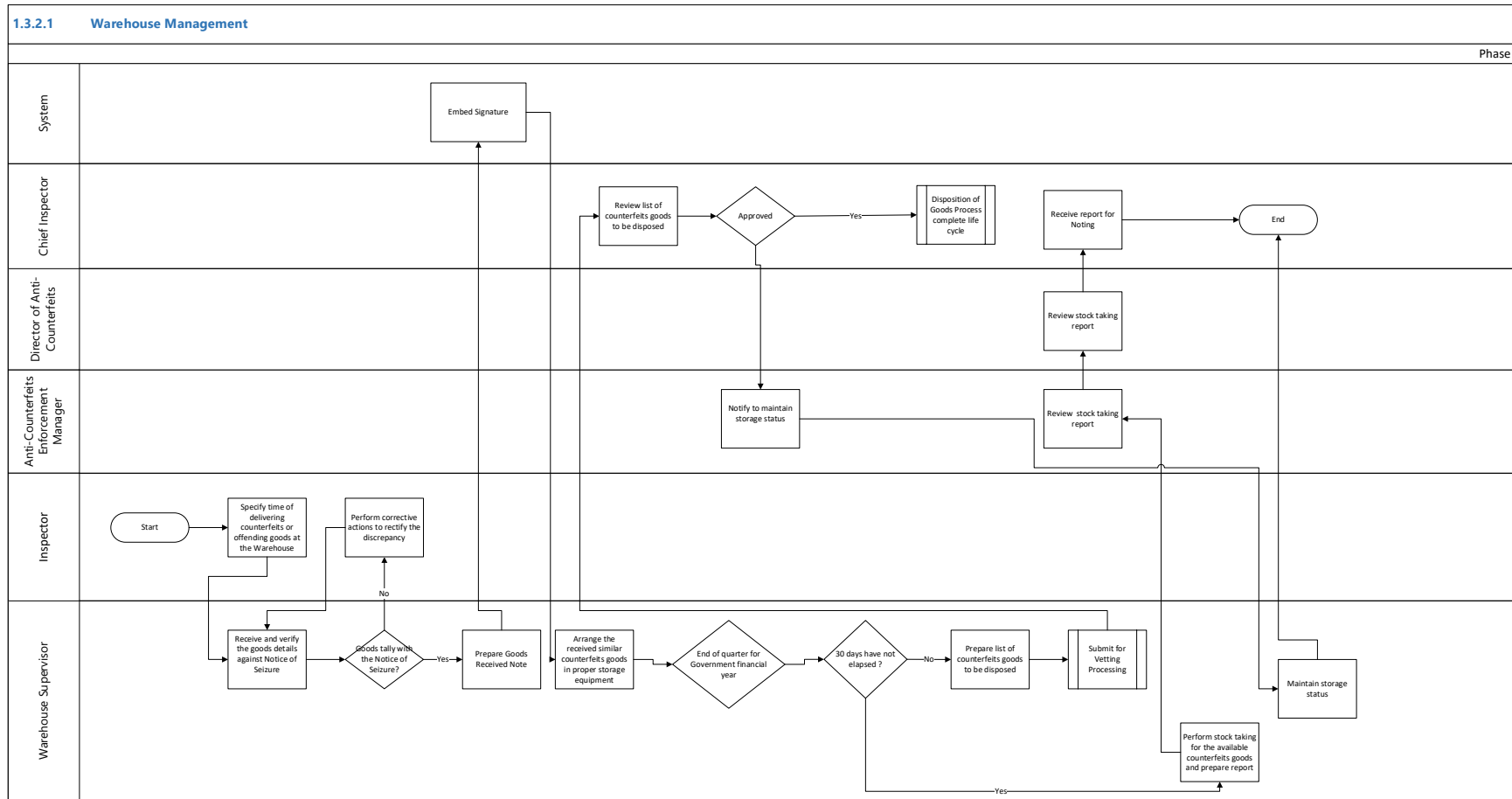
Name of Process	Warehouse Management
Process Number	FCC_CBP_WM_TB_28
Process Description	This process entails procedures to receive incoming counterfeits or offending goods, and store the goods in proper equipment as well as issue stored goods to respective inspector for release or disposal
Process Boundaries	<p>Start Point: Warehouse Supervisor receive information from Inspector about the time of delivering counterfeits or offending goods at the Warehouse</p> <p>End Point: Director of Anti-Counterfeits review prepared stock taking report and submit to Chief Inspector for noting</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Anti-counterfeits Surveillance Manager ▪ Inspector ▪ Warehouse Supervisor
Stakeholders	TRA, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DCI, Brand Owners, Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	Seized counterfeits goods at markets, port and ICDs

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Counterfeits goods tally or does not tally with Notice of Seizure ▪ End of quarter for Government financial year and 30 days have or have not elapsed since receipt of counterfeits goods for storage ▪ Approve or reject list of goods to be disposed ▪ Government financial year has or has not end
Process Input	<ol style="list-style-type: none"> 1. Notice of Seizure 2. Goods information
Process Flow	<ol style="list-style-type: none"> 1. Warehouse Supervisor receive information from Inspector about the time of delivering counterfeits or offending goods at the Warehouse 2. Warehouse Supervisor verify the goods details against Notice of Seizure 3. If the goods do not tally with the Notice of Seizure, Inspector perform corrective actions to rectify the discrepancy 4. If the goods tally with Notice of Seizure, Warehouse Supervisor accept counterfeits goods and prepare Goods Received Note 5. Warehouse Supervisor and Inspector sign (Signature and QR Code embedded automatically on approval) the prepared Goods Received Note. Warehouse Supervisor download and issue signed Goods Received Note to Inspector, record details of received counterfeits goods into Warehouse Ledger and arrange the received similar counterfeits goods in proper storage equipment 6. If it is the end of quarter for Government financial year and 30 days have not elapsed since receipt of counterfeits goods for storage, proceed with step number 18 herein below 7. If it is the end of quarter for Government financial year and 30 days have elapsed since receipt of counterfeits goods for storage, Warehouse Supervisor prepare list of counterfeits goods to be disposed 8. Warehouse Supervisor submit the list of counterfeits goods to be disposed for vetting processing

	<p>9. Chief Inspector approve or reject list of counterfeits goods to be disposed, provide reasons for rejection and assign to Director of Anti-Counterfeits</p> <p>10. Director of Anti-Counterfeits assign approved or rejected list of counterfeits goods to Anti-Counterfeits Enforcement Manager</p> <p>11. Anti-Counterfeits Enforcement Manager check if Chief Inspector approved or rejected list of counterfeits goods to be disposed</p> <p>12. For rejected list of counterfeits goods to be disposed, Anti-Counterfeits Enforcement Manager notify Warehouse Supervisor to maintain storage status</p> <p>13. Warehouse Supervisor to maintain storage status of the rejected counterfeits goods</p> <p>14. For approved list of counterfeits goods to be disposed, Disposition of Goods Process complete life cycle</p> <p>15. Warehouse Supervisor receive signed Release Order or signed Disposal Order from Anti-Counterfeits Enforcement Manager</p> <p>16. Warehouse Supervisor prepare Issue Note in accordance with received order for release or disposal.</p> <p>17. Warehouse Supervisor and Inspector sign (Signature and QR Code embedded automatically on approval) prepared Issue Note, issue counterfeits goods and signed Issue Note to respective Inspector and update details of the issued counterfeits goods in Warehouse Ledger</p> <p>18. If it is end of Government financial year, Warehouse Supervisor perform stock taking for the available counterfeits goods in Warehouse</p> <p>19. Warehouse Supervisor prepare stock taking report and submit to Anti-Counterfeits Enforcement Manager</p> <p>20. Anti-Counterfeits Enforcement Manager review prepared stock taking report and submit to Director of Anti-Counterfeits</p> <p>21. Director of Anti-Counterfeits review prepared stock taking report and submit to Chief Inspector for noting</p>
Process Output	<ul style="list-style-type: none"> ▪ Good Return Note ▪ Stock Taking Report

Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Stock Taking Reports ▪ Number of Good Return Note
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Warehouse Ledger ▪ Issue Note

1.3.2.1.1 Process Flow Diagram



1.3.3 Anti-Counterfeits Enforcement

Anti-Counterfeits Enforcement encompasses procedures for handling requests for compoundment, representing Chief Inspector before Courts of Law, disposal of condemned goods and release of suspected goods Anti-Counterfeits Enforcement include the following business processes: -

- i. Handling Requests for Compoundment;
- ii. Representing Chief Inspector before Courts of Law;
- iii. Disposal of Condemned Goods; and
- iv. Release of Suspected Goods

1.3.3.1 Handling Requests for Compoundment

Name of Process	Handling Requests for Compoundment
Process Number	FCC_CBP_AC_TB_30
Process Description	This process entails submission of requests for compoundment by offenders, review, and assessment of applicable documents to determine requisite fine
Process Boundaries	<p>Start Point: Director of Anti-Counterfeits receives Chief Inspector directives on submitted Raid Report and Notices of Seizure</p> <p>End Point: Record Officer dispatches Release Letter to WHARF Manager and Anti-counterfeit Enforcement Officer closes the file</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Anti-counterfeits Surveillance Manager ▪ Surveillance Officer ▪ Enforcement Officer ▪ Offender ▪ Record Officer ▪ WHARF Manager

Stakeholders	TRA, DCI, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DPP, Brand Owner, Culprit, General Public and Business Community
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	<ul style="list-style-type: none"> • Offender Requests for Compoundment • Chief Inspector Grants Orders for Compoundment • Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Offender chooses to challenge or accepts Seizure Notice ▪ Submission of Required Documents ▪ Offender settles or fails to settle the fine within 30 days ▪ Counterfeits goods seized at port or market ▪ Goods missing country of origin seized
Process Input	<ol style="list-style-type: none"> 1. Notice of Seizure 2. Fine Schedule 3. Checklist for Complete Seizure Process 4. Raid Reports 5. Necessary Documents (i.e., TANSAD, Parking List, Invoice, Bill of Lading, Manifest)
Process Flow	<ol style="list-style-type: none"> 1. Director of Anti-Counterfeits receive Chief Inspector directives on submitted Raid Reports and Notices of Seizure 2. Anti-Counterfeits Enforcement Manager receives directives from the Director of Anti-Counterfeits and assigns to the Enforcement Officer 3. Enforcement Officer receives directives from Anti-Counterfeits Enforcement Manager for assessment 4. Enforcement Officer conduct assessment, prepare Seizure notice and submit for vetting processing

	<ol style="list-style-type: none">5. The Chief Inspector review and approve the Seizure Notice and notification is sent to the Culprit/offender6. If the offender chooses to challenge Seizure Notice, this challenge of Seizure completes life follows.7. If the Culprit choose to accept Seizure Notice, Culprit fill and submit Request for Compoundment (Form F) through the system and submit necessary documents (TANSAD, Parking List, Invoice, Bill of Lading, Manifest etc.)8. If the application does not meet minimum requirement for submission, system notify Culprit to complete application and resubmit else system generate unique reference number for the application and notify Culprit for successfully application submission9. Enforcement Officer perform review of the submitted documents, asses fine according to Fine Schedule, fill checklist for complete Seizure process, issue Order of Compoundment (Form G), sign and submit for vetting processing10. Director of Anti-Counterfeits approve (Signature and QR Code embedded automatically on approval) the Checklist for Complete Seizure Process and notification with control number is sent to culprit for payment11. System check and verify if applicant made a payment. If payment not yet made, system notify applicant to make payment else allows the processing to continue12. After payment of the fine, the Anti-Counterfeit Enforcement Officer prepares a Release/offloading Letter and submit for vetting processing13. Director of Anti-Counterfeits sign release letter/offloading letter (Signature and QR Code embedded automatically on approval) notification is sent to the Commissioner of Customs and copy to TPA, Wharf Manager, Joint Port Control Unit (JPCU), Culprit where applicable14. Manager of Anti-Counterfeit Surveillance appoints surveillance Officer to participate in offloading of counterfeits goods seized at port
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	<p>15. Surveillance Officer offloads offending goods and transport the same to the Warehouse for storage purposes (Warehouse Management Process completes lifecycle)</p> <p>16. Surveillance Officer prepares Offloading Report, release letter for consignment and submits for vetting processing</p> <p>17. Chief Inspector reviews Offloading report, signs release letter notification is sent to Commissioner of Customs and copy to TPA, Wharf Manager, Joint Port Control Unit (JPCU) and offender</p> <p>For goods missing country of origin</p> <p>18. Enforcement Officer assesses TANSAD document to determine the value of consignment for computation of requisite fine</p> <p>19. Enforcement Officer issues Order of Compoundment (Form G) and control number to the offender for payment</p> <p>20. System check and verify if applicant made a payment. If payment not yet made, system notify applicant to make payment else allows the processing to continue</p> <p>21. If the offender settles the fine, proceeds with preparation of draft release letter</p> <p>22. If the offender fails to settle the fine, Chief Inspector informs Commissioner for customs to complete Disposal of Counterfeits Goods process lifecycle.</p>
Process Output	<ul style="list-style-type: none"> ▪ Release Letter ▪ Offloading Letter ▪ Request for Compoundment (Form F) ▪ Order of Compoundment (Form G)
Measurable Outcome	Number of Release Letters, Number of Offloading Letters, Number of Files closed
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector

Control Points and Measurements	<ul style="list-style-type: none">▪ Checklist for Complete Seizure Process▪ Daily Inspection Register▪ Raid Seizure Register
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1.3.3.2 Representing Chief Inspector before Hearing Committees and Courts of Law

Name of Process	Challenge of Seizure
Process Number	FCC_CBP_AC_TB_31
Process Description	This process entails filling statement of claim, appointment of hearing committee and appearing before tribunal and courts of law
Process Boundaries	<p>Start Point: Applicant fills and submits Statement of Claim (Form L) to Chief Inspector</p> <p>End Point: Record Officer dispatches Appointment Letters to the members of hearing committee.</p> <p>Appearing before tribunal and court of law.</p>
Process Owner	Director of Anti-Counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-Counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Enforcement Officer/Inspector ▪ Record Officer ▪ Claimant ▪ Brand owner
Stakeholders	TRA, DCI, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DPP, JPCU,
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	<p>Claimant submits Statement of Claim (Form L) to Chief Inspector</p> <p>Applicant Authenticated and authorized to access the service</p>
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	Chief Inspector approves statement of claim
Process Input	Statement of Claim (Form L)
Process Flow	<ol style="list-style-type: none"> 1. Claimant fills and submits Statement of Claim (Form L) to Chief Inspector 2. If the application does not meet minimum requirement for submission, system notify applicant to complete application and resubmit else system generate unique reference number for the application and notify claimant for successfully application submission 3. Chief Inspector preview the Statement of Claim and provide directives to Director of Anti-Counterfeits anytime when the process is in progress 4. Director of Anti-Counterfeits preview the Statement of Claim and provide directives to counterfeits Surveillance Manager anytime when the process is in progress 5. Anti-Counterfeits Enforcement Manager preview and Assign Enforcement Officer to prepare Advice 6. Enforcement Officer review the Statement of Claim, prepare advice and submit for vetting processing 7. Chief Inspector receives Legal Advice, provides decision, and assigns to Director of Anti-Counterfeits 8. Director of Anti-Counterfeits receives decision and assigns to Anti-Counterfeits Enforcement Manager for further Actions 9. For rejected Claim, Anti-Counterfeits Enforcement Manager receives and assigns to Enforcement Officer to prepare Response Letter to inform the Claimant that the Claim has been rejected 10. Enforcement Officer prepares draft Response Letter to the Claimant and submit for vetting processing 11. Chief Inspector reviews and signs Response Letter and notification is sent to claimant 12. For accepted Claim, Anti-Counterfeits Enforcement Manager prepares suggested members for hearing committee for Chief

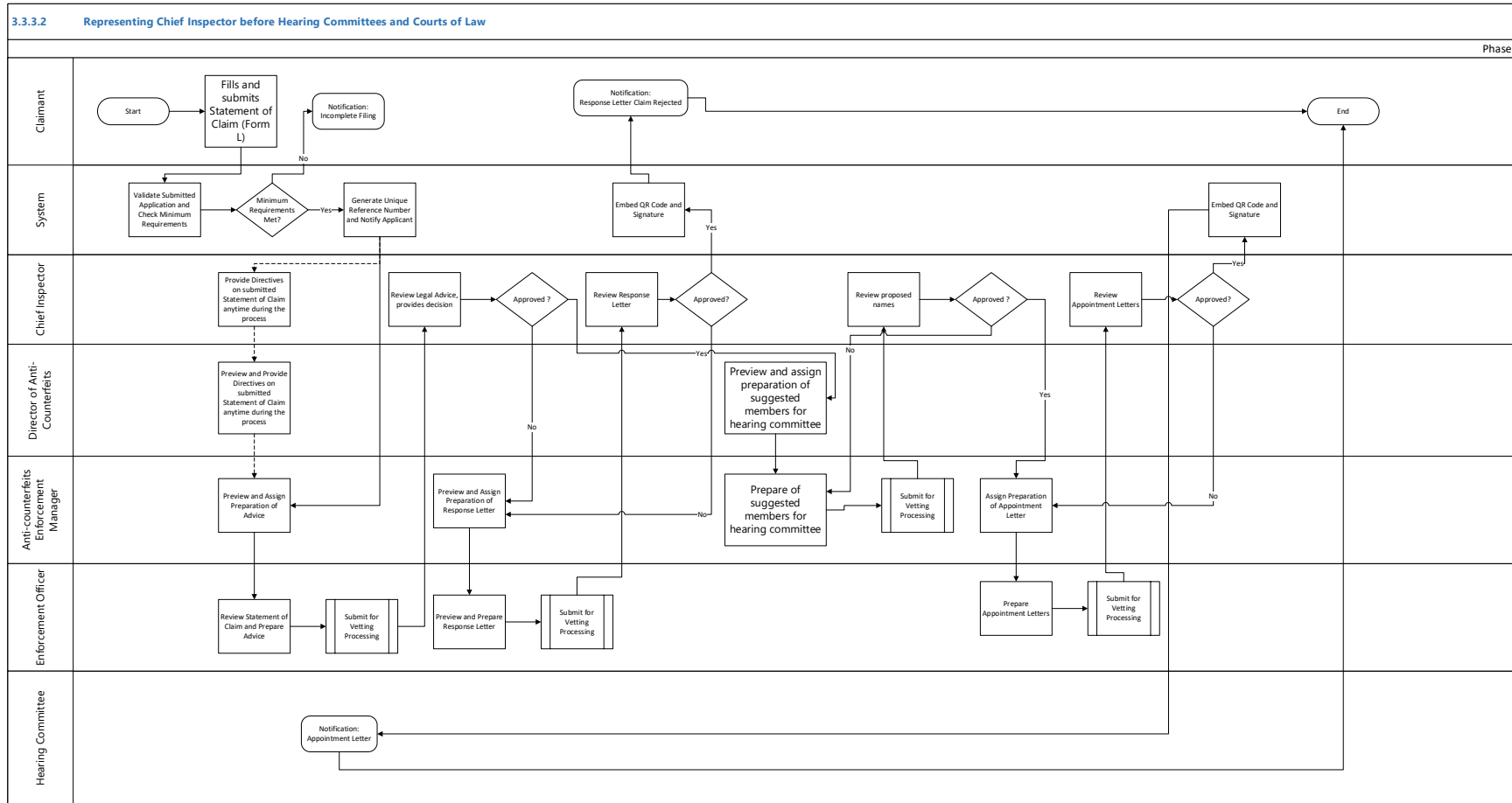
	<p>Inspector’s appointment or otherwise and submit for vetting processing</p> <p>13. Chief Inspector review and approves the names of members of hearing committee and assign to Director of Anti-Counterfeits to prepare Appointment Letters</p> <p>14. Director of Anti-Counterfeits receives names of appointed members of the hearing committee and assigns to the Anti-Counterfeits Enforcement Manager to prepare Appointment Letters</p> <p>15. Anti-Counterfeits Enforcement Manager receives names of appointed members of the hearing committee and assigns to Enforcement Officer to prepare draft Appointment Letters</p> <p>16. Enforcement Officer prepares Appointment Letters and submits for vetting processing</p> <p>17. Chief Inspector Signs Appointment Letters and assigns and notification is sent to members</p>
Process Output	<ul style="list-style-type: none"> ▪ Response Letter ▪ Appointment Letter
Measurable Outcome	Number of challenged seizures
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes directly to the Chief Inspector
Control Points and Measurements	Advisory Report
Name of Process	Claim Hearing
Process Number	FCC_CBP_AC_32
Process Description	This process entails procedure for conducting hearing as well as issuing proceedings and ruling of the Claim to Parties

Process Boundaries	<p>Start Point: Chairperson of Hearing Committee receive appointment letter and claim file</p> <p>End Point: Record Officer dispatch the signed proceeding and ruling to the Parties</p>
Process Owner	Chief Inspector
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Chairperson of the Committee ▪ Members of the Committee ▪ Respondent/Inspectors ▪ Records Officer ▪ Claimant ▪ Parties ▪ Brand Owner
Stakeholders	TRA, DCI, BRELA, TBS, TMDA, Clearing and Forwarding Agencies, TPA, DPP, JPCU, Claimant, Brand Owner
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	Approved Statement of Claim by the Chief Inspector
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Need for Witness ▪ Complainant appeared or did not appear before the Hearing Committee ▪ Claimant chooses to challenge or not challenge the order for dismissal ▪ Chief Inspector is satisfied or not satisfied with submitted reasons
Process Input	<ol style="list-style-type: none"> 1. Appointment letter 2. Claim file

<p>Process Flow</p>	<ol style="list-style-type: none"> 1. Chairperson of Hearing Committee receive appointment letter and claim file 2. Chairperson of Hearing Committee call a meeting with committee members to familiarize with the case and schedule the date and time the hearing to be conducted 3. If there is a need of Witness, Chairperson of Hearing Committee issue and serve Notice of Witness to Appear (Form P) 4. Chairperson of the Committee issue and serve Notice of Hearing (Form M) to claimant, Inspectors and Brand Owner 5. Chairperson of the Hearing Committee check if the claimant has appeared in front of the committee 6. If the claimant was dully served with the Notice of Hearing and does not appear before the Committee, The Committee dismisses the Claim 7. If Claimant choose to challenge the dismissal, within 14 days the Claimant fills and submits to the Chief Inspector the Application to Set Aside Dismissal Order (Form N) 8. Record Officer receive the application and submit to the Chief Inspector for preview 9. Chief Inspector receive Application to Set Aside Dismissal Order and review 10. If Chief Inspector/Hearing Committee is satisfied with the reason submitted, the Dismissal Order will set aside 11. If the Chief Inspector/ is not satisfied with the reasons submitted, Chief Inspector /hearing committee uphold the Dismissal Order and notify the Claimant 12. If the Claimant appears before the Committee, the hearing proceeds 13. After closure of the claimant case, the Respondent (Inspector) will present their defence before the Hearing Committee 14. Committee prepares Proceedings and Ruling of the Claim 15. Chairperson and Members of Hearing Committee sign the Proceedings and Ruling of the Claim
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	<p>16. Chairperson of Hearing Committee calls upon the Parties and delivers Ruling of the Claim</p> <p>17. Chairperson of Hearing Committee assigns signed Proceedings and Ruling of the Claim to Records Officer for dispatch</p> <p>18. Record Officer dispatches the signed Proceedings and Ruling of the Claim to Parties</p>
Process Output	<ol style="list-style-type: none"> 1. Signed Proceeding and Ruling 2. Notice of Witness to Appear (Form P) 3. Notice of Hearing (Form M) 4. Dismissal Order 5. Application to Set Aside Dismissal Order (FORM N)
Measurable Outcome	Number of Signed Proceeding and Ruling
Exceptions to Normal Process Flow	Not Applicable
Control Points and Measurements	Proceeding and Ruling of the Claim

1.3.3.2.1 Process Flow Diagram



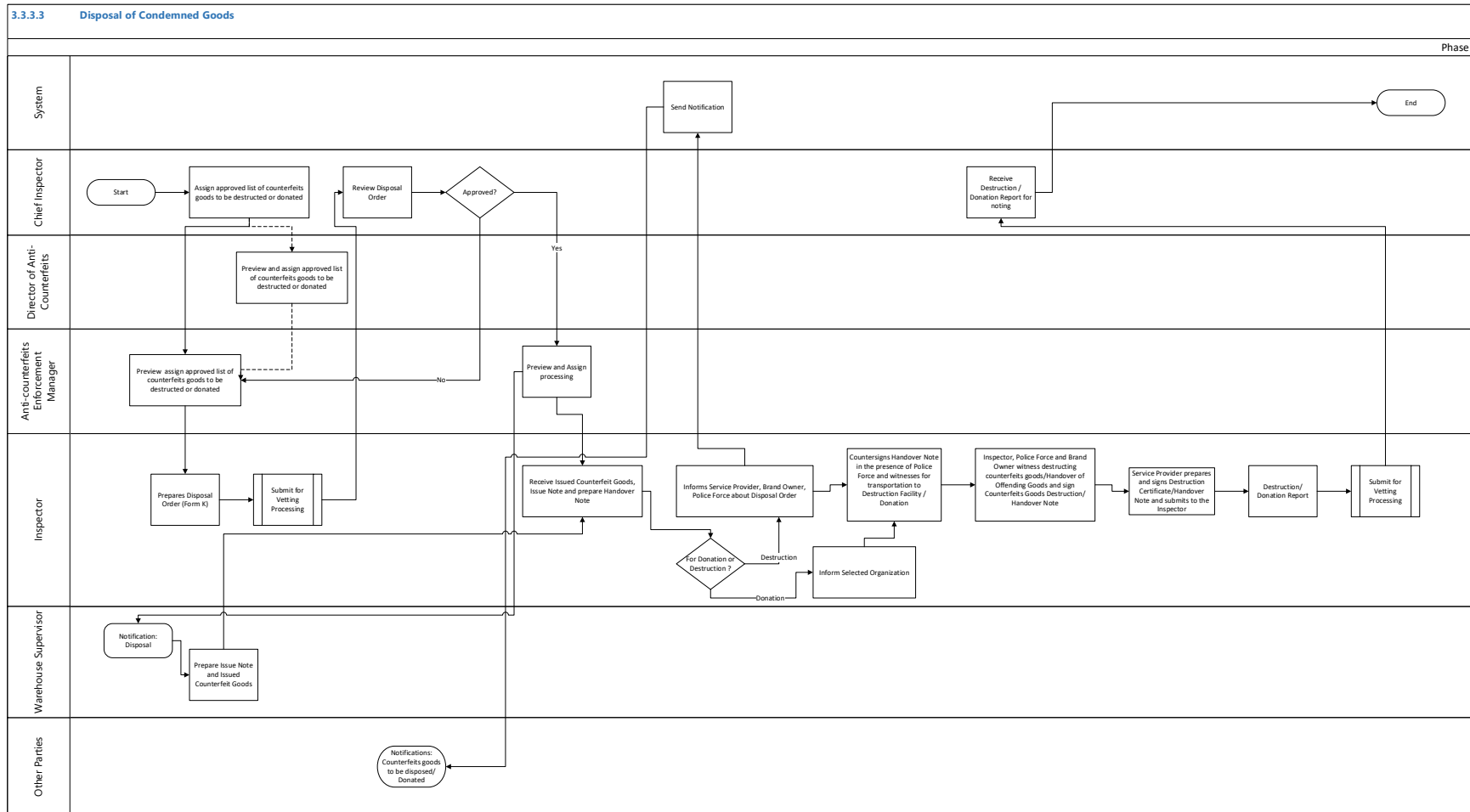
1.3.3.3 Disposal of Condemned Goods

Name of Process	Disposal of Counterfeits Goods
Process Number	FCC_CBP_AC_TB_33
Process Description	This is process entails the disposal of counterfeit goods through donation to charitable organizations as well as destruction of counterfeits goods
Process Boundaries	<p>Start Point: Chief Inspector assigns approved list of counterfeits goods to be destroyed or donated to Director of Anti-Counterfeits</p> <p>End Point: Director of Anti-Counterfeits reviews and submits the donation or destruction report to the Chief Inspector for noting</p>
Process Owner	Director of Anti-counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Enforcement Officer
Stakeholders	Director of Anti-counterfeits
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	<p>Approved list of counterfeits goods to be donated or destroyed</p> <p>Applicant Authenticated and authorized to access the service</p>
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Counterfeits goods to be destroyed or donated
Process Input	List of counterfeits goods to be destroyed or donated
Process Flow	1. Chief Inspector assign approved list of counterfeits goods to be destroyed or donated to Director of Anti-Counterfeits

	<ol style="list-style-type: none">2. Director of Anti-Counterfeits reviews list of approved counterfeits goods to be destructed or donated and assigns to Anti-Counterfeits Enforcement Manager3. Anti-Counterfeits Enforcement Manager reviews list of approved counterfeits goods to be destructed or donated and assigns Enforcement Officer4. Enforcement Officer prepares Disposal Order (Form K) and submits for vetting processing5. Chief Inspector reviews, signs prepared Disposal Order and assign to Director of Anti-Counterfeits6. Director of Anti-Counterfeits receives signed Disposal Order and assigns to Anti-Counterfeits Enforcement Manager7. Anti-Counterfeits Enforcement Manager receives signed Disposal Order and assigns to Inspector for further proceedings and Warehouse Supervisor for noting8. Inspector receives issued counterfeits goods from Warehouse Supervisor as well as signed Issue Note9. Inspector prepares Handover Note narrating list of issued counterfeits goods to be disposed10. For counterfeits goods to be disposed, Inspector informs Service Provider, Brand Owner, Police Force about Disposal Order11. Inspector countersigns Handover Note with Service Provider in presence of Police Force and other available witnesses for transportation to Destruction Facility12. Inspector, Police Force and Brand Owner witness the process of destructing counterfeits goods at the Destruction Facility and sign Counterfeits Goods Destruction Note13. Service Provider prepares and signs Destruction Certificate and submits to the Inspector14. Inspector prepares Destruction Report and submit for vetting processing15. Chief Inspector receive Destruction Report for noting
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	<p>16. For counterfeits goods to be donated, Inspector informs selected Organisation</p> <p>17. Inspector countersigns Handover Note with selected Organisation in presence of Police Force and other available witnesses</p> <p>18. Inspector handovers offending goods to selected Organisation in presence of Police Force and other available witnesses</p> <p>19. Inspector prepares Donation Report and submit for vetting processing</p> <p>20. Chief Inspector receive Donation Report for noting</p>
Process Output	<ol style="list-style-type: none"> 1. Counterfeits Goods Donation Report 2. Counterfeits Goods Destruction Report 3. Disposal Order (Form K) 4. Issue Note Details 5. Destruction Note 6. Handover Note 7. Destruction Certificate
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Counterfeits Goods Donation Reports ▪ Number of Counterfeits Goods Destruction Reports
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> ▪ For counterfeits goods to be destructed in absence of Service Provider, Inspector may conduct environment friendly destruction <p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone plays both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes Directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Disposal Order ▪ Handover Note

1.3.3.3.1 Process Flow Diagram



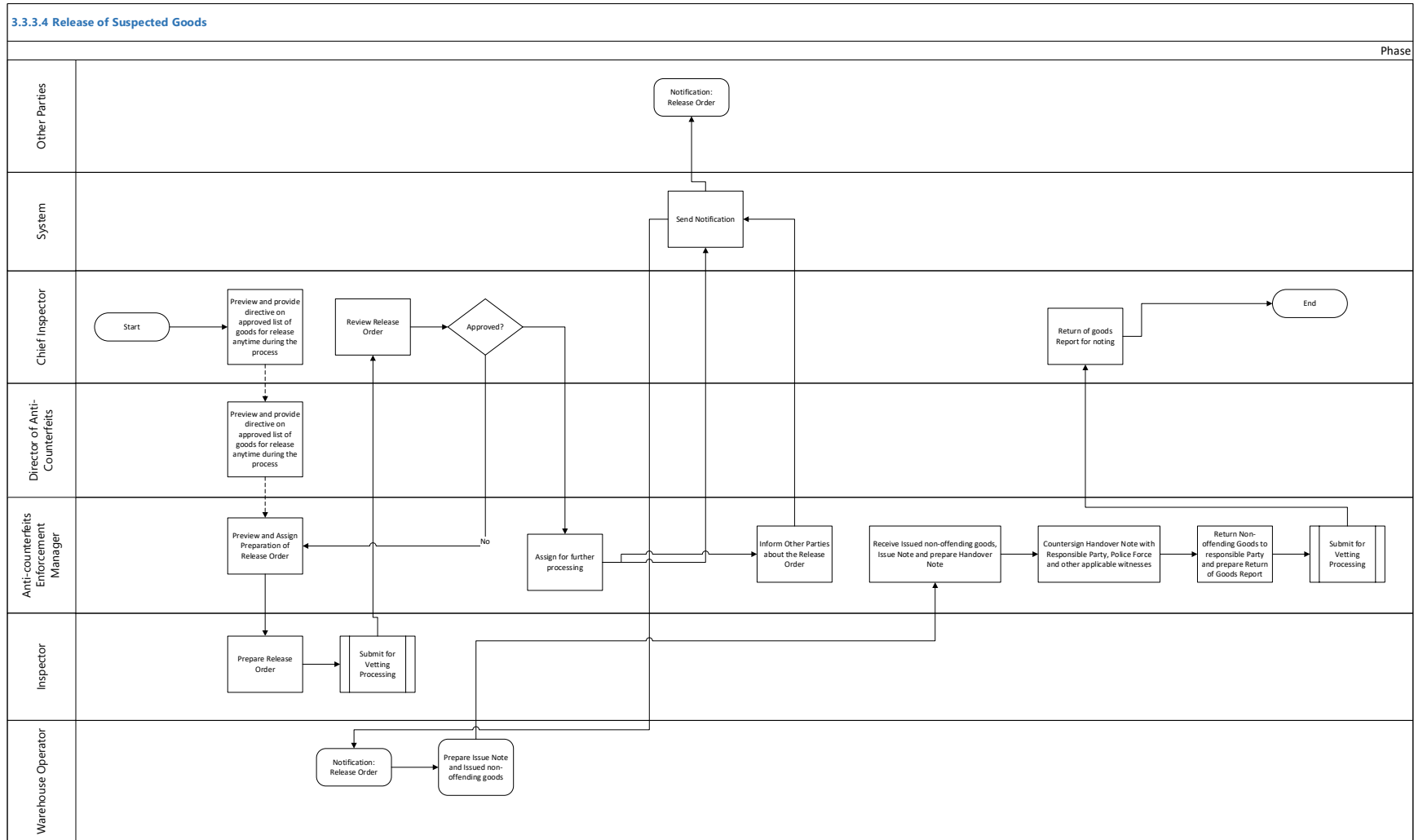
1.3.3.4 Release of Suspected Goods

Name of Process	Release of Suspected Goods
Process Number	FCC_CBP_AC_TB_34
Process Description	This process entails release of suspected counterfeits goods to responsible party
Process Boundaries	<p>Start Point: Chief Inspector assign Director of Anti-Counterfeits to prepare Release Order</p> <p>End Point: Director of Anti-Counterfeits review and submit Return of Goods Report to the Chief Inspector for noting</p>
Process Owner	Director of Anti-counterfeits
Process Actors	<ul style="list-style-type: none"> ▪ Chief Inspector ▪ Director of Anti-counterfeits ▪ Anti-Counterfeits Enforcement Manager ▪ Inspector ▪ Responsible Party ▪ Record Officer
Stakeholders	Director of Anti-Counterfeits
Business Rules	<ul style="list-style-type: none"> ▪ Merchandise Marks Act, 1963 as amended ▪ Merchandise Marks Regulations 2008 and 2010
Pre-Conditions	<ul style="list-style-type: none"> ▪ Suspected counterfeits goods in Warehouse declared as not counterfeits ▪ Ruling of the Hearing Committees ▪ Ruling of the appeal from FCT ▪ Submission of MOU between Offender and Brand Owner to the Chief Inspector ▪ Court Order ▪ Applicant Authenticated and authorized to access the service

Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Not Applicable
Process Input	1. Inspection Report
Process Flow	<ol style="list-style-type: none"> 1. Chief Inspector preview approved list of goods for release and provide directives to Director of Anti-Counterfeits anytime when the process is in progress 2. Director of Anti-Counterfeits preview approved list of goods for release and provide directives to counterfeits Surveillance Manager anytime when the process is in progress 3. Anti-Counterfeits Enforcement Manager receive the directives and assign Inspector to prepare Release Order 4. Inspector prepare Release Order and submit for vetting processing 5. Chief Inspector review, sign (Signature and QR Code embedded automatically on approval) prepared Release Order and assign to Director of Anti-Counterfeits 6. Director of Anti-Counterfeits receive signed Release Order and assign to Anti-Counterfeits Enforcement Manager 7. Anti-Counterfeits Enforcement Manager receive signed Release Order and assign to Inspector for further proceedings and Warehouse Supervisor for noting 8. Inspector receive signed Release Order and inform Responsible Party, Police Force and other applicable witnesses 9. Inspector receive issued non-offending goods from Warehouse Supervisor as well as signed Issue Note 10. Inspector prepare Handover Note narrating list of non-offending goods to be released in accordance with signed Release Order 11. Inspector countersign Handover Note with Responsible Party, Police Force and other applicable witnesses

	<p>12. Inspector return non-offending goods to Responsible Part in presence of Police Force and other applicable witnesses</p> <p>13. Inspector prepare Return of Goods Report and submit for vetting processing</p> <p>14. Chief Inspector receive the Return of goods Report for noting</p>
Process Output	<ol style="list-style-type: none"> 1. Released Goods 2. Release Order 3. Handover Note 4. Issue Note 5. Return of goods Report
Measurable Outcome	Return of Goods Report
Exceptions to Normal Process Flow	<p>In case of zone</p> <ol style="list-style-type: none"> 1. There is no Director or Manager in the Zonal Office. The Head of Zone play both roles in receiving submission from Zonal officer and Directive from Chief Inspector 2. Head of Zone submission goes directly to the Chief Inspector
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Release Order ▪ Signed Handover Note ▪ Return of Goods Report

1.3.3.4.1 Process Flow Diagram



1.4 Corporate Services

1.4.1 Finance and accounts section

1.4.1.1 Internal Payment

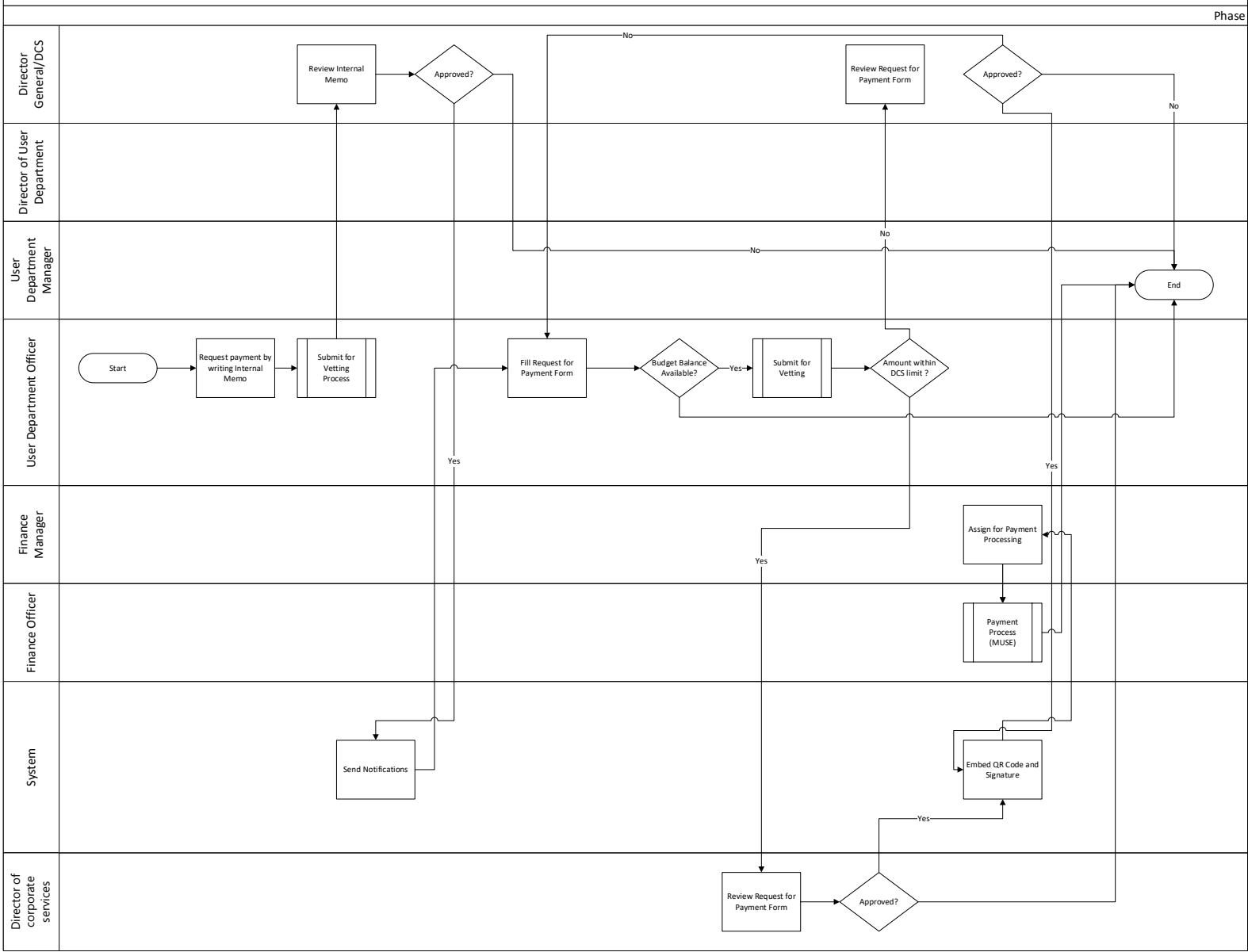
Name of Process	Internal Payment
Process Number	FCC_CBP_RMA_TB_01
Process Description	This process used to approve internal FCC payments
Process Boundaries	Start Point: Officer submits internal memo and request payment form End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Director General/DCS ▪ Director ▪ Head/Manager ▪ Finance Manager ▪ Budget Officer ▪ Finance Officer
Stakeholders	FCC departments, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	Approved Internal memo Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	Approved, Rejected or send back for amendments of internal memo and request payment form
Process Input	<ol style="list-style-type: none"> 1. Approved internal memo 2. Request for payment form
Process Flow	<ol style="list-style-type: none"> 1. User department Officer request payment by writing Internal Memo 2. Manager recommends and send internal memo to Director of user department 3. Director of user department recommends to Director General for approval 4. Director General approves or rejects 5. If approved, notification is sent to Officer and other parties 6. Officer of user department fill request for payment form, system check budget balance and allow submission to Manager 7. Manager sign (Signature embedded automatically on approval) and submit to Director of user department 8. Director of user department sign (Signature embedded automatically on approval) and submit to DG or Director of corporate services depends on amount requested 9. DG or Director of corporate services depends on amount requested, sign (Signature embedded automatically on approval) and send to Finance Manager for payment processing 10. Finance Manager assign to Finance Officer 11. Finance Officer processes payment through MUSE system
Process Output	<ol style="list-style-type: none"> 1. Approved Internal memo 2. Approved request payment form
Measurable Outcome	Number of Complete payments

Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Internal Memo Application for request payment form

1.4.1.1.1 Process Flow Diagram

3.4.1.1 Internal Payment

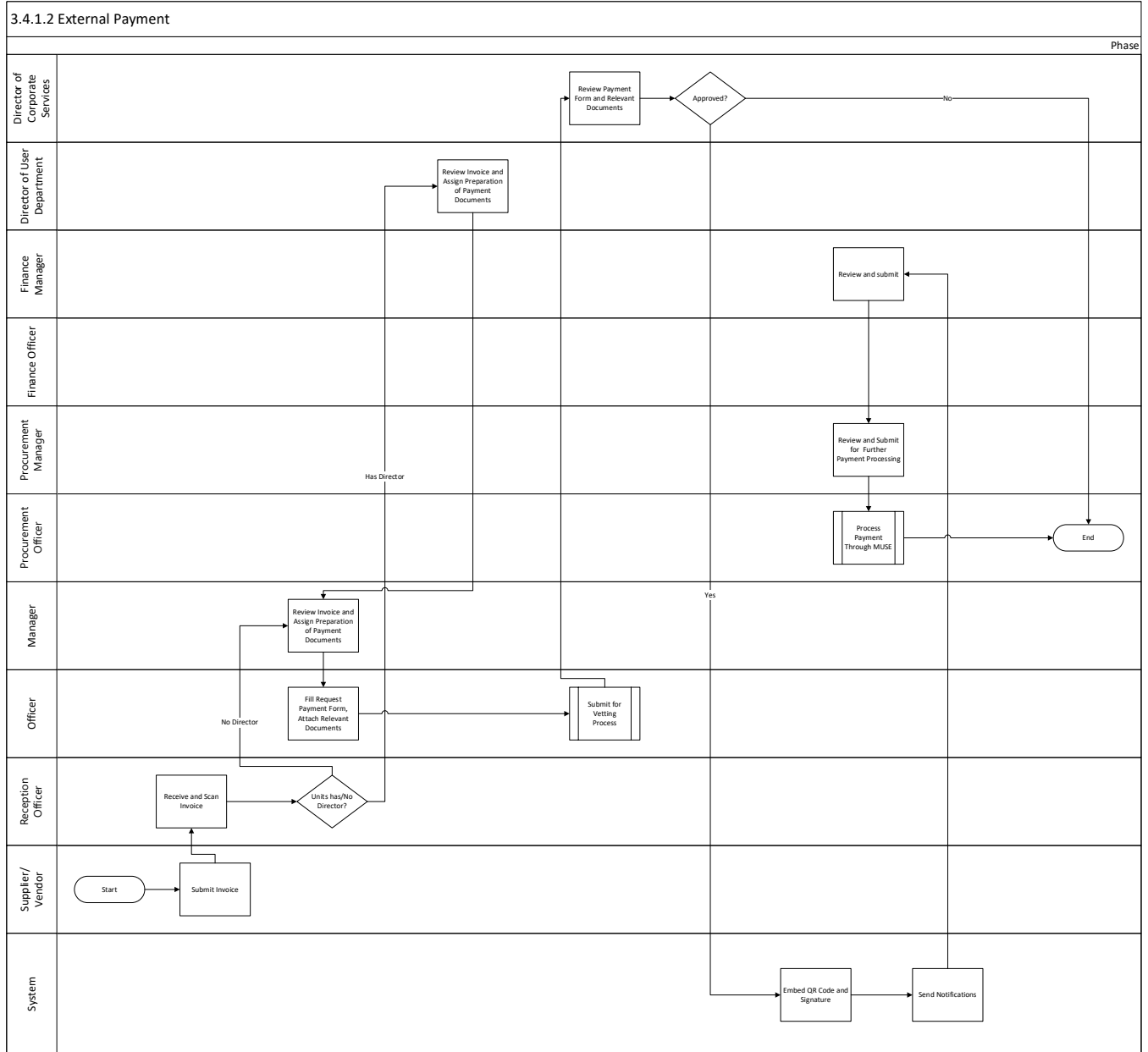


1.4.1.2 External Payment

Name of Process	External Payment
Process Number	FCC_CBP_RMA_TB_02
Process Description	This process used to approve External FCC payments
Process Boundaries	Start Point: Supplier/vendor submits invoice End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Director General/DCS ▪ Directors ▪ Head/Managers ▪ Finance Manager ▪ Budget Officer ▪ Finance Officer
Stakeholders	FCC departments, MUSE, supplier, vendor
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Procurement act, ▪ Procurement Manual
Pre-Conditions	Supplier/Vendor Contract Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises

Decisions associated with the process	Approved, Rejected or send back for amendments of invoice and request payment form
Process Input	Invoice
Process Flow	<ol style="list-style-type: none"> 1. Supplier/Vendor submit invoice at the reception 2. Reception Officer receive, scan invoice and submit to Respective Unit Manager /Officer (For Units without Director) 3. For Department, The Manager review and assign to Officer for processing 4. Officer process invoice, fill request payment form, attach relevant documents, system check budget balance and submit for vetting processing 5. DCS approve (Signature embedded automatically on approval) and submit to Finance and Accounting Manager for review 6. FAM review and submit documents to Procurement Manager 7. Procurement Manager review and assign to Procurement Officer 8. Procurement Officer initiate payment through MUSE
Process Output	Approval for payment
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Invoices/contracts and Application for request payment form

1.4.1.2.1 Process Flow Diagram

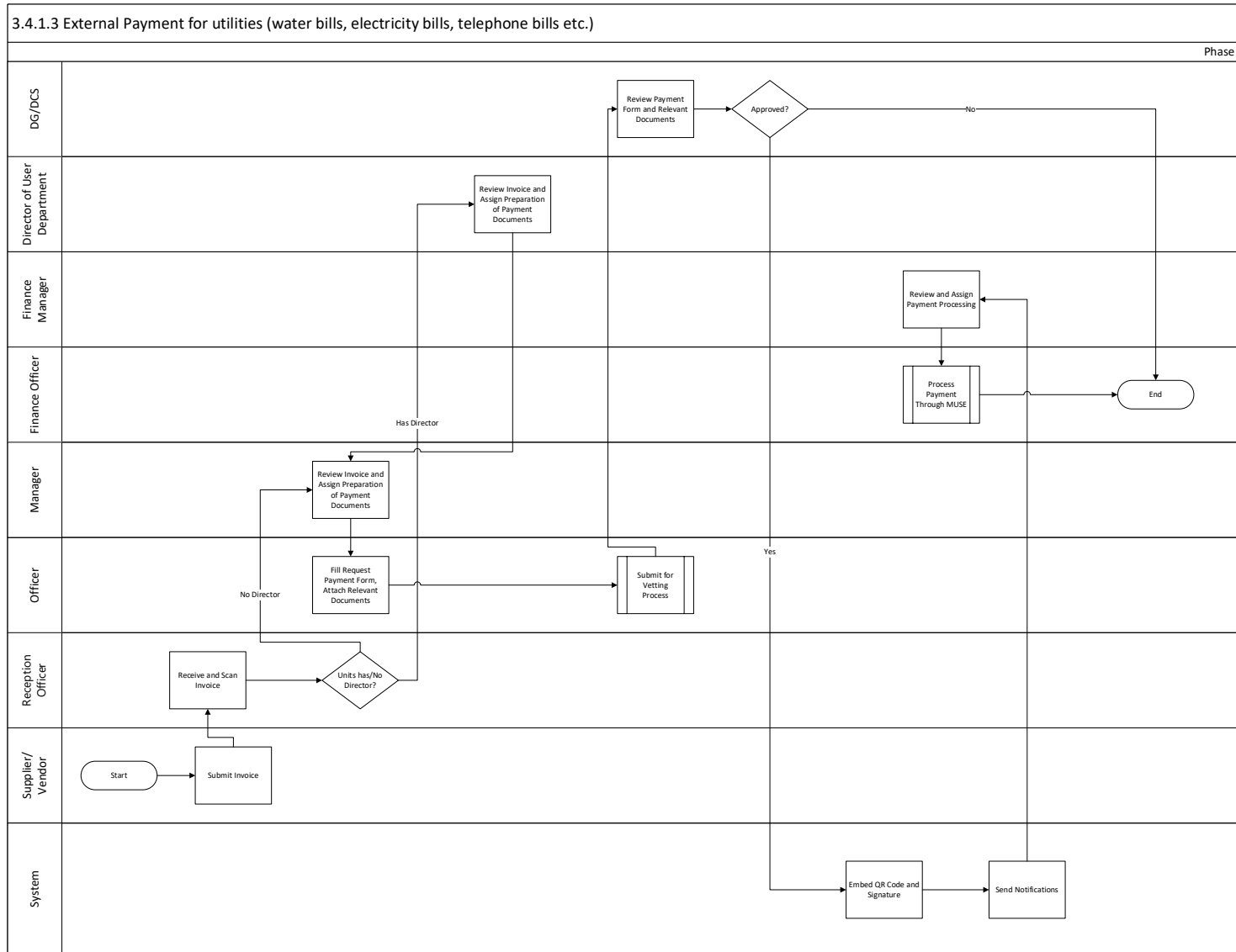


1.4.1.3 External Payment for utilities (water bills, electricity bills, telephone bills etc.)

Name of Process	External Payment for utilities (water bills, electricity bills, telephone bills etc.)
Process Number	FCC_CBP_RMA_TB_03
Process Description	This process used to approve External FCC payments for utilities bills
Process Boundaries	Start Point: Supplier submits invoice/bills End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director of Corporate services ▪ Finance Manager ▪ Budget Officer ▪ Finance Officer
Stakeholders	FCC departments, MUSE, supplier
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023
Pre-Conditions	Service utilization Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Monthly or Whenever Need arises
Decisions associated with the process	Approved, Rejected or send back for amendments of invoice/bill and request payment form
Process Input	Invoice/bill

Process Flow	<ol style="list-style-type: none"> 1. Supplier submit invoice/bill at the reception 2. Reception Officer receive, scan invoice and submit to Respective Unit Manager /Officer (For Units without Director) 3. For unit without Director, the unit Manager/Head review and assign to Officer for processing 4. For Department, the Director review and assign the Manager for processing 5. The Manager review and assign officer for processing 6. Officer process invoice/bill, fill request payment form, attach relevant documents, system check budget balance and submit for vetting processing 7. DCS/DG approve (Signature embedded automatically on approval) and send to FAM (Finance and Accounting Manager) for review 8. FAM review and submit documents to Finance Officer for Payment 9. Finance Officer process payment through MUSE
Process Output	Approval for payment
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Invoice/bill and Application for request payment form

1.4.1.3.1 Process Flow Diagram

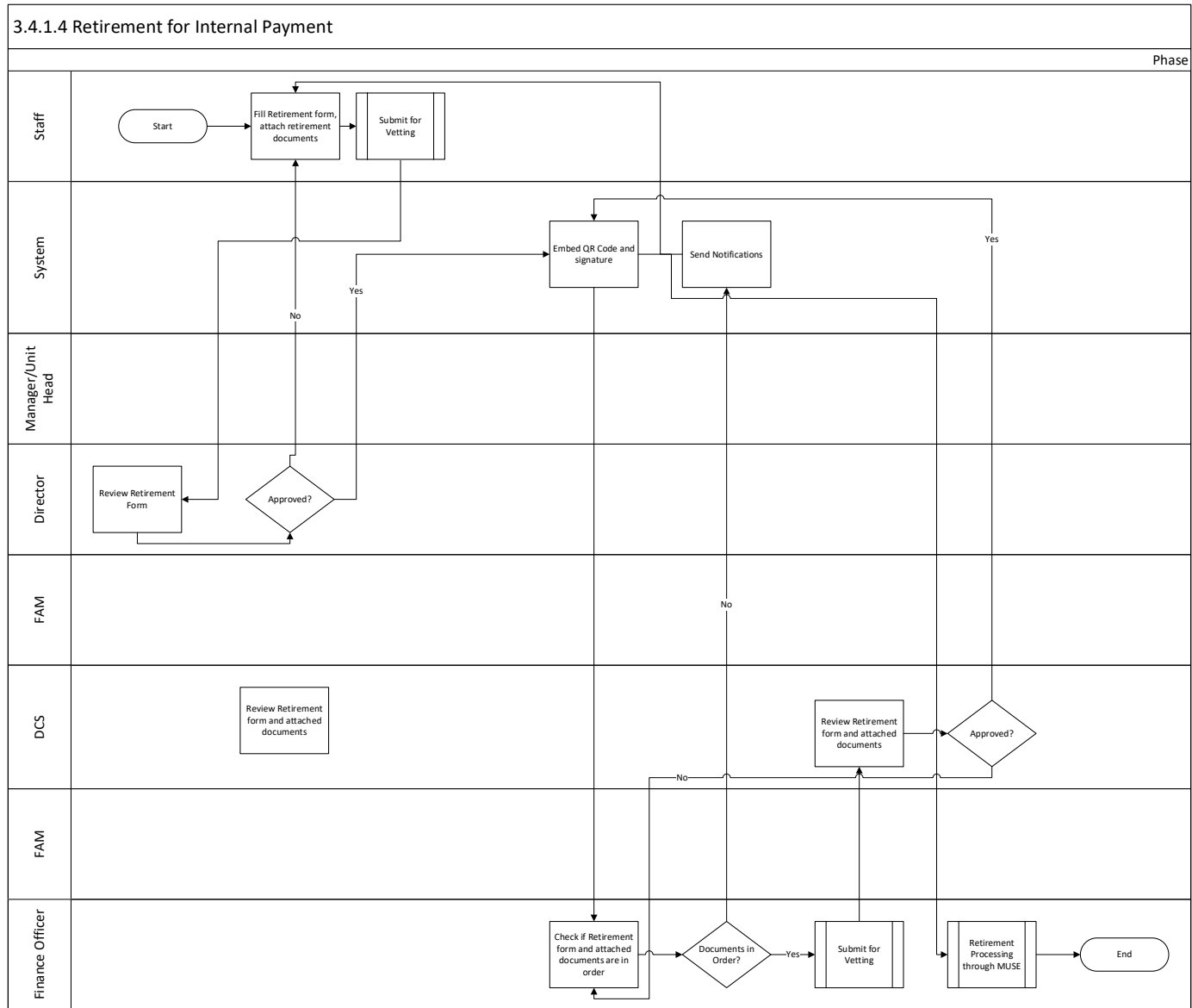


1.4.1.4 Retirement for Internal Payment

Name of Process	Retirement for Internal Payment
Process Number	FCC_CBP_RMA_TB_04
Process Description	This process used to retire internal FCC payments
Process Boundaries	Start Point: Officer submits retirement document End Point: Approved retirement through MUSE
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ All staff
Stakeholders	All Staff of FCC, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	Approved Imprest
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved or send back for amendments of Retirement form
Process Input	Filled Retirement form and associated documents
Process Flow	<ol style="list-style-type: none"> 1. Staff fills retirement form, attaches retirement documents and submit to Respective Manager/Head of unit/ Director for approval 2. Manager/Head of unit/ Director reviews the submitted request and sign (Signature embedded automatically on approval) 3. If signed, the finance officer reviews the signed retirement form and associated documents. If in order, the finance officer signs

	<p>(Signature embedded automatically on approval) the retirement document and submit to FAM for review</p> <p>4. FAM reviews the retirement form and associated documents, signs (Signature embedded automatically on approval) and submit to DCS for approval</p> <p>5. DCS approves (Signature and QR Code embedded automatically on approval) the retirement form and sends to FAM</p> <p>6. FAM assigns the Finance Officer to process retirement</p> <p>7. Finance Officer processes retirement through MUSE system</p>
Process Output	Approved retirement
Measurable Outcome	Number of Complete retirements
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Retirement form

1.4.1.4.1 Process Flow Diagram

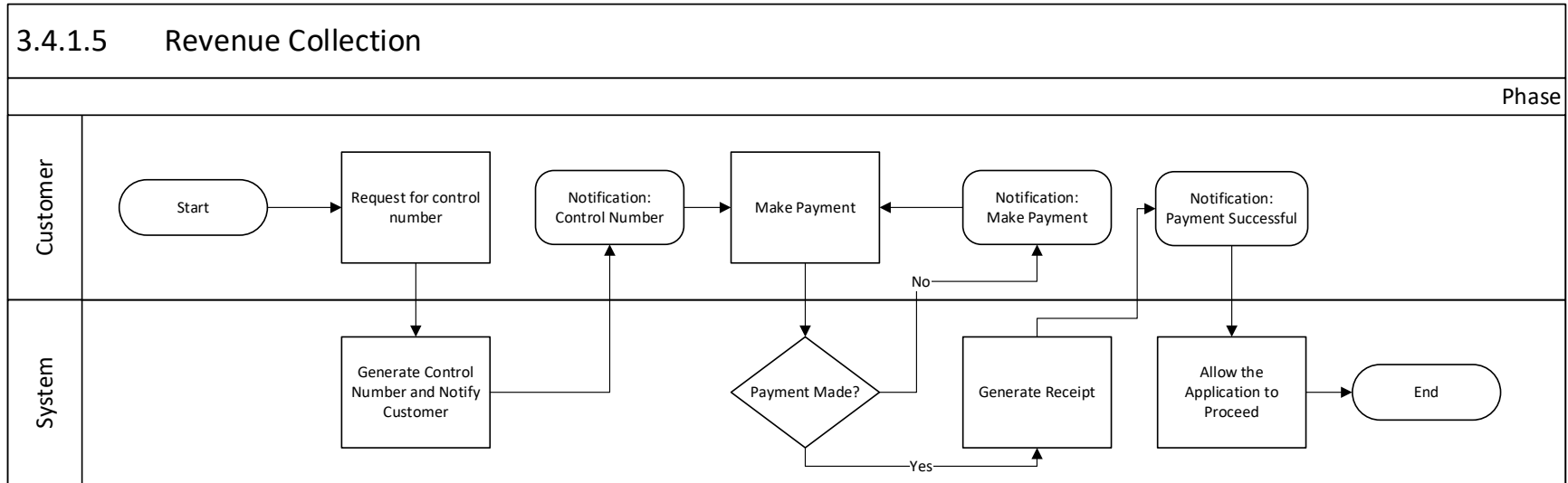


1.4.1.5 Revenue Collection

Name of Process	Revenue Collection
Process Number	FCC_CBP_RMA_TB_05
Process Description	This process used for collecting revenue and accounting
Process Boundaries	Start Point: Customer request control number End Point: GePG receipt
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Finance Manager ▪ Finance Officer/Officer (GePG) ▪ Customer/Payer
Stakeholders	FCC departments, MUSE, Customer, GePG
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023
Pre-Conditions	Service request Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	N/A
Process Input	Customer control number request
Process Flow	<ol style="list-style-type: none"> 1. Customer request for control number through the system 2. System generate control number and notification sent to customer

	<p>3. System check and verify if customer made a payment. If payment made, system allow the application to proceed else notify customer to make payment</p> <p>4. System Generate receipt and notification is sent to Customer</p>
Process Output	GePG receipt
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Control number

1.4.1.5.1 Process Flow Diagram

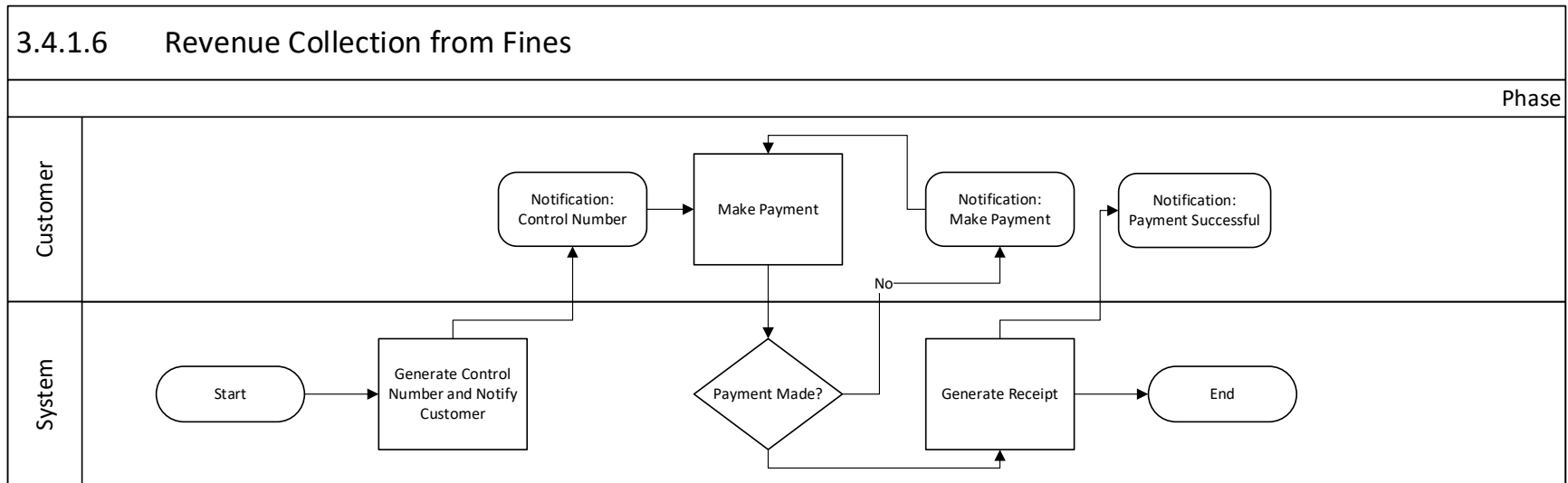


1.4.1.6 Revenue Collection from Fines

Name of Process	Revenue Collection from Fines
Process Number	FCC_CBP_RMA_TB_06
Process Description	This process used for collecting revenue from fines
Process Boundaries	Start Point: Officer issues control number to customer End Point: GePG receipt
Process Owner	Director of Corporate Services
Process Actors	<ul style="list-style-type: none"> ▪ Finance Manager ▪ Finance Officer/Officer (GePG) ▪ Customer/Payer
Stakeholders	FCC departments, MUSE, Customer, GePG
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023
Pre-Conditions	Service request
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	N/A
Process Input	Issuance of control number
Process Flow	<ol style="list-style-type: none"> 1. System generate control number and notification sent to customer 2. System check and verify if customer made a payment. If payment made, system allow the application to proceed else notify customer to make payment 3. System Generate receipt and notification is sent to Customer

Process Output	GePG receipt
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Control number

1.4.1.6.1 Process Flow Diagram

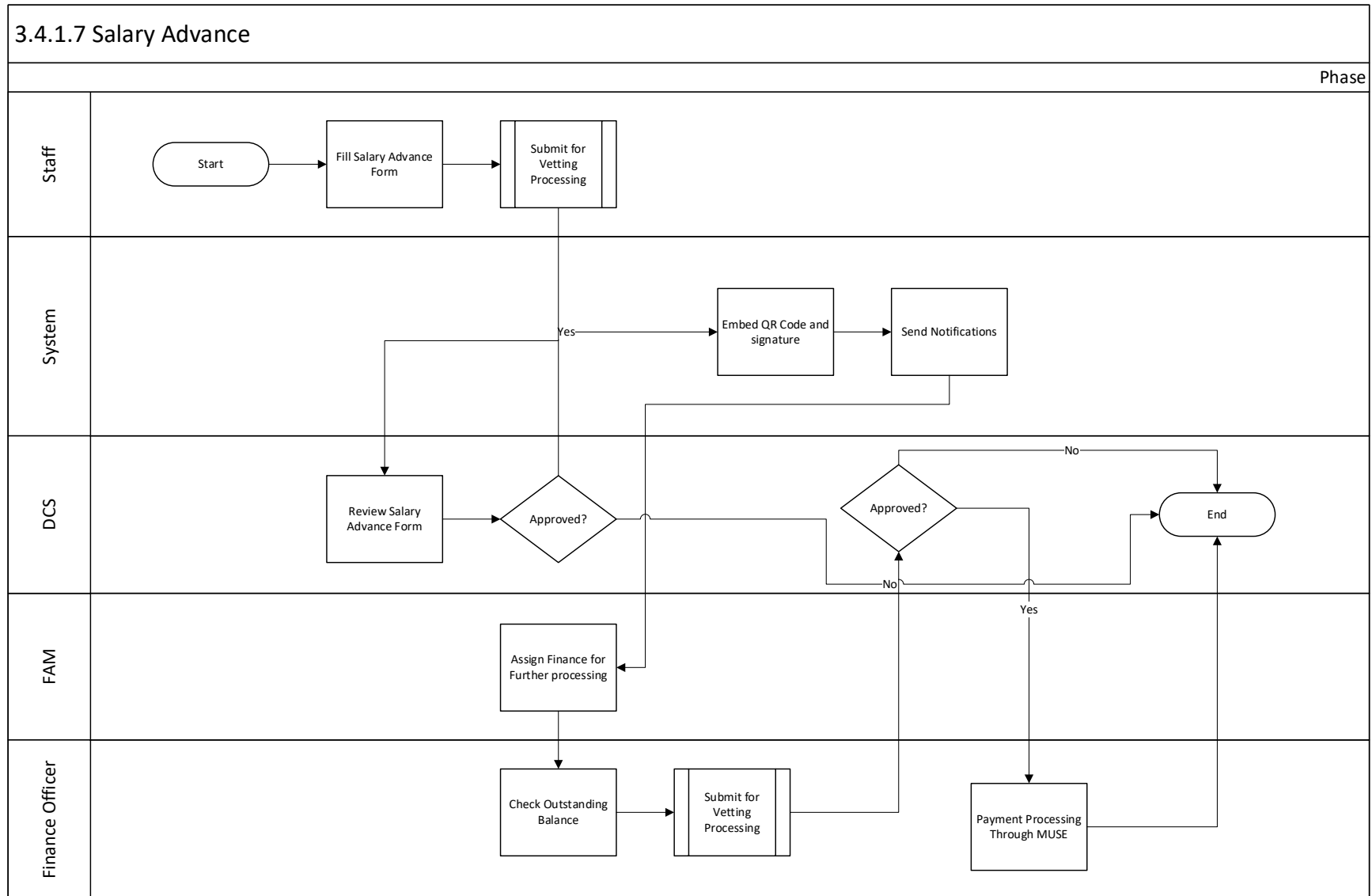


1.4.1.7 Salary Advance

Name of Process	Salary Advance
Process Number	FCC_CBP_RMA_TB_07
Process Description	This process used by staff to apply for salary advance
Process Boundaries	Start Point: Staff fill salary advance form End Point: Approved payment processed through MUSE
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	Approved salary advance form
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for amendments of salary advance form
Process Input	Filled salary advance form
Process Flow	<ol style="list-style-type: none"> 1. Staff fill salary advance form and submit to HR Officer 2. HR Officer review and recommend to HR manager 3. HR manager review and recommend to DCS 4. DCS approve (Signature embedded automatically on approval) and forward to the Finance Officer to check for outstanding balances

	<ol style="list-style-type: none"> 5. The officer checks outstanding balances and forward to FAM 6. FAM review and forward to DCS for approval 7. DCS approve (Signature embedded automatically on approval) and forward to FAM for processing 8. FAM assign to Finance Officer for processing 9. Finance Officer processes payment through MUSE system
Process Output	Approved payment
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Salary Advance form

1.4.1.7.1 Process Flow Diagram

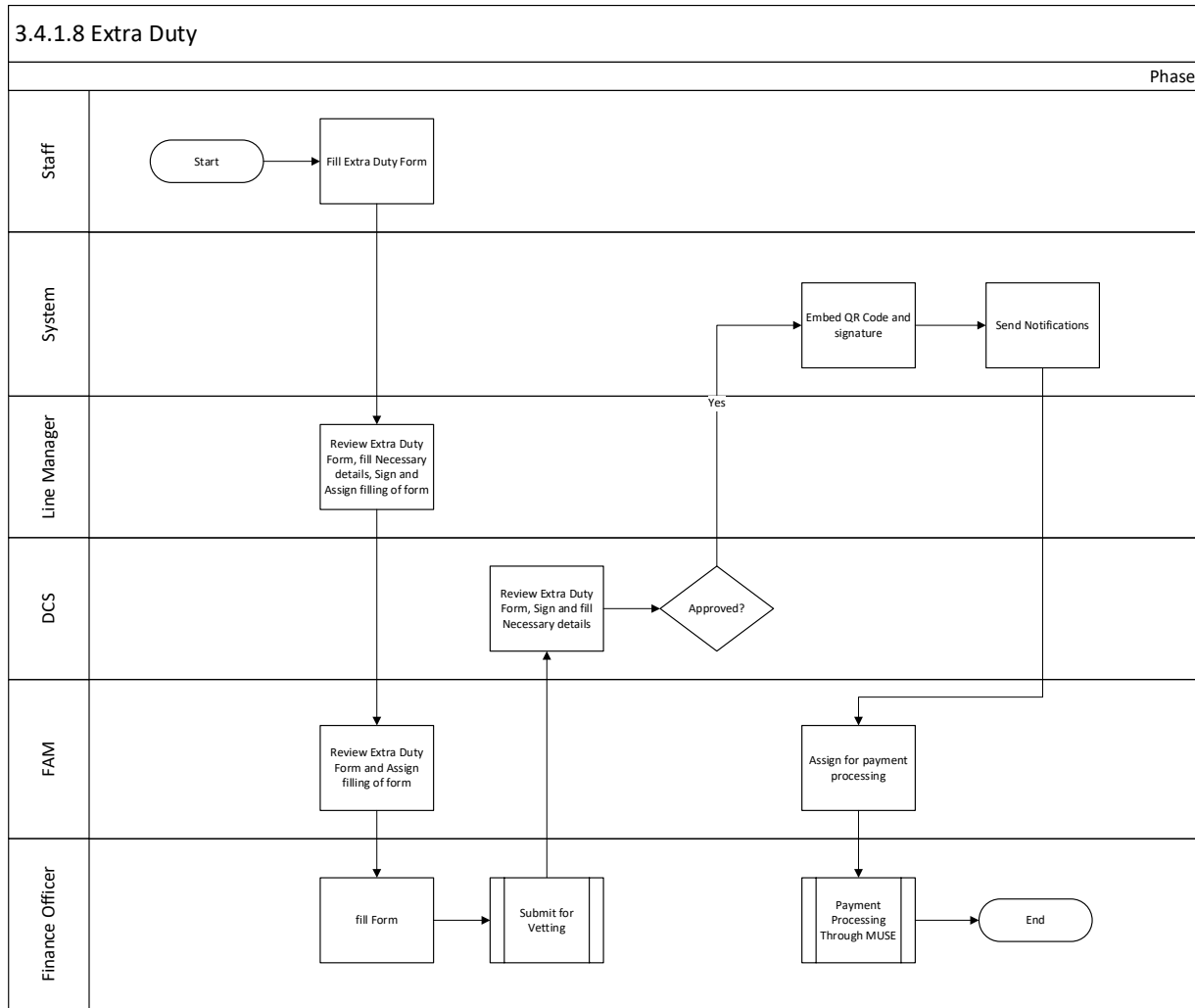


1.4.1.8 Extra Duty

Name of Process	Extra Duty
Process Number	FCC_CBP_DCS_TB_08
Process Description	This process used by staff to apply for extra duty approval
Process Boundaries	<p>Start Point: Staff fill extra duty form and memo indicating total amount payable</p> <p>End Point: Approved payment processed through MUSE</p>
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	Approved Extra duty form and memo
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, rejected or send back for amendments of extra duty form
Process Input	Filled extra form
Process Flow	<ol style="list-style-type: none"> 1. Staff fill extra duty form and submit to Line manager for signature (Signature embedded automatically on approval) 2. Line Manager fill necessary details, sign (Signature embedded automatically on approval) and submit to FAM Manager 3. FAM Manager assign Finance Officer to fill form 4. Finance Officer fill form and submit to FAM for signature

	<p>5. FAM fill necessary details, sign (Signature embedded automatically on approval) the form and submit to DCS for approval</p> <p>6. DCS approve (Signature embedded automatically on approval) and forward to FAM for processing</p> <p>7. FAM assign to Finance Officer for processing</p> <p>8. Finance Officer processes payment through MUSE system</p>
Process Output	Approved payment
Measurable Outcome	Number of Complete payments
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Extra duty form

1.4.1.8.1 Process Flow Diagram



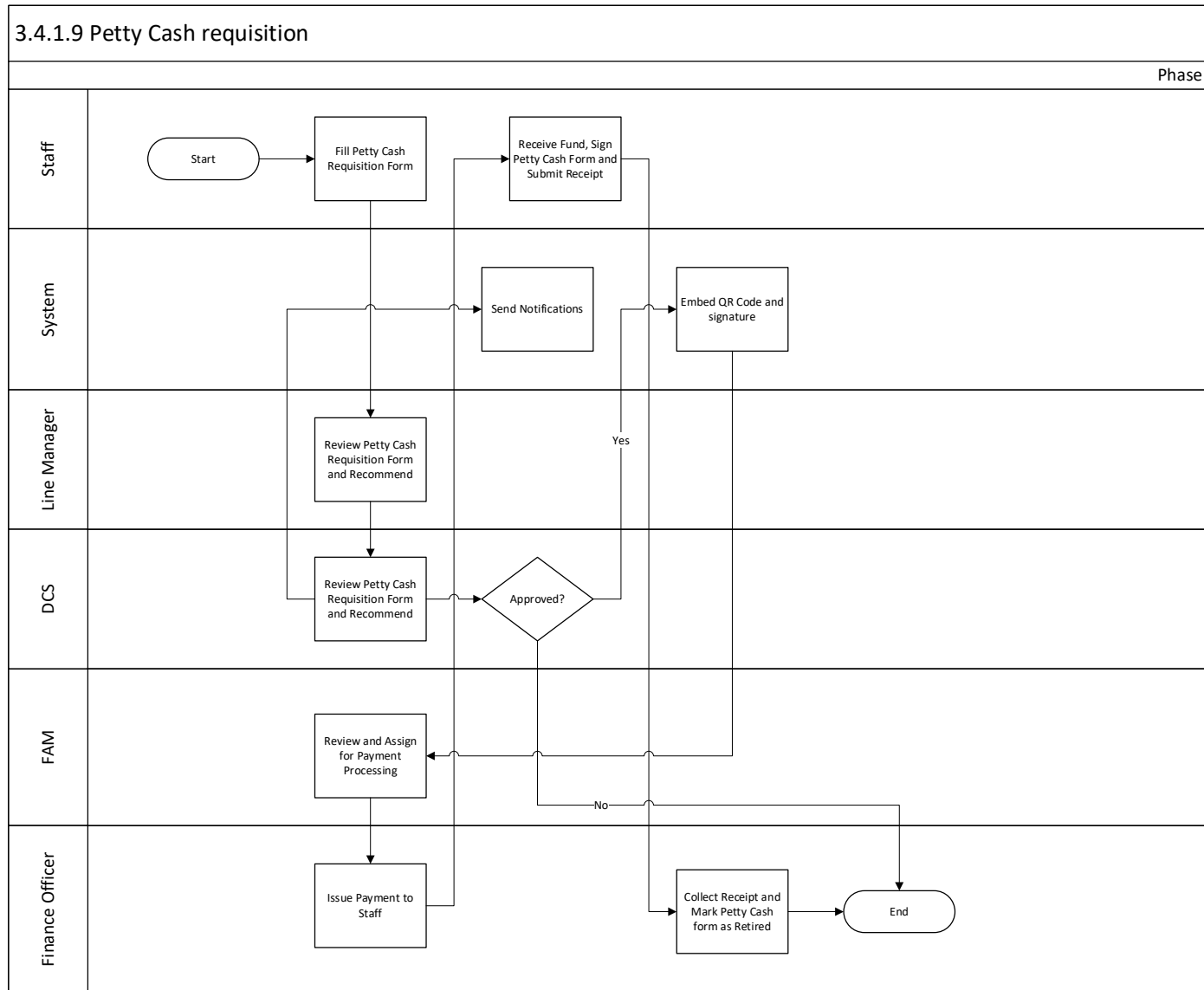
1.4.1.9 Petty Cash requisition

Name of Process	Petty Cash requisition
Process Number	FCC_CBP_RMA_TB_09
Process Description	This process used by staff to apply for petty cash
Process Boundaries	<p>Start Point: Staff fill petty cash requisition form</p> <p>End Point: Approved petty cash requisition form</p>
Process Owner	Director of Corporate Services

Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Public Finance Act, 2001 ▪ Financial regulations, 2023 ▪ Accounting Manual, 2023 ▪ Internal staff rules and regulations,2017
Pre-Conditions	filled petty cash requisition form
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, rejected or send back for petty cash requisition form
Process Input	Filled petty cash requisition form
Process Flow	<ol style="list-style-type: none"> 1. Staff fill petty cash requisition form and submit to Line Manager 2. Line Manager review and recommend to DCS 3. DCS approves or Reject petty cash requisition and forward to FAM for payment 4. FAM assign Finance Officer to pay 5. Finance Officer issue payment to staff 6. Staff sign petty cash form after receiving fund 7. Staff submit receipt to Finance Officer after utilizing fund 8. Finance Officer collect receipt from staff and mark petty cash form as retired
Process Output	Approved petty cash requisition
Measurable Outcome	Number of approved petty cash requisition

Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved Petty cash requisition form

1.4.1.9.1 Process Flow Diagram



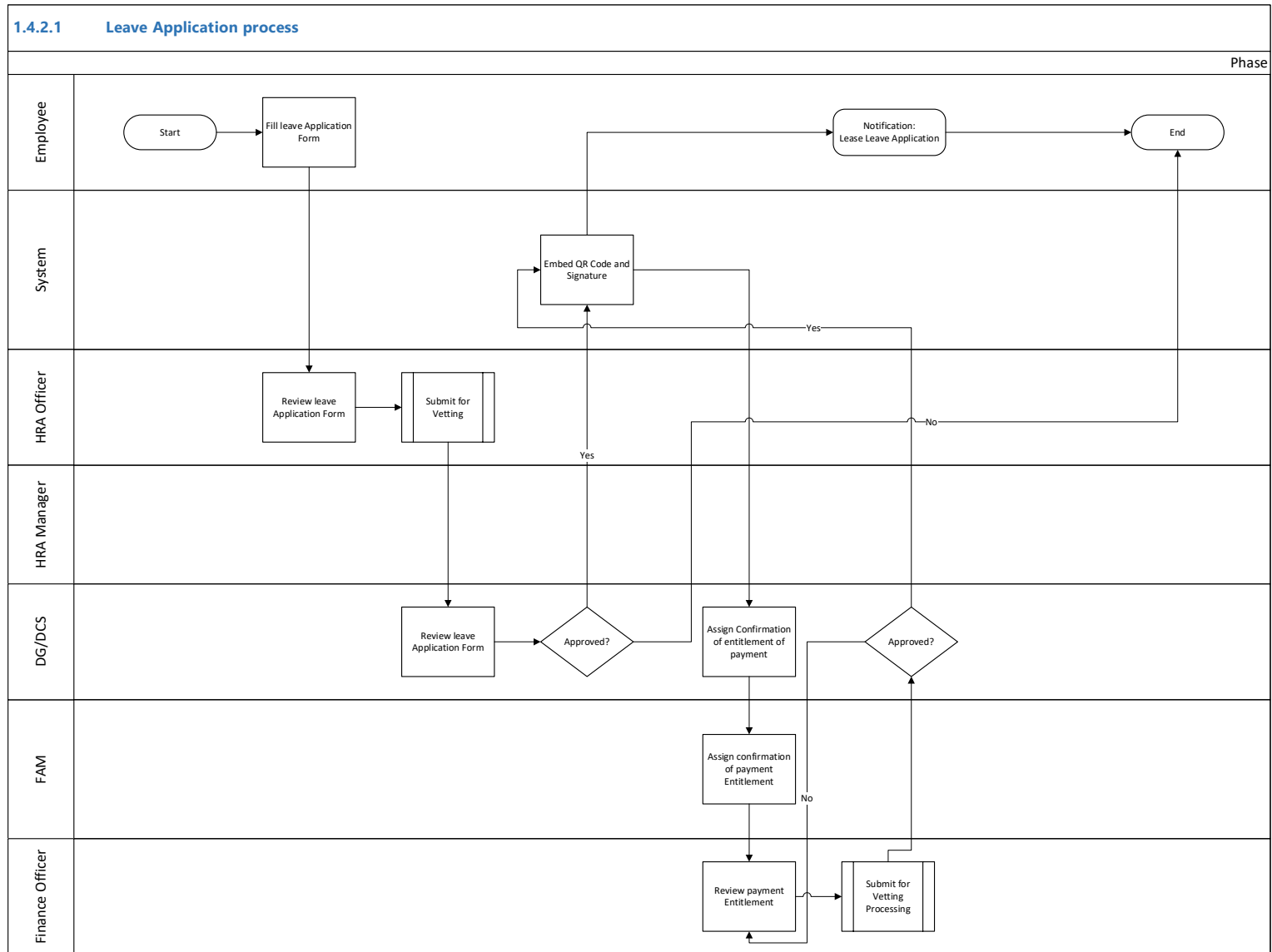
1.4.2 Human Resources

1.4.2.1 Leave Application process

Name of Process	Leave Application process
Process Number	FCC_HR_LA_TB_10
Process Description	This process used by staff to apply for leave
Process Boundaries	Start Point: Staff fill leave application form End Point: Approved leave
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff, MUSE
Business Rules	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015 ▪ Standing Order ▪ Public Services Act and Regulations
Pre-Conditions	Valid FCC staff with leave balance Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for leave application form
Process Input	Filled leave application form
Process Flow	<ol style="list-style-type: none"> 1. An employee fill in leave application form according to their leave roaster and submit 2. HRA Officer, review, verify and submit for vetting processing

	<p>3. DG/Director approve (Signature embedded automatically on approval) and forward to FAM for confirmation of entitlement of payment</p> <p>4. FAM confirm payment entitlement and forward to DG/DCS for approval</p> <p>5. DG/DCS approve (Signature and QR Code embedded automatically on approval) the paid leave and notification is sent to an employee and other parties</p>
Process Output	Approved leave
Measurable Outcome	Number of approved leave
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved leave application form

1.4.2.1.1 Process Flow Diagram

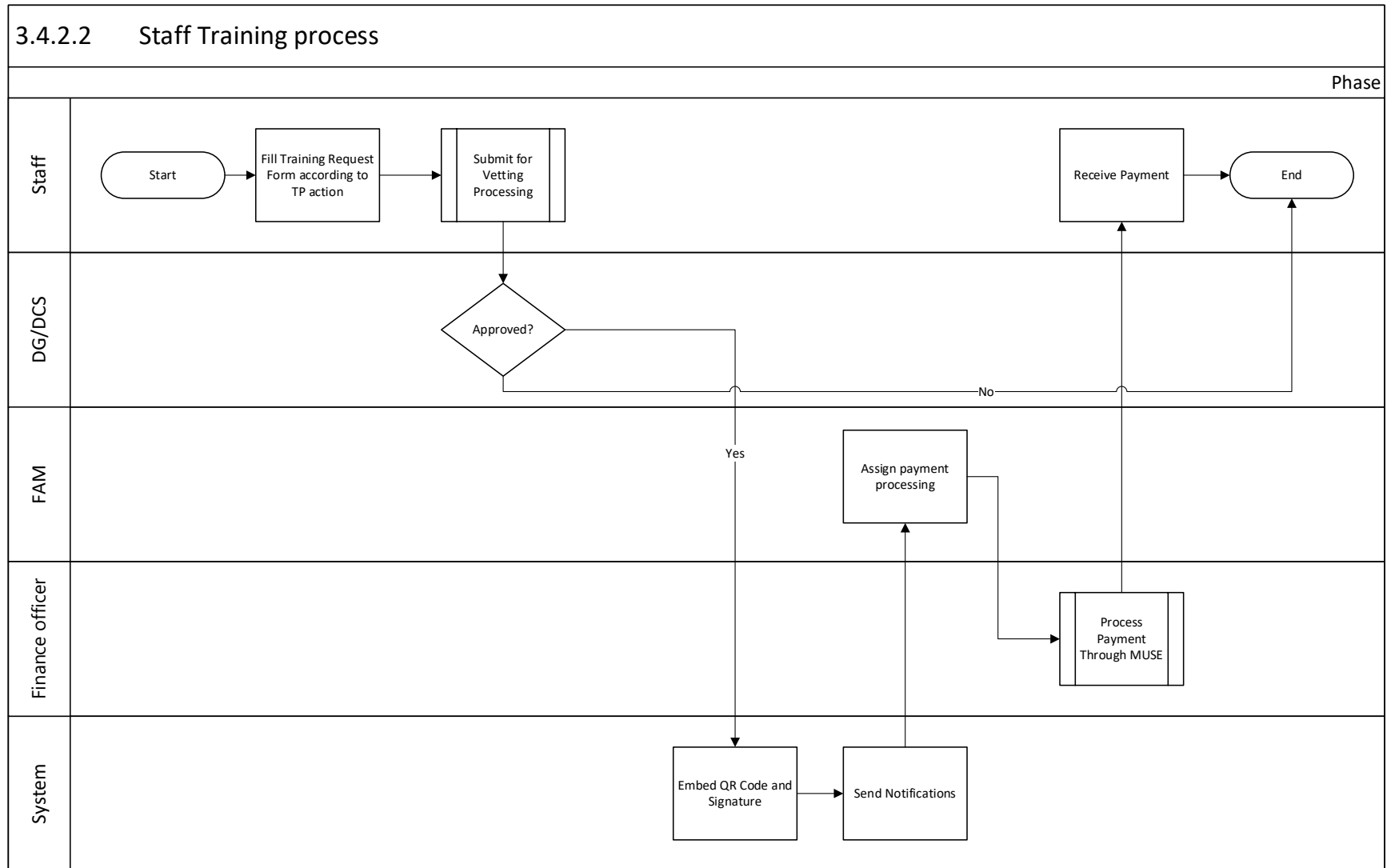


1.4.2.2 Staff Training process

Name of Process	Staff Training process
Process Number	FCC_HR_ST_TB_11
Process Description	This process used by staff to apply for training
Process Boundaries	Start Point: Staff fill training request form End Point: Approved training
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff
Business Rules	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015
Pre-Conditions	Valid FCC staff Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for training application form
Process Input	Approved Training Program
Process Flow	<ol style="list-style-type: none"> 1. An employee fill training request form according to TP action (personal particulars) (Names, Gender, Age, Designation, Date of employment, Academic/Professional qualification) and training fee, per Diem allowance and local/fair allowance 2. Training application reviewed by Manager/supervisor of that staff for approval

	<p>3. Application sent to HRA Office for review and verification (Training needs, proposed training to attend, expected training institution, training duration and proposed training date) also HR reviewing training fee, per diem allowance and local/fair allowance.</p> <p>4. Application forwarded to Human Resource Manager for confirmation and verification</p> <p>5. Application be forwarded to DG/DCS for final training approval (Signature embedded automatically on approval)</p> <p>6. Approved training application request be forwarded to Finance and Accounts Manager for training entitlement and payments and notification is sent to the employee</p>
Process Output	Approved training
Measurable Outcome	Number of approved trainings
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved training

1.4.2.2.1 Process Flow Diagram

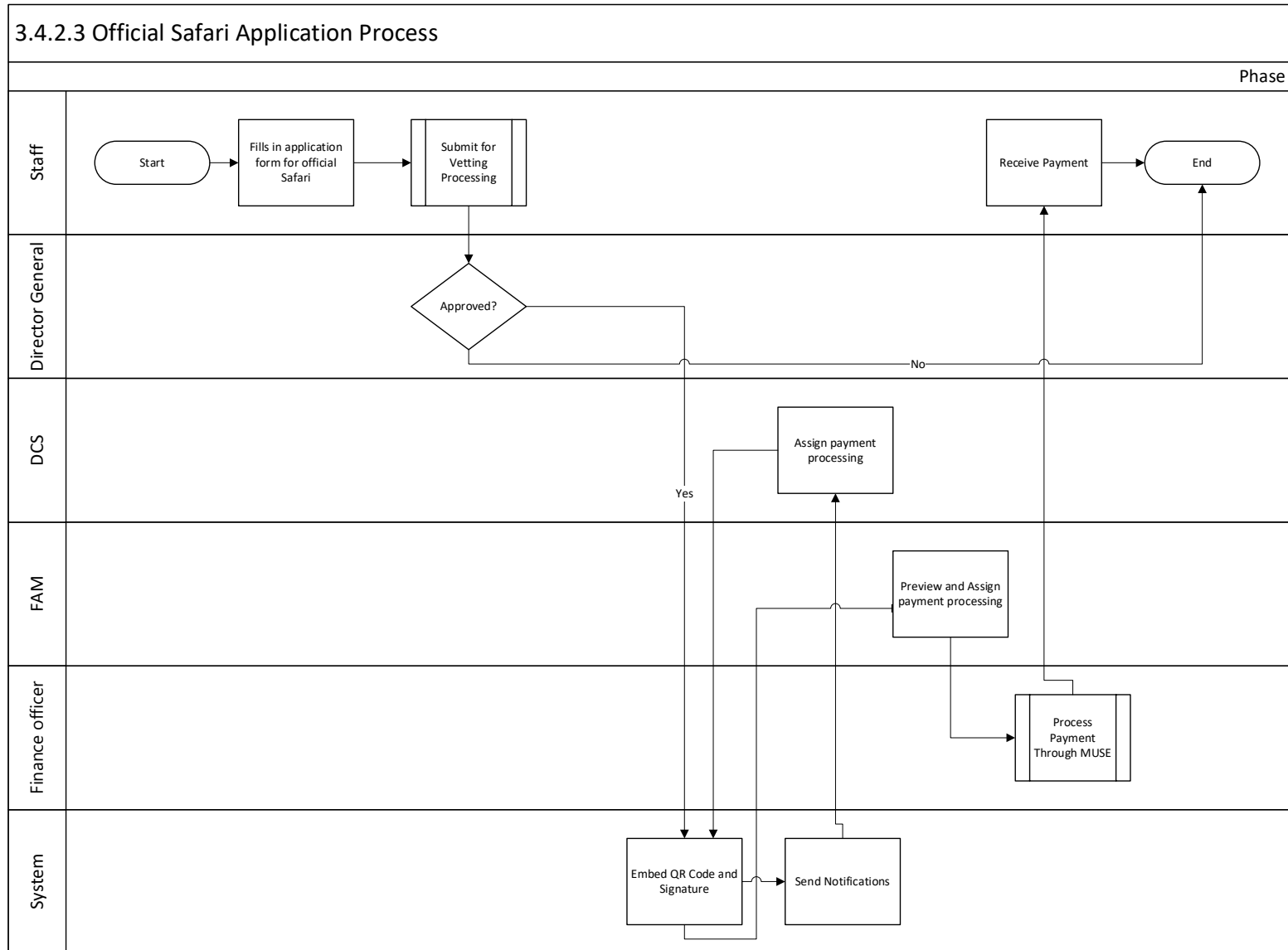


1.4.2.3 Official Safari Application Process

Name of Process	Official Safari Application Process
Process Number	FCC_HR_SA_TB_12
Process Description	This process used by staff to apply for Official trip
Process Boundaries	Start Point: Staff fill in application form for official Safari End Point: Approved official Safari
Process Owner	Director of Corporate Services
Process Actors	All FCC Staff
Stakeholders	All FCC Staff
Business Rules	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015
Pre-Conditions	Valid FCC staff Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for application for official Safari form
Process Input	Filled application form for official Safari
Process Flow	<ol style="list-style-type: none"> 1. An employee fills in application form for official Safari and submit to line manager (Unit Manager/ Head) 2. Line Manager preview, sign (Signature embedded automatically on approval) and submit form to Director for approval 3. If Unit, the Manager submit filled form to the DG for approval

	<p>4. The DG approve (Signature embedded automatically on approval) the safari application and send to DCS for payment processing</p> <p>5. DCS sign (Signature embedded automatically on approval) and assign FAM to process payment and notification sent to HRM for noting and staff for travel permit processing</p> <p>6. The FAM assign Finance officer to process payment</p> <p>7. The Finance officer process safari payment through MUSE and notify HRM</p>
Process Output	Approved official safari
Measurable Outcome	Number of approved official safari
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved training

1.4.2.3.1 Process Flow Diagram

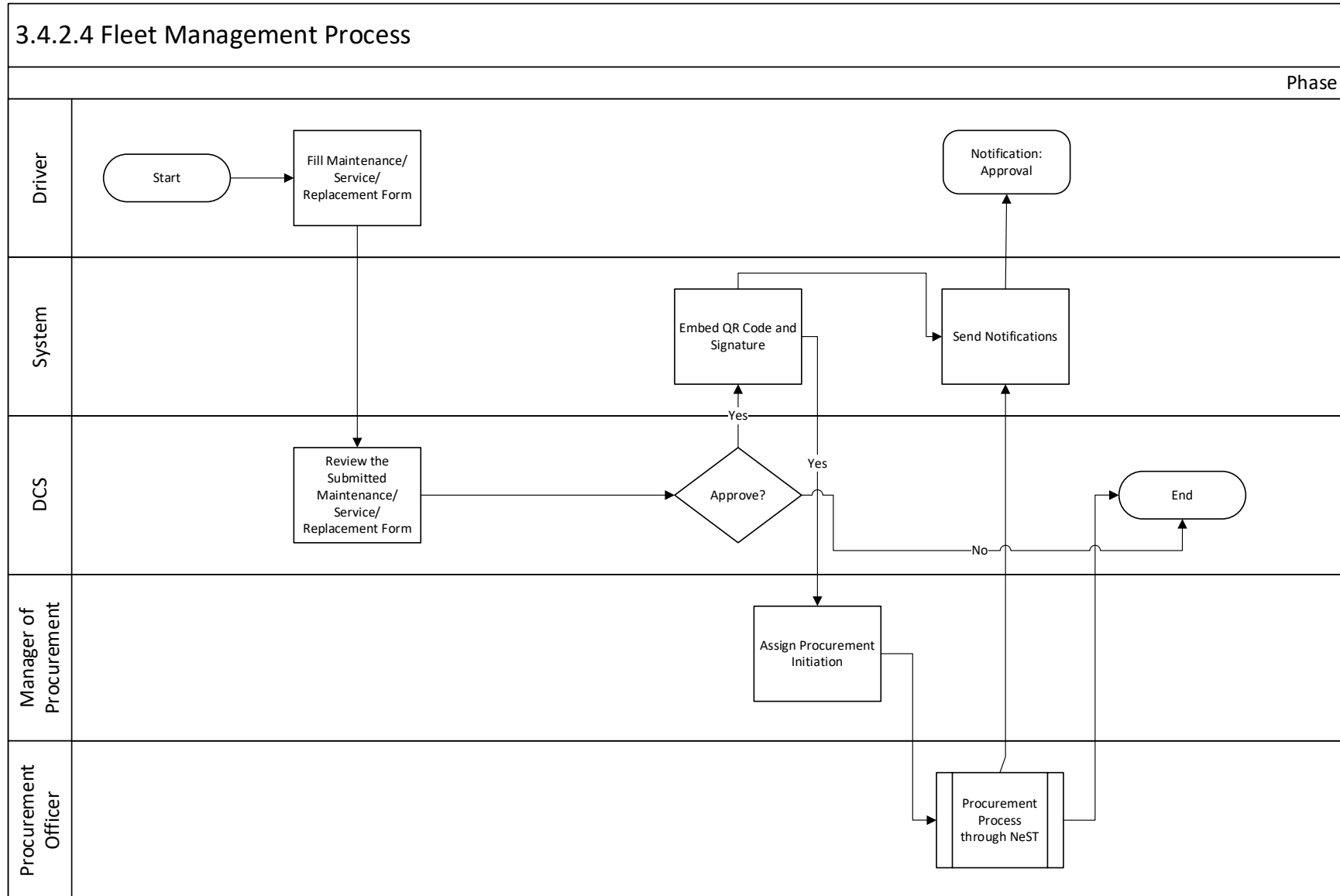


1.4.2.4 Fleet Management Process

Name of Process	Fleet Management Process
Process Number	FCC_HR_FM_TB_13
Process Description	This process used by staff to apply for fleet maintenance/ service/ replacement
Process Boundaries	Start Point: Staff fill in application form for fleet maintenance/ service/ replacement End Point: Approved fleet maintenance/ service/ replacement
Process Owner	Director of Corporate Services
Process Actors	FCC Drivers, HRA Manager, Administrative Officer, PMU, Finance Department
Stakeholders	All FCC Staff
Business Rules	<ul style="list-style-type: none"> ▪ Financial regulations, 2023 ▪ Internal staff rules and regulations,2015
Pre-Conditions	Valid FCC staff Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approved, Rejected or send back for application for fleet maintenance/ service/ replacement
Process Input	Filled application form for fleet maintenance/ service/ replacement
Process Flow	<ol style="list-style-type: none"> 1. Driver filling maintenance/service/replacement form through the system and submit 2. Administrative Officer review form and submit to HRA 3. HRA Manager review and recommend to DCS for approval

	<p>4. DCS approve (Signature embedded automatically on approval) and submit reviewed form to PMU for procurement processes</p> <p>5. PMU initiate procurement process through NeST</p>
Process Output	Approved fleet maintenance/ service/ replacement
Measurable Outcome	Number of approved fleet maintenance/ service/ replacement
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved fleet maintenance/ service/ replacement

1.4.2.4.1 Process Flow Diagram



1.4.3 Record Management Office

Processes:

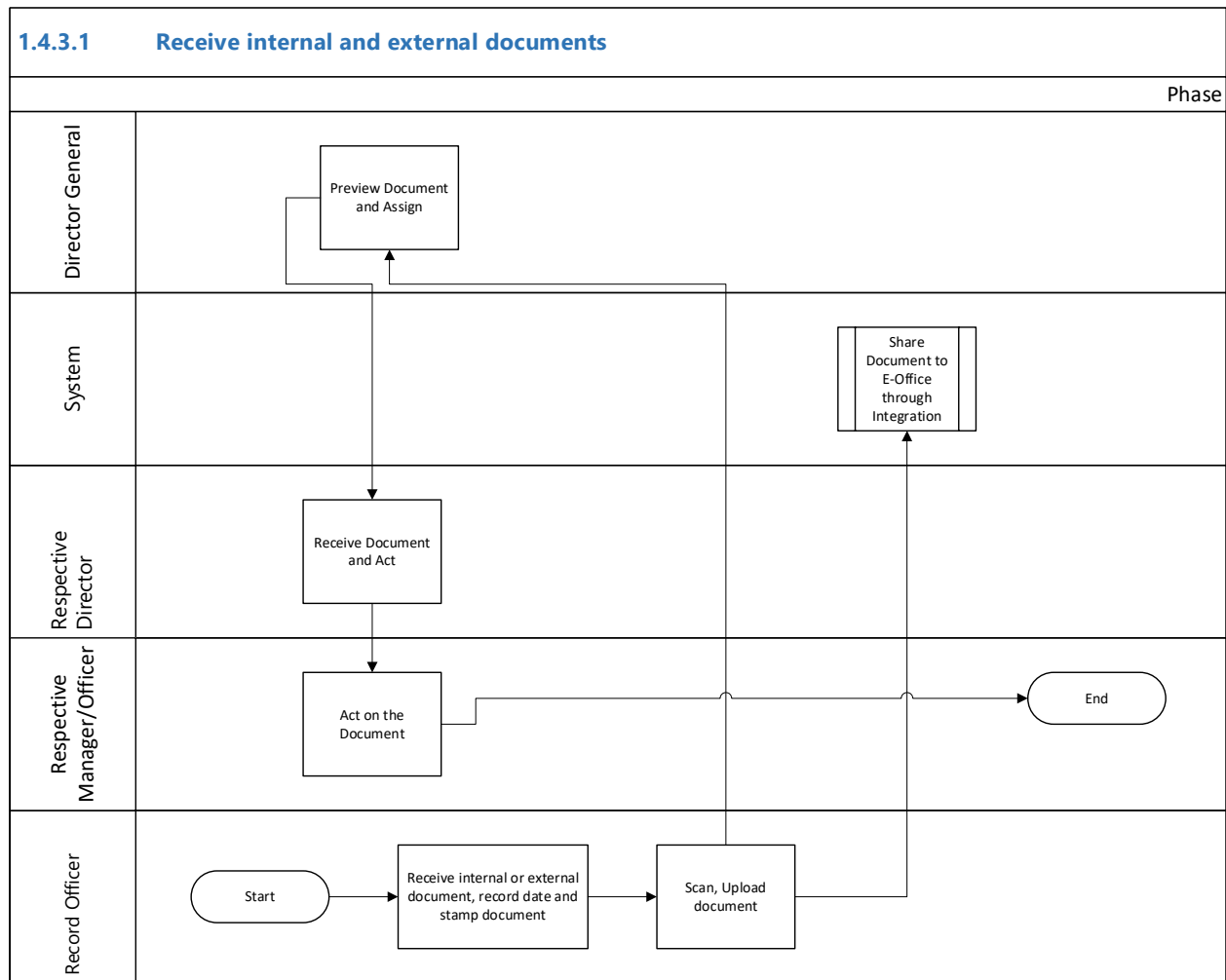
1. Receive internal and external documents
2. Dispatch of document to external stakeholders

1.4.3.1 Receive internal and external documents

Name of Process	Receive internal and external documents
Process Number	FCC_HR_RO_TB_14
Process Description	This process used by staff to receive and disseminate documents to the respective directorates or units
Process Boundaries	Start Point: Record Officer receive internal or external document End Point: Route to relevant directorates or units
Process Owner	Director of Corporate Services
Process Actors	Record Officers
Stakeholders	All FCC Staff, External Entities
Business Rules	<ul style="list-style-type: none"> ▪ Record manual, 2007 ▪ Record and archive management act no.3, 2002
Pre-Conditions	Internal or external document need to be received Staff Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	To route received stamped document to respective directorates or units
Process Input	Filled incoming register form (filled in e-Office system)

Process Flow	<ol style="list-style-type: none"> 1. Record Officer receive internal or external document 2. Record Officer record date and stamp received document 3. Record Officer fill incoming register form through e-Office and submit 4. Record Officer scan received document and upload to e-Office system 5. Record Officer send the received document to DG through e-Office system 6. DG preview and channel received document to respective Director/Manager/Head for action 7. Respective Director/Manager/Head receive the document and assign to respective Manager/Officer for action
Process Output	Relevant action Officer receives the stamped document for action
Measurable Outcome	Number of received stamped documents
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Stamped documents and filled incoming register

1.4.3.1.1 Process Flow Diagram



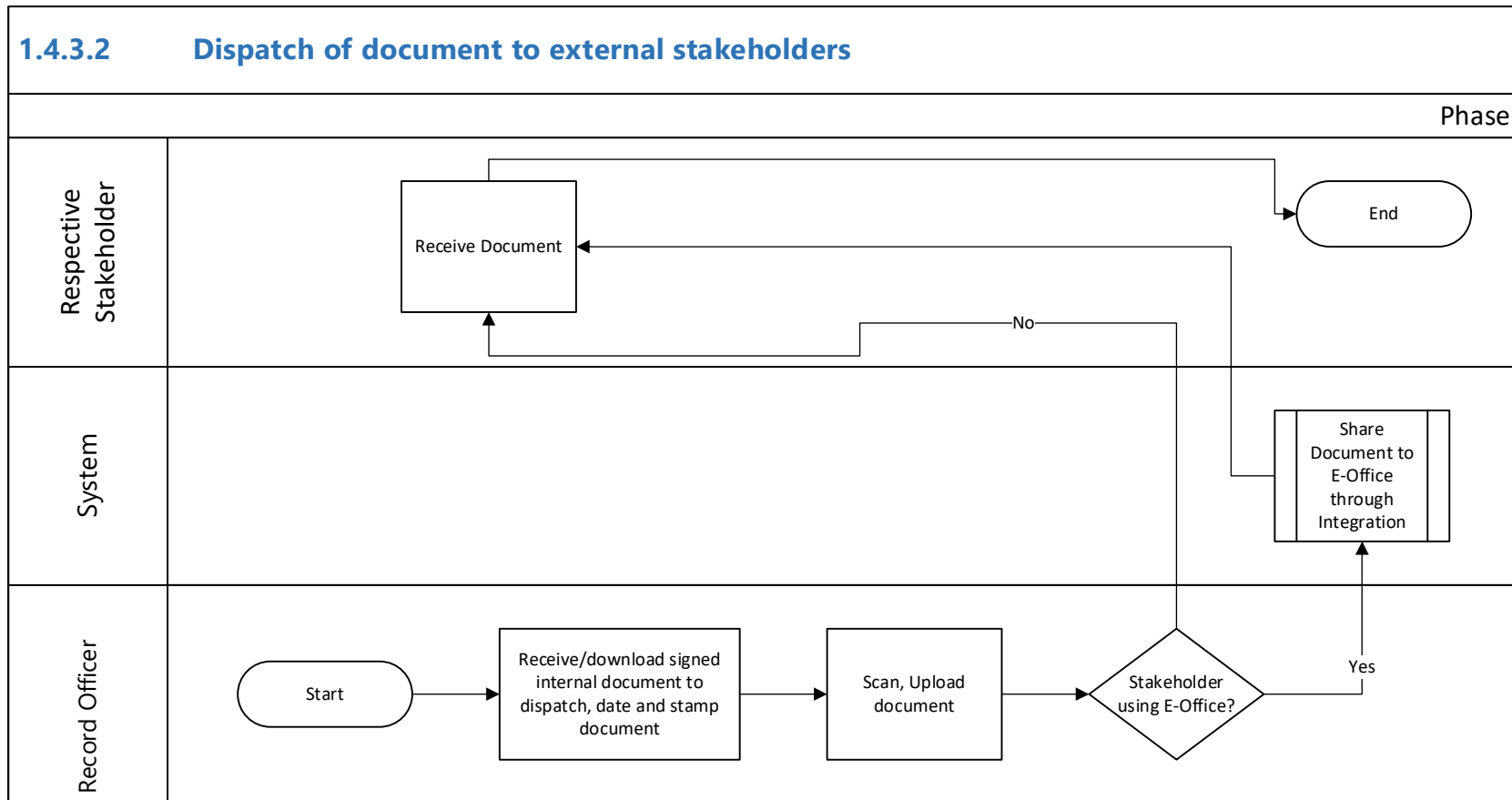
1.4.3.2 Dispatch of document to external stakeholders

Name of Process	Dispatch of document to external stakeholders
Process Number	FCC_HR_RO_TB_15
Process Description	This process used by Record Officer to dispatch documents to external stakeholders
Process Boundaries	Start Point: Record Officer receive signed document to dispatch End Point: Document dispatched to respective external stakeholder
Process Owner	Director of Corporate Services
Process Actors	Record Officers

Stakeholders	All FCC Staff and external stakeholders
Business Rules	<ul style="list-style-type: none"> ▪ Record manual, 2007 ▪ Record and archive management act no.3, 2002
Pre-Conditions	Signed document need to be dispatched Staff Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	To dispatch signed and stamped document to respective stakeholder
Process Input	Filled outgoing register form (filled in e-Office system)
Process Flow	<ol style="list-style-type: none"> 1. Record Officer receive/download signed internal document to dispatch 2. Record Officer date and stamp the signed internal document to be dispatched 3. Record Officer fill outgoing register form through e-Office 4. Record Officer scan stamped and signed internal document to be dispatched and upload to e-Office system 5. Record Officer send stamped and signed document to respective stakeholder through e-Office system 6. For External stakeholders not using e-Office system, record officer dispatch stamped and signed document through other transmission channels
Process Output	Dispatched stamped and signed document to respective stakeholder
Measurable Outcome	Number of dispatched documents
Exceptions to Normal Process Flow	Not applicable

Control Points and Measurements	Stamped, signed documents and filled outgoing register
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1.4.3.2.1 Process Flow Diagram



1.4.4 Planning, monitoring and evaluation

The following business processes are handled by the planning, monitoring and evaluation Unit;

- i. Plan and budgeting
- ii. Monitoring and evaluation

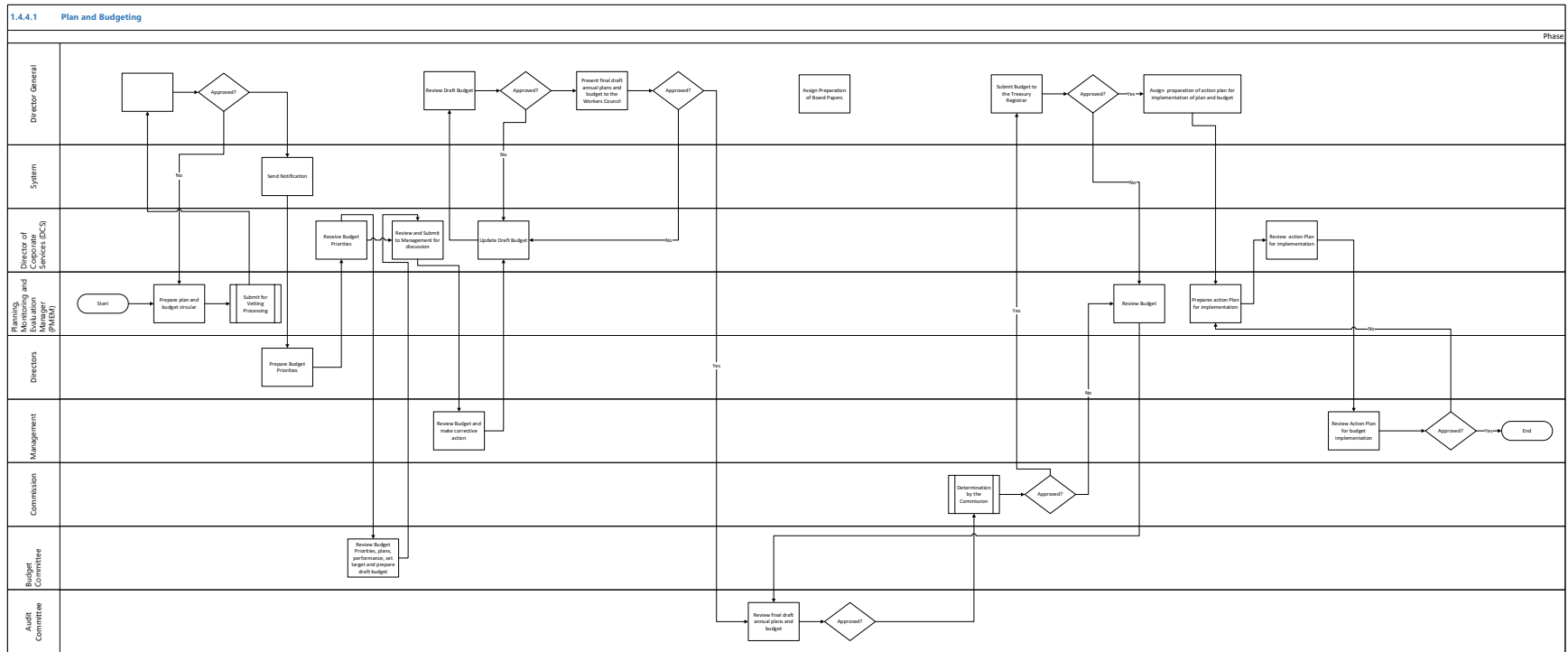
1.4.4.1 Plan and Budgeting

Name of Process	Plan and budgeting
Process Number	FCC_CS_PL_TB_16
Process Description	This process used by management to plan for implementation of FCC strategic plan
Process Boundaries	<p>Start Point: Planning activities to be performed and estimation of income and expenditure projection.</p> <p>End Point: Approved annual plans (activities) and budget</p>
Process Owner	Director of Corporate Services
Process Actors	<p>All FCC budget officers from Directorate and independents units</p> <ul style="list-style-type: none"> ▪ Director General (DG) ▪ Director of Corporate Services (DCS) ▪ Planning, Monitoring and Evaluation Manager (PMEM) ▪ Budget officers
Stakeholders	All FCC Staff and the Commission
Business Rules	<ul style="list-style-type: none"> ▪ Budget act, 2015 ▪ Budget regulations,2015 ▪ Planning and Budgeting Guideline 2023
Pre-Conditions	<p>Strategic Plan</p> <p>Staff Authenticated and authorized to access the service</p>

Frequency of Occurrence	Annually
Decisions associated with the process	Approved, rejected or send back to management (Budget committee) for corrections and additions. Reviewed by Audit Committee and approved by Commission
Process Input	Fill budget matrices with agreed unit of measures; such as rates, values, prices, hours etc.
Process Flow	<ol style="list-style-type: none"> 1. PMEM prepare plan and budget circular and submit to Director of Corporate Services (DCS) to review and recommend to DG 2. DCS review and submit recommendation for approval to the DG 3. DG approves and issue Plan and Budget Circular issued to all Directorates, Units/Zones 4. Directorates, Units and zones provide Budget priorities and estimates to DCS 5. Directorates, Units and zones provide Budget priorities and estimates to DCS 6. DCS present Budget priorities and estimates to FCC Budget Committee (Management) 7. Budget committee review current year's plans, performance and submitted budget priorities and estimates. Finally set targets for the following year, prepare draft budget and submit to DCS 8. DCS Present the final draft budget to the Management Team for discussion, corrective action and submit final draft to DG 9. DG Present the final draft annual plans and budget to the Workers Council for deliberation and endorsement 10. DG Present the final draft annual plans and budget after Workers Council deliberation and endorsement to the Audit committee for further deliberation and endorsement. 11. Once endorsed, Audit committee chairperson present the final draft budget to the Commission for deliberation and approval 12. DG Submit Budget to the Treasury Registrar for final approval

	<p>13. Once Approved, the DG assign PMEM to prepare action plan for implementation of plan and budget</p> <p>14. PMEM prepares action Plan for implementation of plan and budget and submit to DCS for review</p> <p>15. DCS review the action plan and submit to management for approval</p> <p>16. The Management approve the action plan</p>
Process Output	<p>Approved plan and budget</p> <p>Approved action plan</p>
Measurable Outcome	<p>Number of approved plan and budget</p>
Exceptions to Normal Process Flow	<p>Not applicable</p>
Control Points and Measurements	<p>Approved plan and budget</p>

1.4.4.1.1 Process Flow Diagram

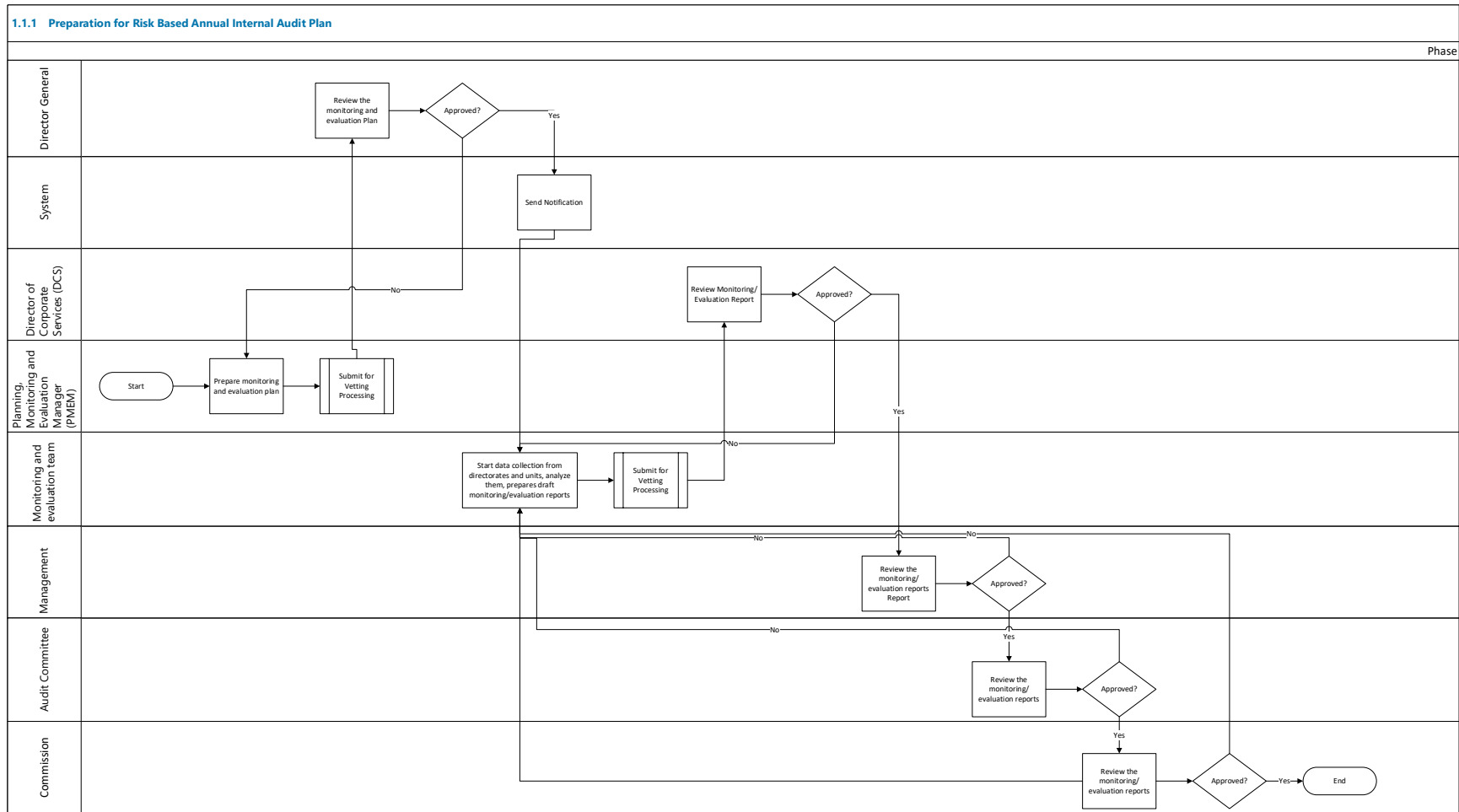


1.4.4.2 Monitoring and Evaluation

Name of Process	Monitoring and evaluation
Process Number	FCC_CS_PL_TB_17
Process Description	This process used by management to track and assess progress of implementation of plan and budget
Process Boundaries	Start Point: Prepare monitoring and evaluation plan End Point: Monitoring and evaluation report
Process Owner	Director of Corporate Services
Process Actors	All FCC monitoring and evaluation team
Stakeholders	All FCC Staff and the Commission
Business Rules	<ul style="list-style-type: none"> ▪ Monitoring and evaluation framework, 2024
Pre-Conditions	Approved Annual Plan and Budget Staff Authenticated and authorized to access the service
Frequency of Occurrence	Quarterly
Decisions associated with the process	Approved, rejected or send back for monitoring and evaluation plan (Approved by management)
Process Input	Filled monitoring and evaluation forms
Process Flow	<ol style="list-style-type: none"> 1. PMEM prepare monitoring and evaluation plan and submit to Director of Corporate Services to review and recommend to DG 2. DG approves the monitoring and evaluation Plan and notification is sent to PMEM for implementation 3. PMEM (Plan, monitoring and evaluation manager) assign to Monitoring and evaluation team

	<p>4. Monitoring and evaluation team start data collection from directorates and units, analyze them, prepares draft monitoring/evaluation reports and submit to PMEM</p> <p>6. PMEM review and submit draft report to the DCS</p> <p>7.DCS review draft report and recommend to management for review and deliberation</p> <p>8. DG Present the final draft to the Audit committee for deliberation and endorsement</p> <p>9. Audit Committee chairperson submit the draft report to the commission for approval</p> <p>10. The commission approve monitoring and evaluation report</p>
Process Output	Approved monitoring and evaluation report
Measurable Outcome	Number of approved monitoring and evaluation report
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved monitoring and evaluation report

1.4.4.2.1 Process Flow Diagram



1.5 Public Relation and Communication Unit

1.5.1 Production of the Commission's newsletter

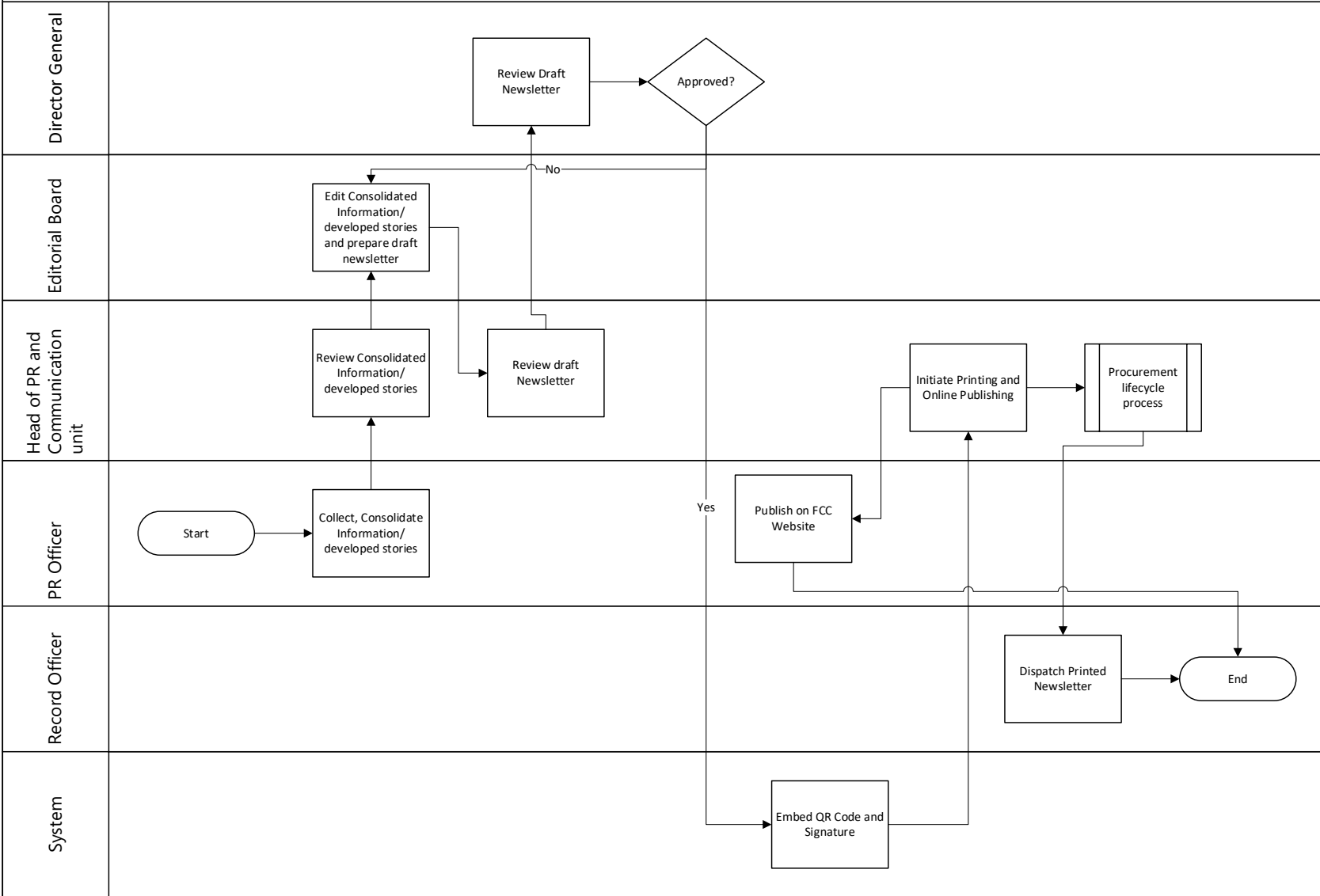
Name of Process	Production of the Commission's newsletter
Process Number	FCC_SBP_PR_TB_01
Process Description	This process entails process of production of Commission's Newsletter
Process Boundaries	Start Point: Collect news from departments/Units End Point: Dissemination of Newsletter to the public
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Editorial Board ▪ Head of PR and Communication unit ▪ Representatives from the Department ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Applicant Authenticated and authorized to access the service
Frequency of Occurrence	2 Times a Year
Decisions associated with the process	Approval from Director General
Process Input	Information from Department/Units
Process Flow	1. PR Officer collect, Consolidate and submit Information/developed stories to Head of PR and Communication unit

	<p>2. Head of PR and Communication unit review submitted Information/developed stories and submit to the Editorial Board for Editing</p> <p>3. The Chairperson of the Editorial Board submit draft Newsletter to the Head of PR and Communication</p> <p>4. Head of PR accommodate comments if any and submit to Director General for approval</p> <p>1. Director General approve (Signature embedded automatically) the Newsletter and notification is send to Head of PR and Communication and other parties for further processing</p> <p>2. Head of PR and Communication unit follow procurement lifecycle for printing and online publishing</p> <p>3. Head of PR and Communication unit assign Printed Newsletter to Records Officer for dispatch</p> <p>4. Record Officer dispatch the Printed Newsletter to the Stakeholders</p>
Process Output	Newsletter
Measurable Outcome	Number of Newsletters
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Editing of Information/Developed Stories by the Editorial Board

1.5.1.1 Process Flow Diagram

1.5.1 Production of the Commission's newsletter

Phase

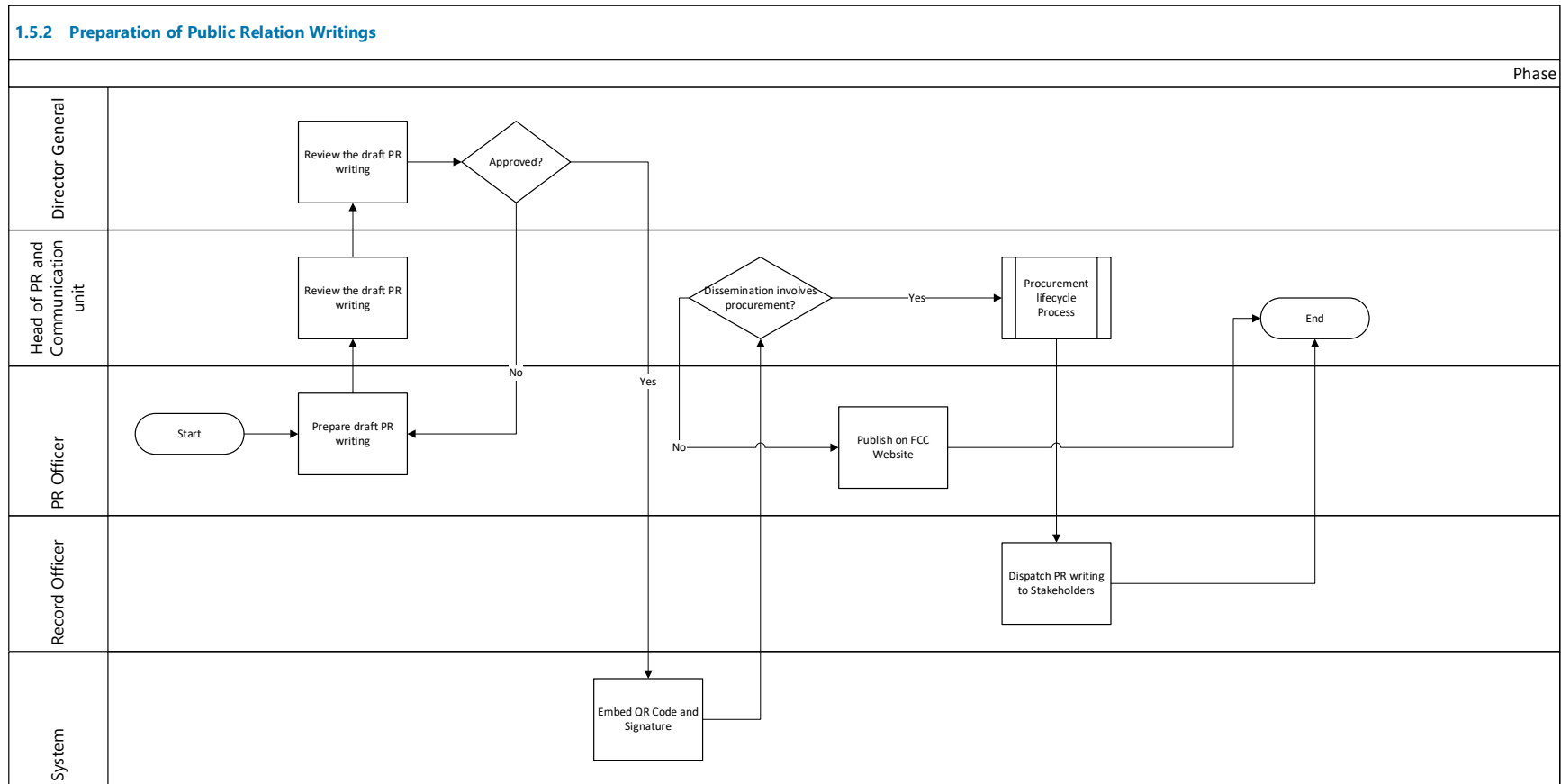


1.5.2 Preparation of Public Relations Writings (press releases, speeches, articles for journals and newspapers, as well as radio and television scripts)

Name of Process	Preparation of Public Relations Writings
Process Number	FCC_SBP_PR_TB_02
Process Description	This process entails Preparation of press releases, speeches, articles for journals and newspapers, as well as radio and television scripts
Process Boundaries	Start Point: Responsible Unit / PR Officer prepare draft writing End Point: Director General approve the prepared PR writing
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director/Manager ▪ Head of PRCU ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approval by the Director General
Process Input	Received needs for the writing
Process Flow	<ol style="list-style-type: none"> 1. PR Officer prepare draft PR writing and submit to Head of PR and Communication unit for review 2. Head of PR and Communication unit review the draft PR writing and submit to the Director General for approval

	<p>3. Director General approve (Signature embedded automatically) the draft PR writing and notification is sent to Head of PR and Communication and PR Officer for further processing</p> <p>4. If dissemination involves procurement, then procurement lifecycle for dissemination follows, else, distribute online or assign record officer for dispatch</p> <p>5. Record Officer dispatch the PR Writing to stakeholder</p>
Process Output	Approved PR writing
Measurable Outcome	Number of Approved PR writing
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approval of PR writing by the Director General

1.5.2.1 Process Flow Diagram

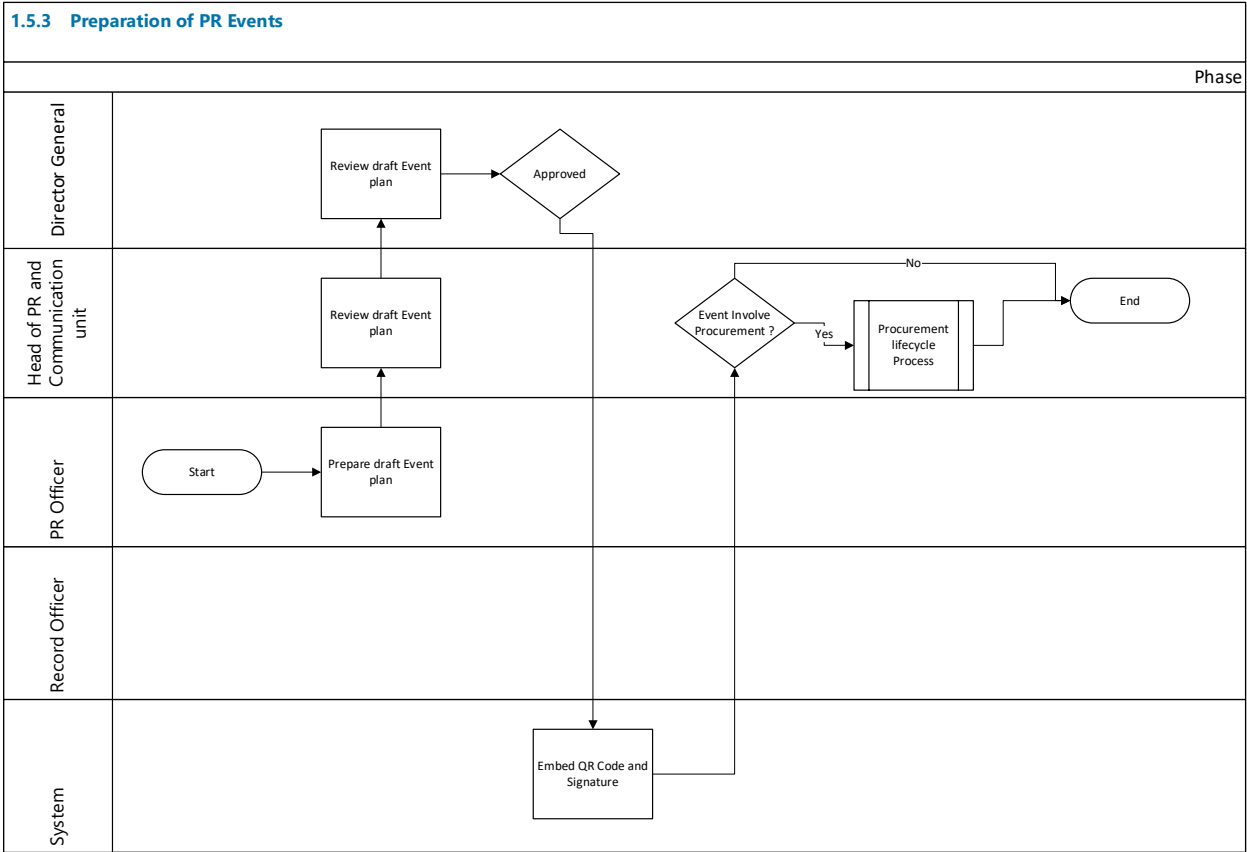


1.5.3 Preparation of PR Events

Name of Process	Preparation of Public Relations Events
Process Number	FCC_SBP_PR_TB_03
Process Description	This process entails organizing and managing press conferences, conventions, exhibitions, promotions, open-house publicity events and sponsorship
Process Boundaries	Start Point: PR Officer prepare draft Event plan End Point: Director General approve the prepared Event Plan
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director/Manager/Head ▪ Head of PR and Communication unit ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Approval of Event Plan by the Director General
Process Input	<ul style="list-style-type: none"> ▪ Received Invitation to attend Event ▪ Internal needs to participate to the Event
Process Flow	<ol style="list-style-type: none"> 1. PR Officer prepare draft Event plan and submit to Head of PR and Communication unit for review 2. Head of PR and Communication unit review the draft Event Plan and submit to the Director General for approval

	<p>3. Director General approve (Signature embedded automatically) the draft Event Plan and notification is sent to Head of PR and Communication and PR Officer for further processing</p> <p>4. If the Event involves procurement, then procurement lifecycle follows, else, continue with Event processes</p>
Process Output	Approved Event Plan
Measurable Outcome	Number of Approved Event Plans
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approval of Event Plan by the Director General

1.5.3.1 Process Flow Diagram

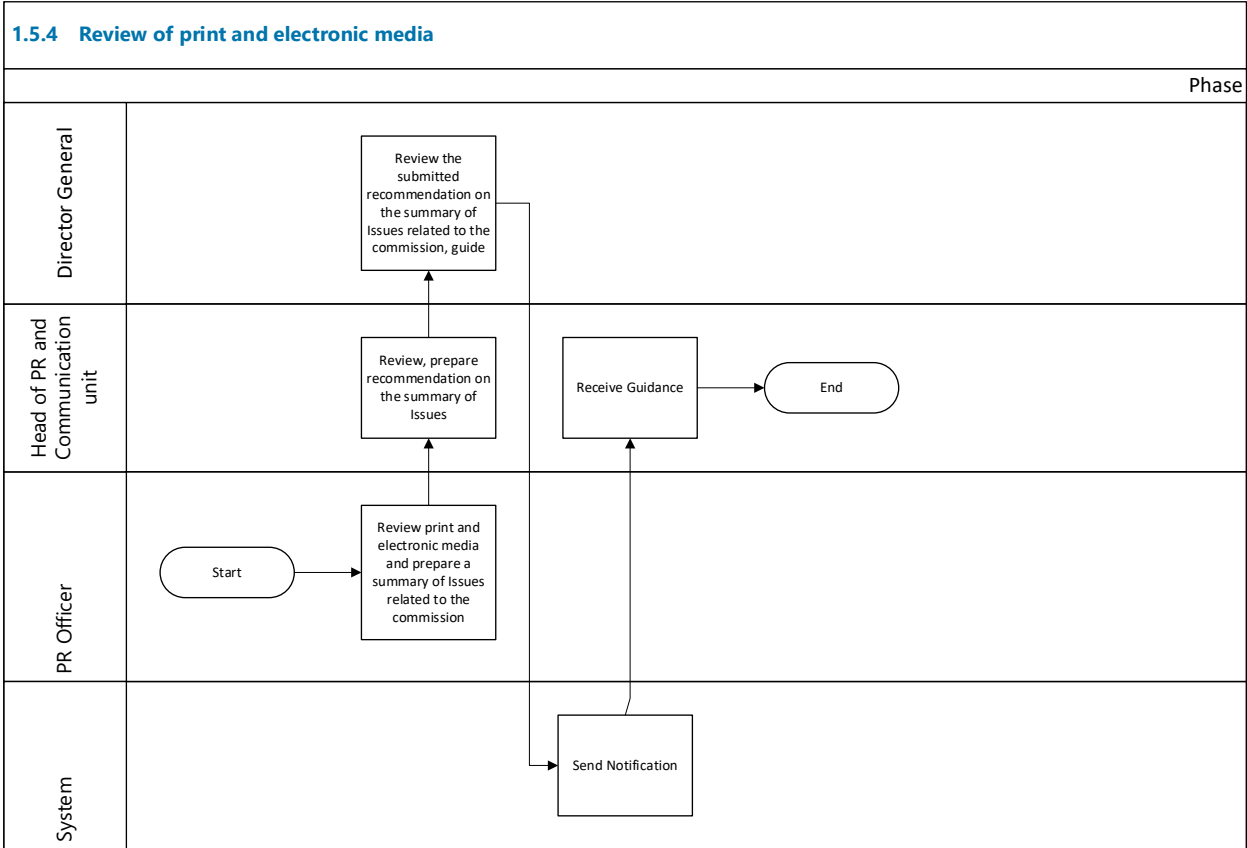


1.5.4 Review of print and electronic media

Name of Process	Review of print and electronic media
Process Number	FCC_SBP_PR_TB_04
Process Description	This process entails Review of print and electronic media
Process Boundaries	<p>Start Point: PR Officer review print electronic media</p> <p>End Point: Director General receive summary on issues related to the commission</p>
Process Owner	<ul style="list-style-type: none"> ▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Head of PR and Communication unit ▪ PR Officer ▪ Record Officer
Stakeholders	FCC Departments/Units, General Public, Business Community, MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Analysed Issues related to the commission by the Director General
Process Input	Print and Electronic Media
Process Flow	<ol style="list-style-type: none"> 1. PR Officer review print and electronic media and prepare a summary of Issues related to the commission and submit to the Head of PR and Communication unit for review 2. Head of PR and Communication unit review, prepare recommendation on the summary of Issues related to the commission and submit to the Director General for guidance

	3. Director General Review the submitted recommendation on the summary of Issues related to the commission, guide and send notification to the Head of PR and Communication unit and PR Officer for further action
Process Output	Summary of Issues related to the commission
Measurable Outcome	Number Summaries of Issues related to the commission
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Guidance by the Director General

1.5.4.1 Process Flow Diagram



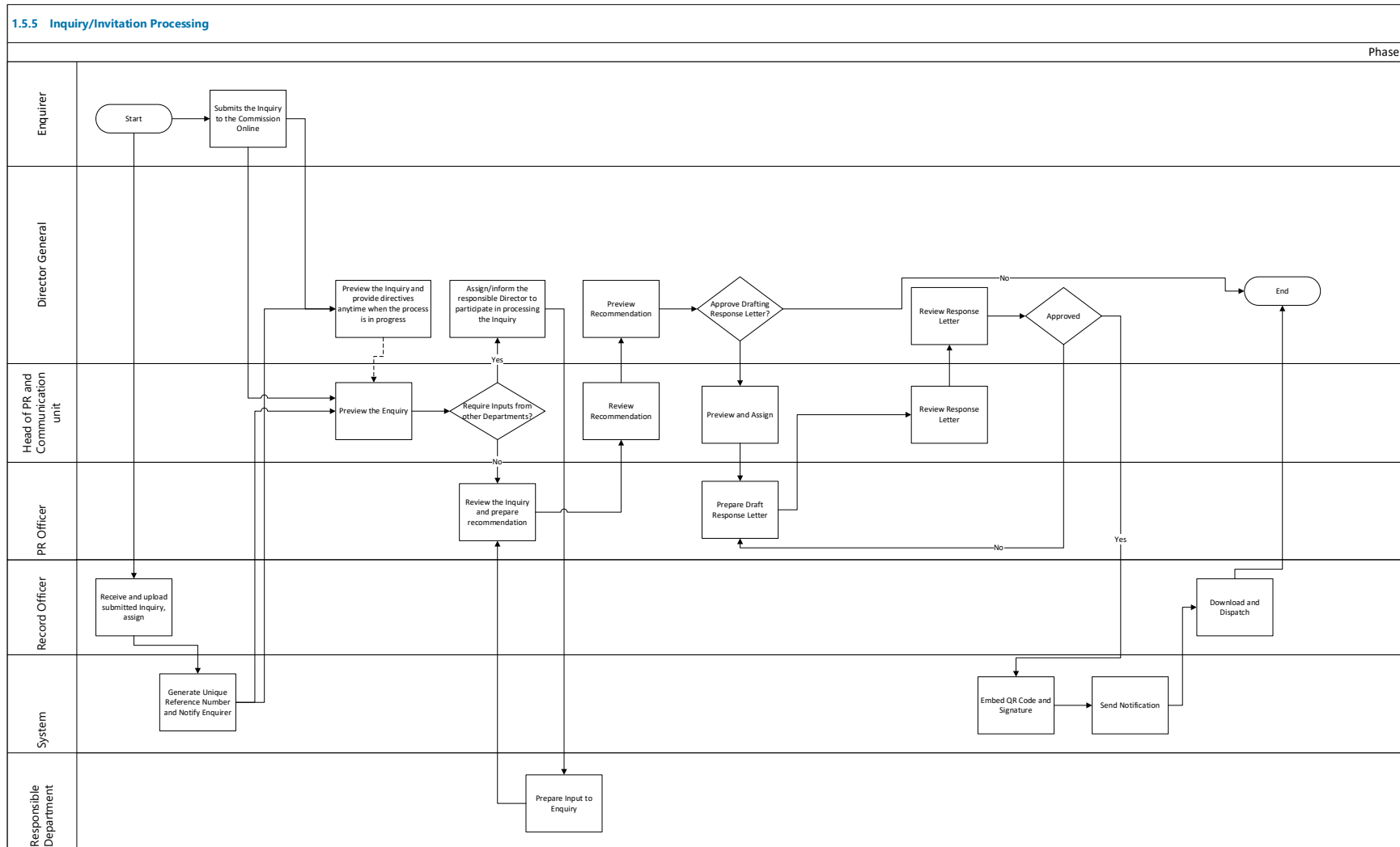
1.5.5 Inquiry/Invitation Processing

Name of Process	Inquiry/Invitation Processing
Process Number	FCC_SBP_PR_TB_05
Process Description	This process entails processing of inquiry/Invitation submitted by stakeholders
Process Boundaries	Start Point: Stakeholder submit inquiry/Invitation to FCC End Point: Head of PR and Communication unit respond to the inquiry
Process Owner	▪ Head of PR and Communication unit
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Director/Head/Manager ▪ Head of PR and Communication unit ▪ PR Officer ▪ Record Officer ▪ Applicant/Inquirer
Stakeholders	
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018
Pre-Conditions	Applicant Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	Feedback on the Inquiry
Process Input	Inquiry/Letter
Process Flow	<ol style="list-style-type: none"> 1. Inquirer submits the Inquiry to the Commission Online and the system assign reference number 2. If enquiry submitted physically, Record Officer receive submitted Inquiry upload to the system and submit and system assign reference number

	<ol style="list-style-type: none"> 3. Director General preview the Inquiry and provide directives to Head of PR and Communication anytime when the process is in progress 4. Head of PR and Communication unit preview the Inquiry. 5. If the Inquiry requires input from other departments/Units, the Head of PR and Communication unit provide recommendations and submit to Director General for decision. 6. Director General assign/inform the responsible Director to participate in processing the Inquiry 7. If the Inquiry does not require input from other departments/Units, the Head of PR and Communication unit preview and assign the Inquiry to PR Officer for Processing 8. PR Officer review the Inquiry, provide recommendation and submit to Head of PR and Communication unit for review 9. Head of PR and Communication unit review the recommendation and submit to Director General for decision 10. Director General Review recommendation, provide decision and notification is sent to the PR Officer if decision is to respond to the enquiry 11. PR Officer prepare draft response letter and other necessary documents and submit to Head of PR and Communication unit for preview 12. Head of PR and Communication unit preview the draft response letter and submit to Director General for approval 13. Director General approve, sign (Signature and QR Code embedded automatically) the response letter and notification is sent to Inquirer if online submitted or Record officer and other parties 14. Record Officer download and dispatch the signed response letter to the Inquirer
Process Output	<p>Response Letter</p> <p>Associated documents</p>

Measurable Outcome	Number of Issued Response letters
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approval of the response letter by the Director General

1.5.5.1 Process Flow Diagram



1.6 ICTU- Information and Communication Technology Unit

This unit is responsible for managing all aspects of technology within the Commission. The following business processes are handled by the Information and Communication Technology Unit;

- i. Request for new Library books, reports and regulations
- ii. Update and maintain library register book (Institutional Public Register)
- iii. Dissemination process (borrowing and Return)
- iv. Services and Maintenance
- v. Change Management Request
- vi. Support and Services
- vii. Training and Awareness

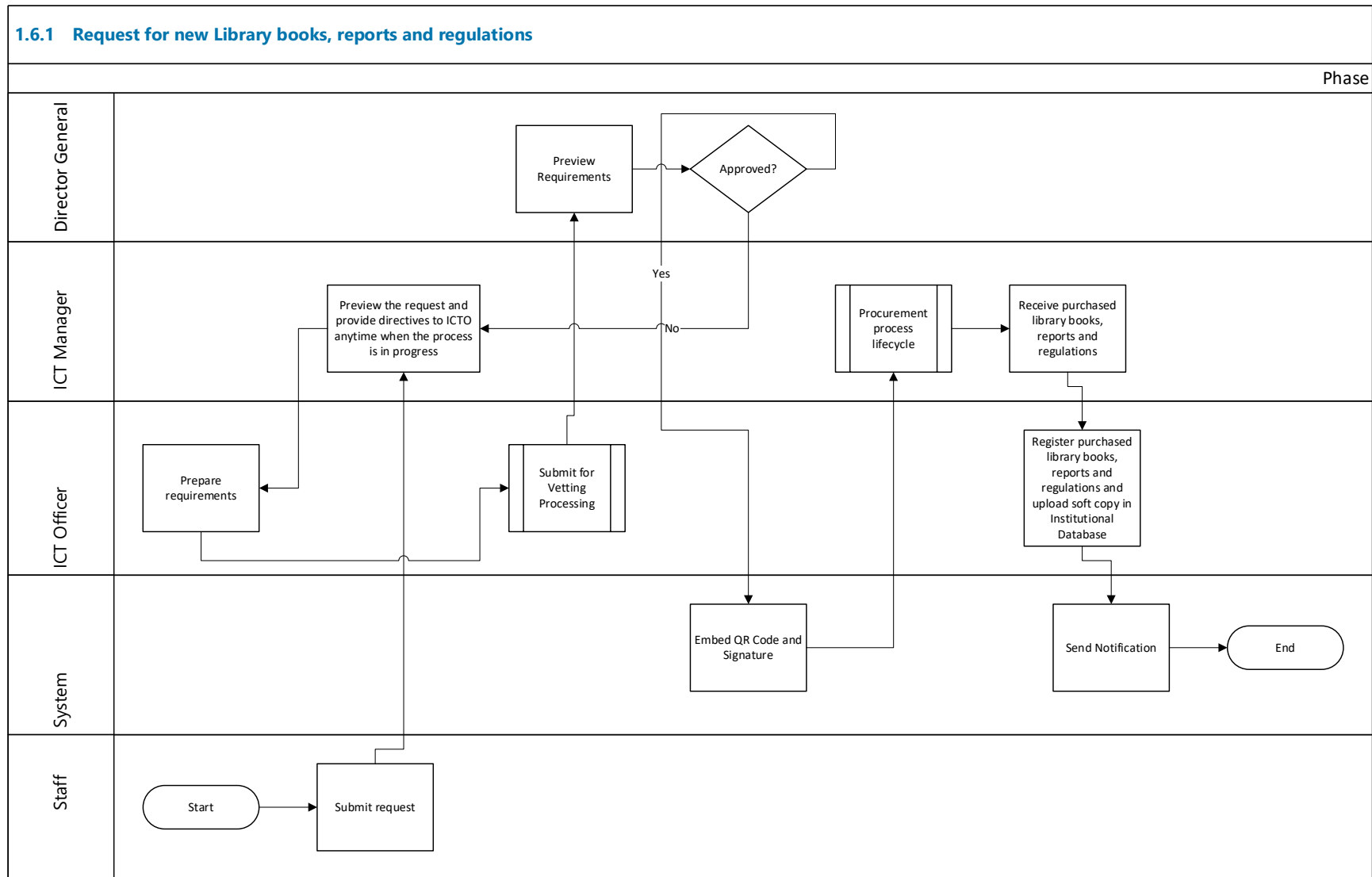
1.6.1 Request for new Library books, reports and regulations

Name of Process	Request for new library books, reports and regulations
Process Number	FCC_SBP_ICT_TB_01
Process Description	This process entails supporting institutional knowledge sharing and storage
Process Boundaries	Start Point: Analysis from the user information needs End Point: Storage of the institutional collection
Process Owner	Information Communication Technology Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Secretary of the Commission ▪ Information Communication Technology Manager ▪ Information Communication Technology Officer ▪ PMU ▪ FCC Staff ▪ General Public
Stakeholders	Commission, FCC Staff, MDAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ FCC ICT Policy

	<ul style="list-style-type: none"> ▪ Business Process/Action Plan ▪ eGA Acts and Regulation, 2019 ▪ eGA Guidelines
Pre-Conditions	<p>Approved documents from the Commission</p> <p>Staff Authenticated and authorized to access the service</p>
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Acquisitions of library books, reports and regulations
Process Input	<ol style="list-style-type: none"> 1. Information needs 2. Procurement Requisition Form 3. Payment Request Form
Process Flow	<ol style="list-style-type: none"> 1. Applicant/User from the departments submit request to ICTM 2. ICTM preview the request and provide directives to ICTO anytime when the process is in progress 3. ICTO prepare requirements and submit for vetting processing 4. The DG review, approve (QR Code embedded automatically upon approval) and notification is sent to ICTM, ICTO and manager of procurement 5. Manager of procurement follows procurement process lifecycle to process the requested items 6. Once completed, purchased library books, reports and regulations will be delivered to the ICTM 7. ICTM assign ICTO to register purchased library books, reports and regulations in the system 8. ICTO register books in system, upload the soft copy in the Institutional Repository/database and create public awareness of the delivered books/information for usage process.
Process Output	Updated library register book

Measurable Outcome	Number of books acquired, processed and stored
Exceptions to Normal Process Flow	Information Services does not apply to: - <ul style="list-style-type: none"> ▪ Request books/information that are not related with FCC Business Functions
Control Points and Measurements	1. Approved FCC Action Plan

1.6.1.1 Process Flow Diagram

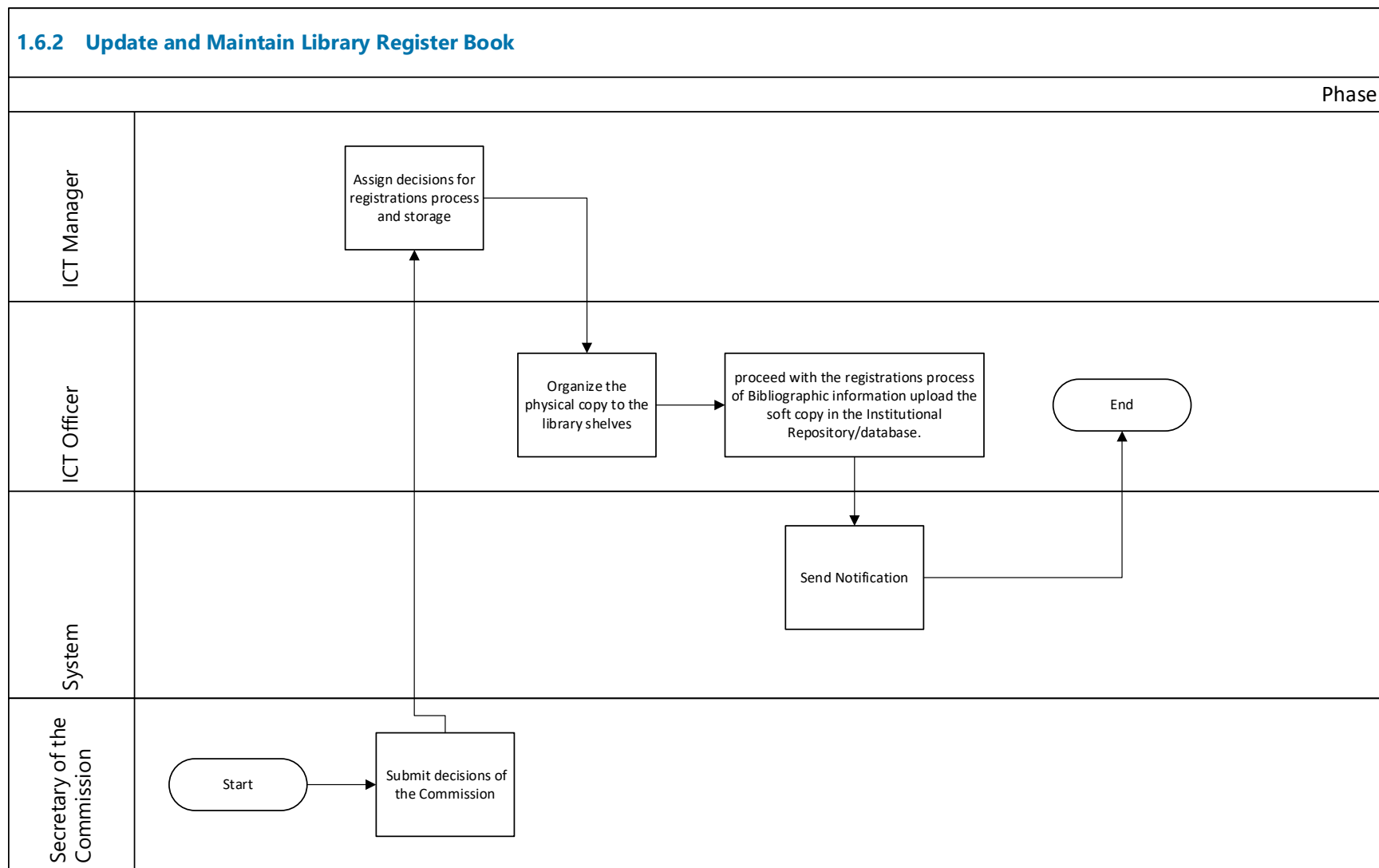


1.6.2 Update and maintain library register book (Institutional Public Register)

Name of Process	Update and maintain library register book (Institutional Public Register)
Process Number	FCC_SBP ICT_TB_02
Process Description	This process entails supporting institutional knowledge sharing and storage
Process Boundaries	Start Point: Receive the collections from the Commission End Point: Storage of the institutional collection
Process Owner	Information Communication Technology Manager
Process Actors	<ul style="list-style-type: none"> ▪ Commission ▪ Director General ▪ Secretary of the Commission ▪ Information Communication Technology Manager ▪ Information Communication Technology Officer ▪ FCC Staff ▪ MDAs ▪ General Public
Stakeholders	Commission, FCC Staff, MDAs and General Public
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ FCC ICT Policy ▪ Business Process/Action Plan ▪ eGA Acts and Regulation, 2019 ▪ eGA Guidelines
Pre-Conditions	Approved documents from the Commission Staff Authenticated and authorized to access the service
Frequency of Occurrence	<ul style="list-style-type: none"> • Whenever need arises • Commission decisions

	<ul style="list-style-type: none"> • Management decision
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Receiving the Commission decisions ▪ Receiving the Management decisions
Process Input	<ul style="list-style-type: none"> • Management decisions • Commission decisions • Research Reports
Process Flow	<ol style="list-style-type: none"> 1. Secretary of the Commission submit decisions of the Commission/Management to ICTM; 2. ICTM assign the Commission/Management decisions to ICTO for registrations process and storage; 3. ICTO organize the physical copy to the library shelves; 4. ICTO proceed with the registrations process of Bibliographic information and upload the soft copy in the Institutional Repository/database.
Process Output	<ul style="list-style-type: none"> ▪ Updated library register book ▪ Updated Institutional Public register
Measurable Outcome	Number of Commission/Management decisions acquired, processed and stored
Exceptions to Normal Process Flow	<p>Information Services does not apply to: -</p> <ul style="list-style-type: none"> ▪ Request books/information that are not related with FCC Business Functions
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Management decisions ▪ Commission decisions

1.6.2.1 Process Flow Diagram

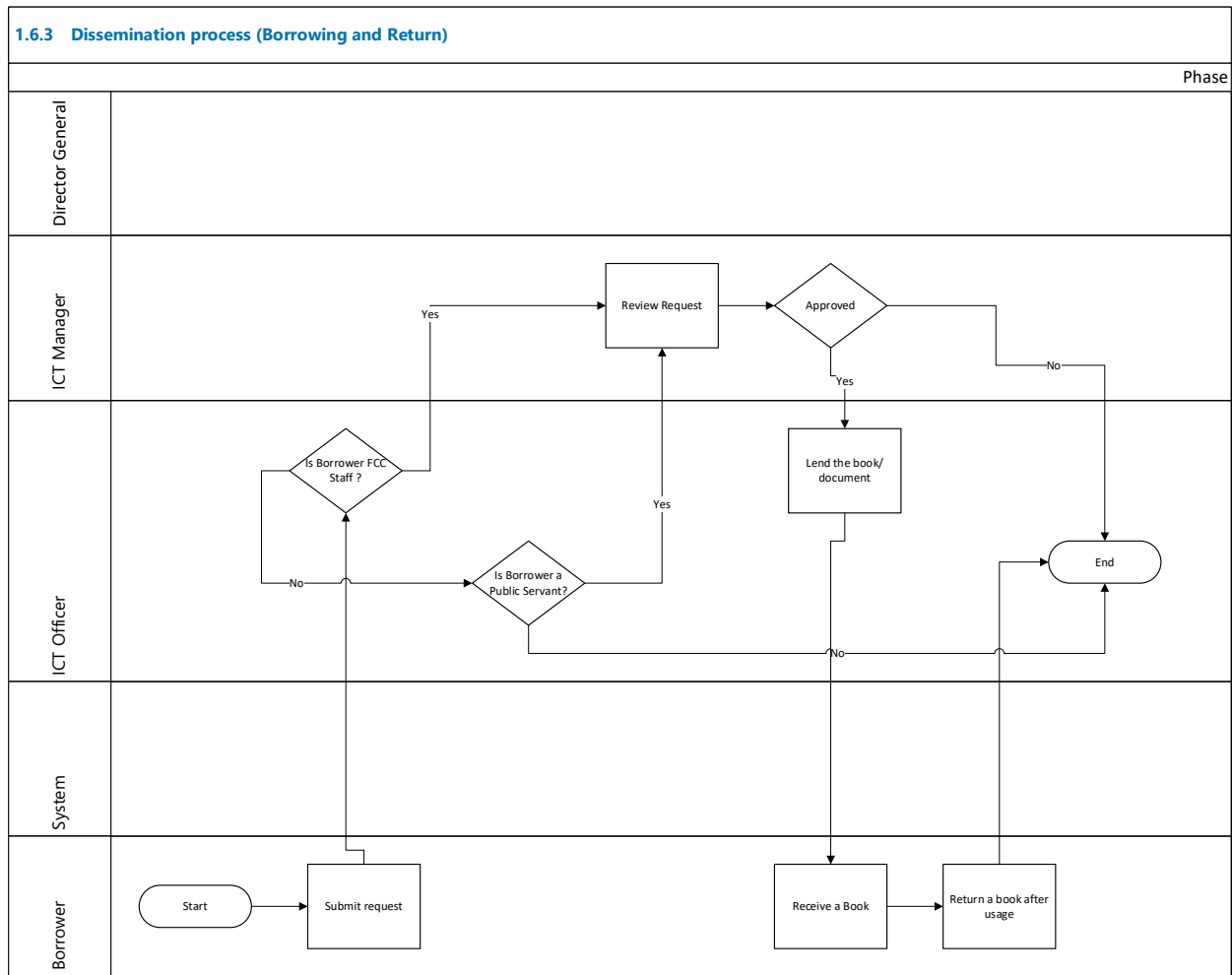


1.6.3 Dissemination process (Borrowing and Return)

Name of Process	Dissemination process (Borrowing and Return)
Process Number	FCC_SBP ICT_TB_03
Process Description	This process entails supporting institutional knowledge sharing and storage
Process Boundaries	Start Point: Request from the user of the library End Point: Return of borrowed Asset
Process Owner	Information Communication Technology Manager
Process Actors	<ul style="list-style-type: none"> ▪ FCC staff ▪ MDAs ▪ Secretary of the Commission ▪ Information Communication Technology Manager ▪ Information Communication Technology Officer
Stakeholders	Commission, FCC Staff and MDAs
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ FCC ICT Policy ▪ ICT Strategy
Pre-Conditions	Approved documents from the Commission Staff Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Dissemination process (borrowing and Return)
Process Input	<ul style="list-style-type: none"> ▪ Library register book
Process Flow	<ol style="list-style-type: none"> 1. Applicant/User from the departments submit request to ICTO; 2. ICTO receive Information needs/request form for review;

	<p>3. If the borrower is an FCC Staff, ICTO lend the book/document to the borrower;</p> <p>4. If not, verify the particulars of the borrower, If the borrower is a public servant. ICTO request permission from ICTM to initiate the process;</p> <p>5. If approved, ICTO lend the book to the borrower;</p> <p>6. The borrower returns the book to the library.</p>
Process Output	Updated library register book
Measurable Outcome	Number of books disseminated to the borrower
Exceptions to Normal Process Flow	<p>Information Services does not apply to: -</p> <ul style="list-style-type: none"> ▪ Request books/information that are not related with FCC Business Functions
Control Points and Measurements	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003

1.6.3.1 Process Flow Diagram



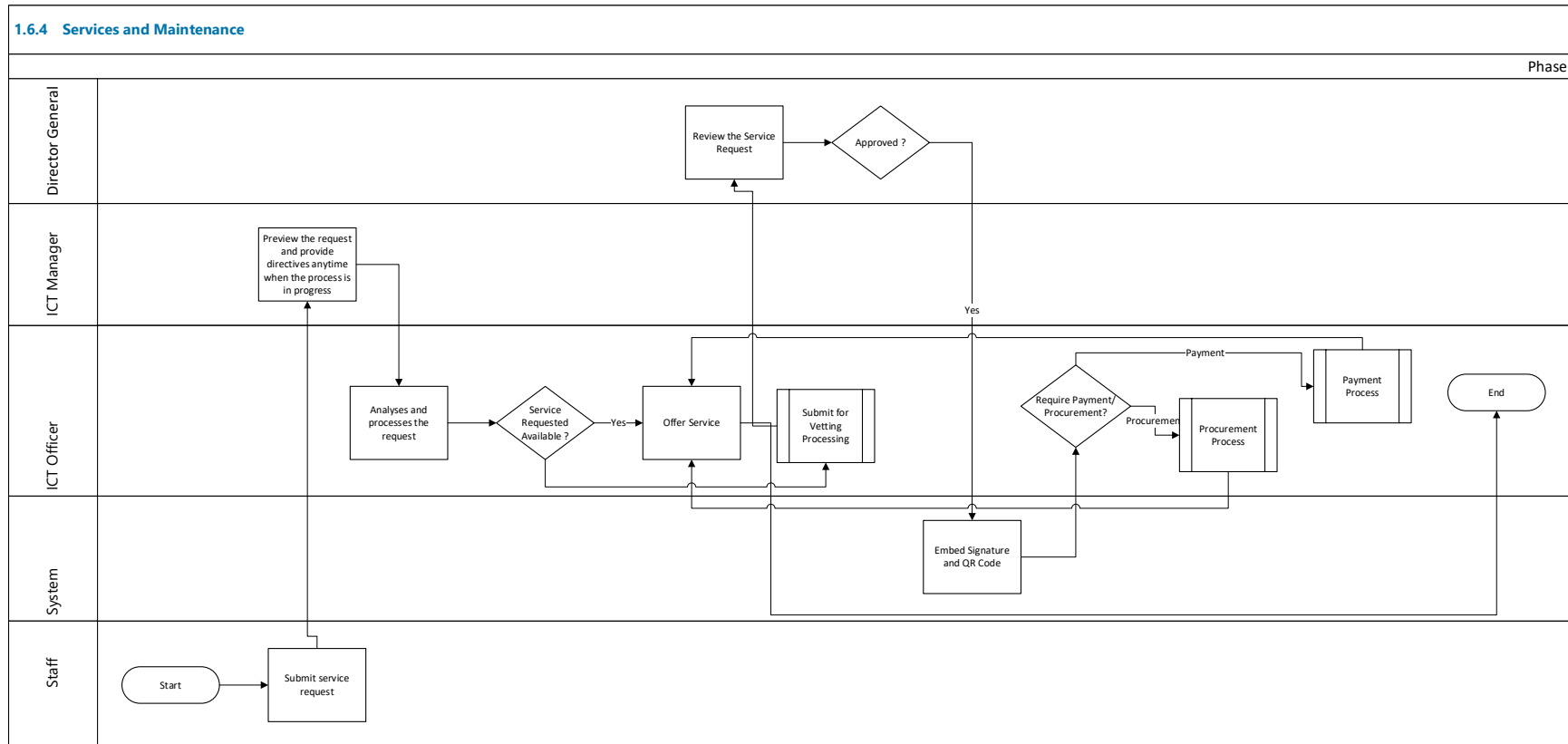
1.6.4 Services and Maintenance

Name of Process	Services and Maintenance
Process Number	FCC_SBP_ICT_TB_04
Process Description	This process entails how FCC staff can request a particular service.
Process Boundaries	Start Point: FCC Staff requests for a particular service. End Point: ICTO delivers the service requested.
Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager

	<ul style="list-style-type: none"> ▪ ICT Officer ▪ FCC Staffs
Stakeholders	FCC Staffs
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policy
Pre-Conditions	<p>Need for a particular service.</p> <p>Staff Authenticated and authorized to access the service</p>
Frequency of Occurrence	When need arise
Decisions associated with the process	
Process Input	Service Request
Process Flow	<ol style="list-style-type: none"> 1. FCC Staff fill and submit service request forms to the ICTM. 2. ICTM preview the request and provide directives to ICTO anytime when the process is in progress 3. ICTO analyses and processes the request. 4. ICTO prepares the service delivery, if available. 5. If the service requested is unavailable, the ICTO will submit the request for vetting processing 6. DG approve (Signature and QR Code Embedded automatically) the service request and notification is sent to ICTO and ICTM to proceed with service delivery 7. If the requested service requires approval of payment, ICTO proceed with request for payment lifecycle 8. If requested service requires procurement, procurement process lifecycle follows 9. ICTO proceed with offering the requested service
Process Output	Service Delivery

Measurable Outcome	Number of services delivered
Exceptions to Normal Process Flow	
Control Points and Measurements	Number of services delivered

1.6.4.1 Process Flow Diagram

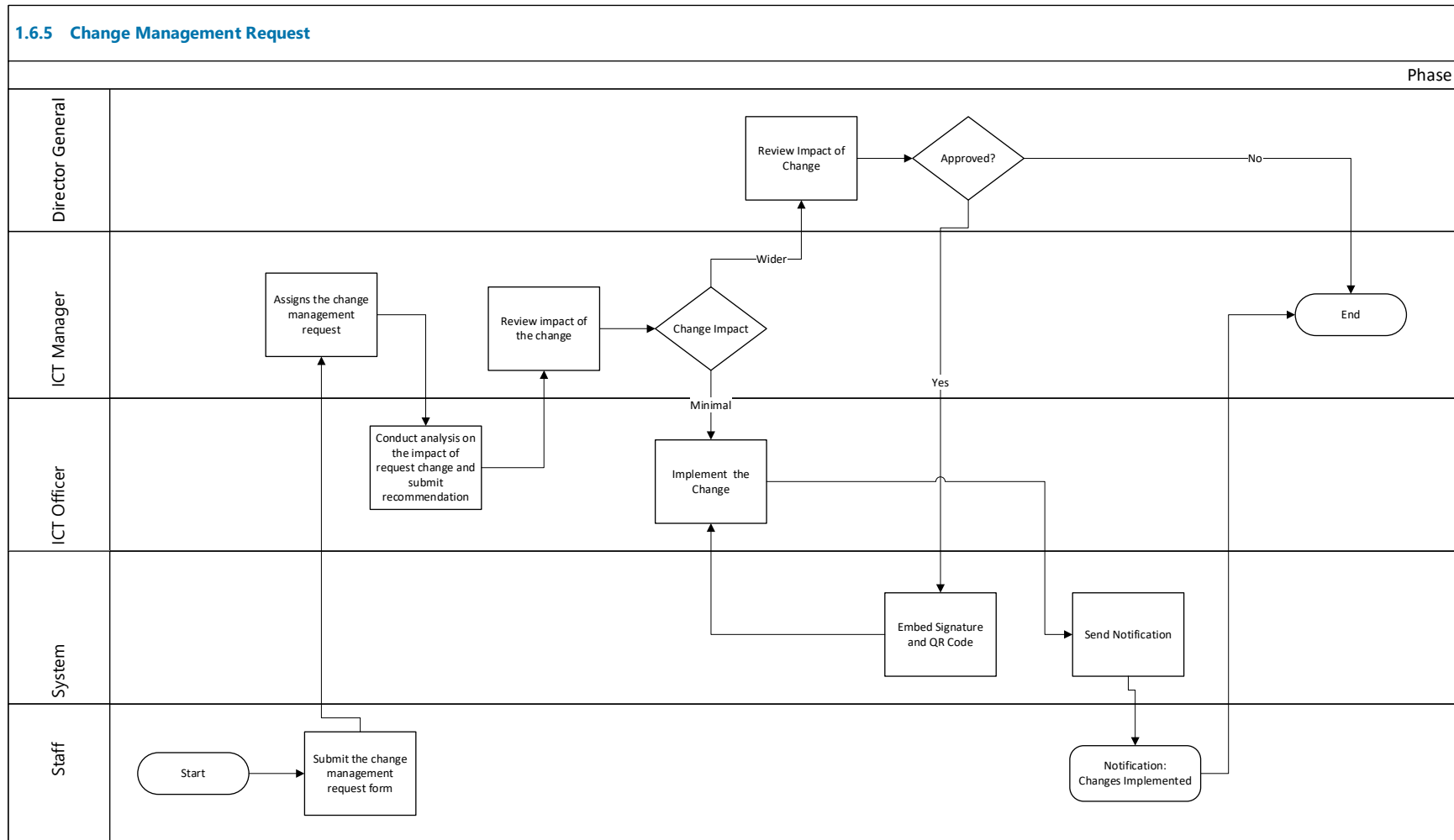


1.6.5 Change Management Request

Name of Process	Change Management Request
Process Number	FCC_SBP_ICT_TB_05
Process Description	This process details steps to follow when requesting for change management
Process Boundaries	Start Point: Officer fill change request form End Point: Change request is approved and implemented
Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager ▪ ICT Officer ▪ FCC Staffs
Stakeholders	FCC Staffs
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policies & Regulations
Pre-Conditions	Need for a particular service Staff Authenticated and authorized to access the service
Frequency of Occurrence	When need arise
Decisions associated with the process	Approval or rejection of change request
Process Input	Filled service request form
Process Flow	<ol style="list-style-type: none"> 1. FCC Staff fill and submit the change management request form to the ICTM. 2. The ICTM assigns the change management request to an ICTO 3. ICTO conduct analysis on the impact of request change and submit recommendation to ICTM 4. ICTM review impact of the change and make decision

	<p>5. If requested change have wider impact across the Institution, ICTM submit recommendation to the DG for approval</p> <p>6. The DG review change request and approve (Signature and QR Code Embedded automatically upon approval)</p> <p>7. If the request change has minimal impact to the organization/system, ICTM approve and notification is sent to ICTO for action.</p> <p>8. The ICTO implement the change request, notify staff and ICTM for noting</p>
Process Output	Approved and implemented change request
Measurable Outcome	<p>Number of Implemented changes</p> <p>Time taken to make changes</p>
Exceptions to Normal Process Flow	
Control Points and Measurements	Number of changes made

1.6.5.1 Process Flow Diagram



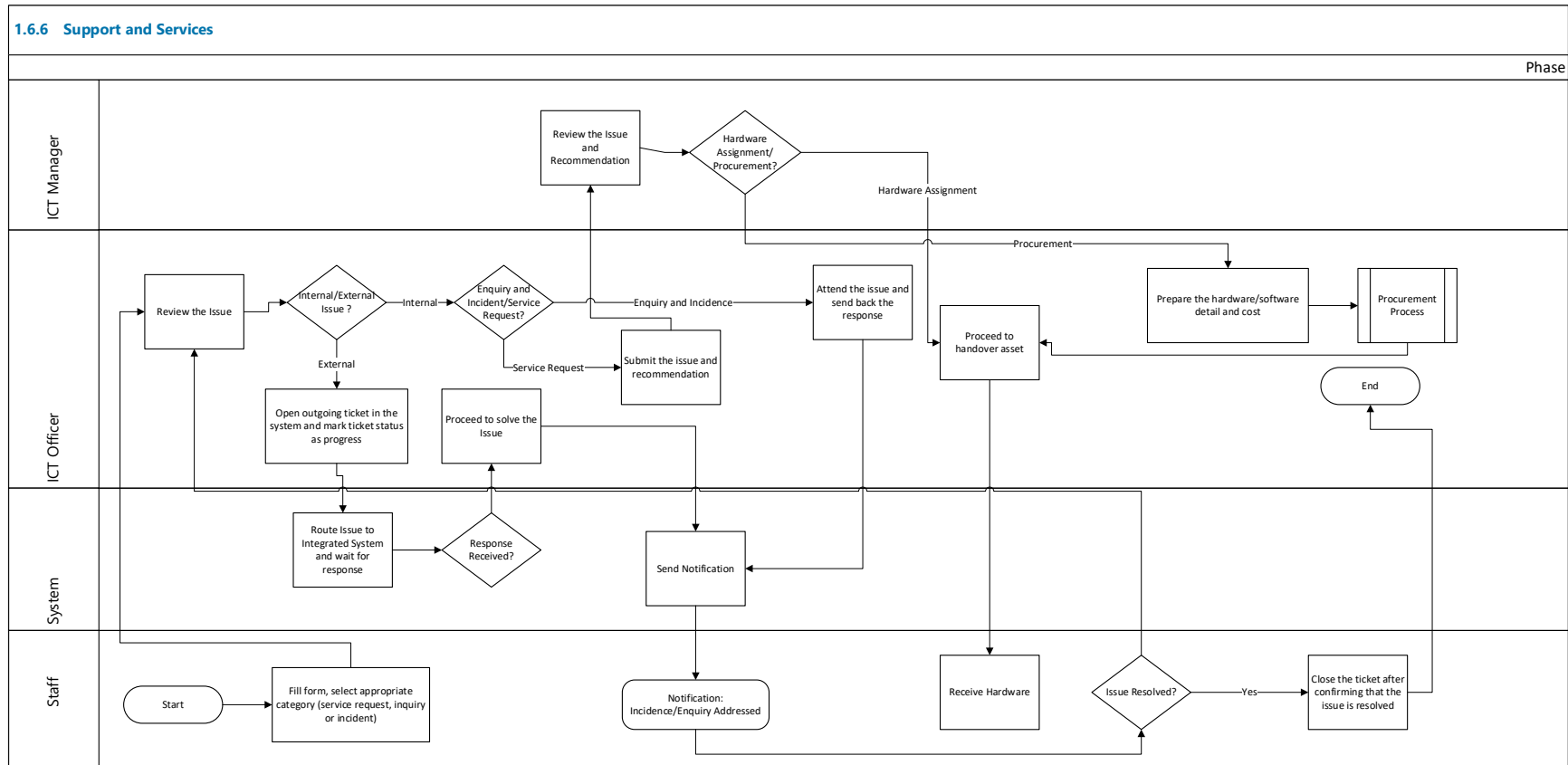
1.6.6 Support and Services

Name of Process	Support and Services
Process Number	FCC_SBP_ICT_TB_06
Process Description	This process details steps involved to submit request and receive necessary support from the ICT Team
Process Boundaries	Start Point: Staff submit issues to ICT End Point: ICT officer resolve issue
Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager ▪ ICT Officer ▪ FCC Staffs ▪ Procurement Officer ▪ Procurement Manager ▪ Director ▪ External actor
Stakeholders	FCC Staffs, Ministry of Finance, eGA, UTUMISHI, Ministry of Planning and Investment, Ministry of Industry and Trade and other MDAs
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policies and Regulations ▪ eGA guideline ▪ ICT service Management Guidelines
Pre-Conditions	Need for a particular service Staff Authenticated and authorized to access the service
Frequency of Occurrence	When need arise

Decisions associated with the process	
Process Input	Staff submit application for help
Process Flow	<ol style="list-style-type: none"> 1. Staff fill form, select appropriate category (service request, inquiry or incident) and submit 2. ICTO receive notification about the reported issue and log in to the system <p style="text-align: center;">For Internal Issues</p> <ol style="list-style-type: none"> 3. If the reported issue falls under incident and inquiry category, ICTO attend the issue and send back the response to FCC staff. 4. If the reported issue falls under service request category, ICTO submit the issue and recommendation to ICTM for determination to either initiate procurement process or assign hardware to staff from stock 5. If ICTM recommend assignment of hardware/software to staff from stock, ICTO proceed to handover asset to staff 6. If ICTM recommend procurement of hardware/software, ICTO prepare the hardware/software detail and cost and follows procurement process lifecycle to acquire new hardware/software and mark ticket status as progress while waiting for the procurement process to be completed 7. Once procurement process is completed, ICT officer notify the FCC staff that the issue has been resolved, 8. Staff receive requested hardware/software and close the ticket after confirming that the issue is resolved. 9. If staff receives a response and still sees that the issue has not been resolved, reply to that response, and the ticket will be rolled

	<p>back to inform the ICTO that the problem has not been resolved and ICTO take action again to solve the issue.</p> <p>For issues requiring interventions from MDAs</p> <p>10. ICTO open outgoing ticket in the system (already integrated with helpdesk platform) to respective institution that own the service.</p> <p>11. ICTO mark the ticket status as progress while awaiting for responses from the ICTO of the external service owner institution.</p> <p>12. Once ICTO receives a response from the external, proceed to solve the issue. Afterwards, inform the FCC staff that the problem has been resolved.</p> <p>13. Staff receive requested service and close the ticket after confirming that the issue is resolved.</p> <p>14. If staff receives a response and still sees that the issue has not been resolved, reply to that response, and the ticket will be rolled back to inform the ICTO that the problem has not been resolved and ICTO take action again to solve the issue.</p>
Process Output	Service delivered
Measurable Outcome	<p>Number of issues resolved</p> <p>Time taken to resolve issues</p>
Exceptions to Normal Process Flow	
Control Points and Measurements	

1.6.6.1 Process Flow Diagram

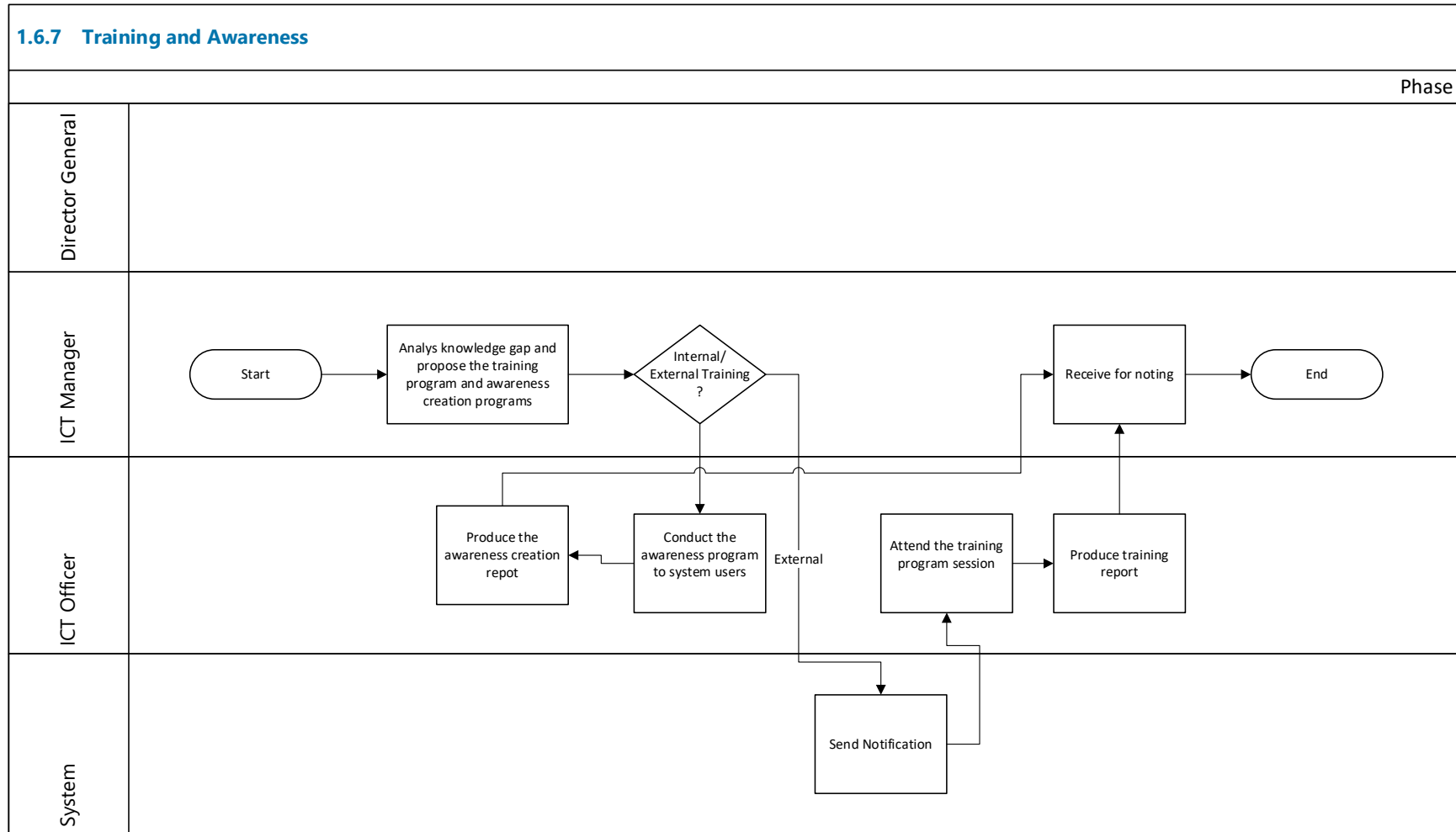


1.6.7 Training and Awareness

Name of Process	Training and Awareness
Process Number	FCC_SBP_ICT_TB_07
Process Description	Training and Awareness for users and IT Personnel on ICT issues
Process Boundaries	Start Point: Training need assessment End Point: Training program report
Process Owner	<ul style="list-style-type: none"> ▪ ICT Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ ICT Manager ▪ ICT Officer ▪ FCC Staffs ▪ System Users
Stakeholders	<ul style="list-style-type: none"> ▪ FCC Staffs ▪ ICT system users
Business Rules	<ul style="list-style-type: none"> ▪ FCC ICT Policies and Guidelines
Pre-Conditions	Awareness needs on ICT systems
Frequency of Occurrence	When need arise
Decisions associated with the process	Dissemination of knowledge or awareness of how to use ICT systems
Process Input	Service Request
Process Flow	<ol style="list-style-type: none"> 1. FCC introduce system use awareness need and knowledge gap analysis 2. The ICTM see the awareness and knowledge gap analysis report 3. The ICTM propose the training program and awareness creation programs

	<ol style="list-style-type: none"> 4. If the training is external the ICTM sends the Officers to attend the training program session 5. If it is within the ICTO will conduct the awareness program to system users 6. If the ICTO attend the training of knowledge gap at the end they have to produce training report and submit to ICTM 7. The ICTOs will produce the awareness creation report, submit and notification is sent to ICTM
Process Output	Understanding ICT Systems
Measurable Outcome	Knowing system to users and ICT personnel
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> ▪ On Desk attendance ▪ Oral directives to system users ▪ Giving users pre conditions of how to use ICT systems
Control Points and Measurements	Knowledge gained and Understanding ICT Systems

1.6.7.1 Process Flow Diagram



1.7 Legal Services Unit

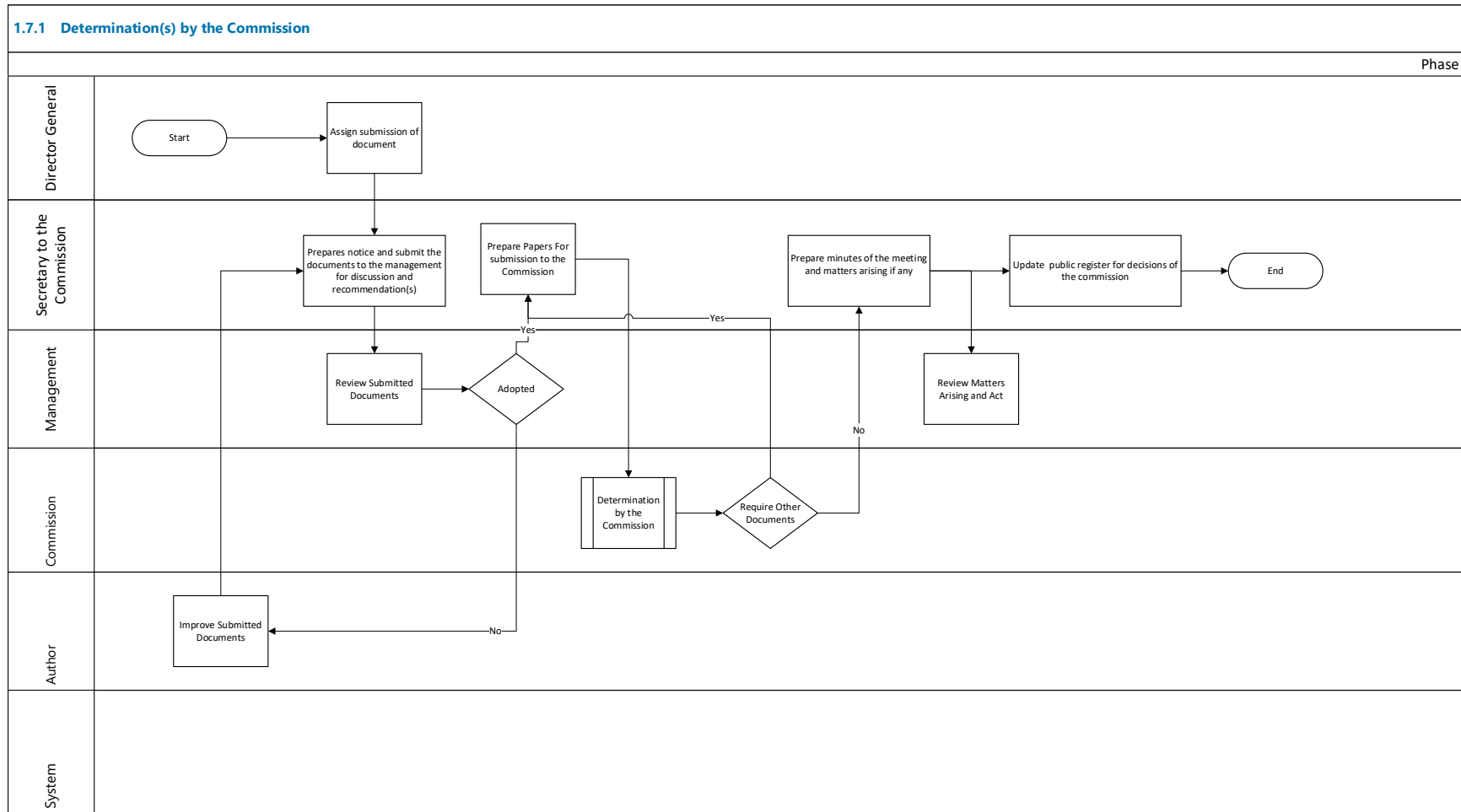
1.7.1 Determination(s) by the Commission

Name of Process	Determination(s) by the Commission
Process Number	FCC_SBP_LS_TB_01
Process Description	This process entails process of submitting Board Papers and Reports to the Commission for determination
Process Boundaries	Start Point: Author (Directorates/Units) submits document to the Secretary to the Commission End Point: Determination of the Commission
Process Owner	<ul style="list-style-type: none"> ▪ Secretary to the Commission
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Secretary to the Commission ▪ Author (Director General/Director/Manager) ▪ The Management ▪ Record Officers
Stakeholders	FCC Directorates/Units
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ Competition Rules, 2018 ▪ Consumer Complaints Handling Procedures, 2022
Pre-Conditions	Staff Authenticated and authorized to access the service
Frequency of Occurrence	When need arise Ordinary Monthly Case Meetings (Quasi-Judicial) - 12 Ordinary Meetings (Governance) – 4
Decisions associated with the process	Determination by the Commission
Process Input	Documents from Author

<p>Process Flow</p>	<ol style="list-style-type: none"> 1. The Secretary to the commission receive notification and documents for submission to the Commission, prepares notice and submit the documents to the management for discussion and recommendation(s) 2. If the Management recommend for improvement, the Secretary to the Commission transmit to the Author for improvement 3. If Management adopt the report, the Secretary to the Commission prepare notice for the Commission meeting and submit the same to the Commission (i.e., FCC Board) together with documents for determination 4. The Commission makes determination on the presented matter 5. If determination requires Secretary to the Commission to prepare a specific document, secretary to the Commission prepares the document and submit to the members of Commission their review and signature 6. Secretary to the commission prepare minutes of the meeting and matters arising if any 7. Secretary to the Commission share matters arising to the Management 8. Secretary to the Commission prepares a public register for decisions of the commission
<p>Process Output</p>	<p>Determination of the Commission</p>
<p>Measurable Outcome</p>	<p>Number of Commission decisions published Number of Directives issued by the Commission Number of Determinations made</p>
<p>Exceptions to Normal Process Flow</p>	

Control Points and Measurements	Number of Commission decisions published Number of Directives issued by the Commission Number of Determinations made
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1.7.1.1 Process Flow Diagram



1.7.2 To represent FCC in cases which the FCC has been sued

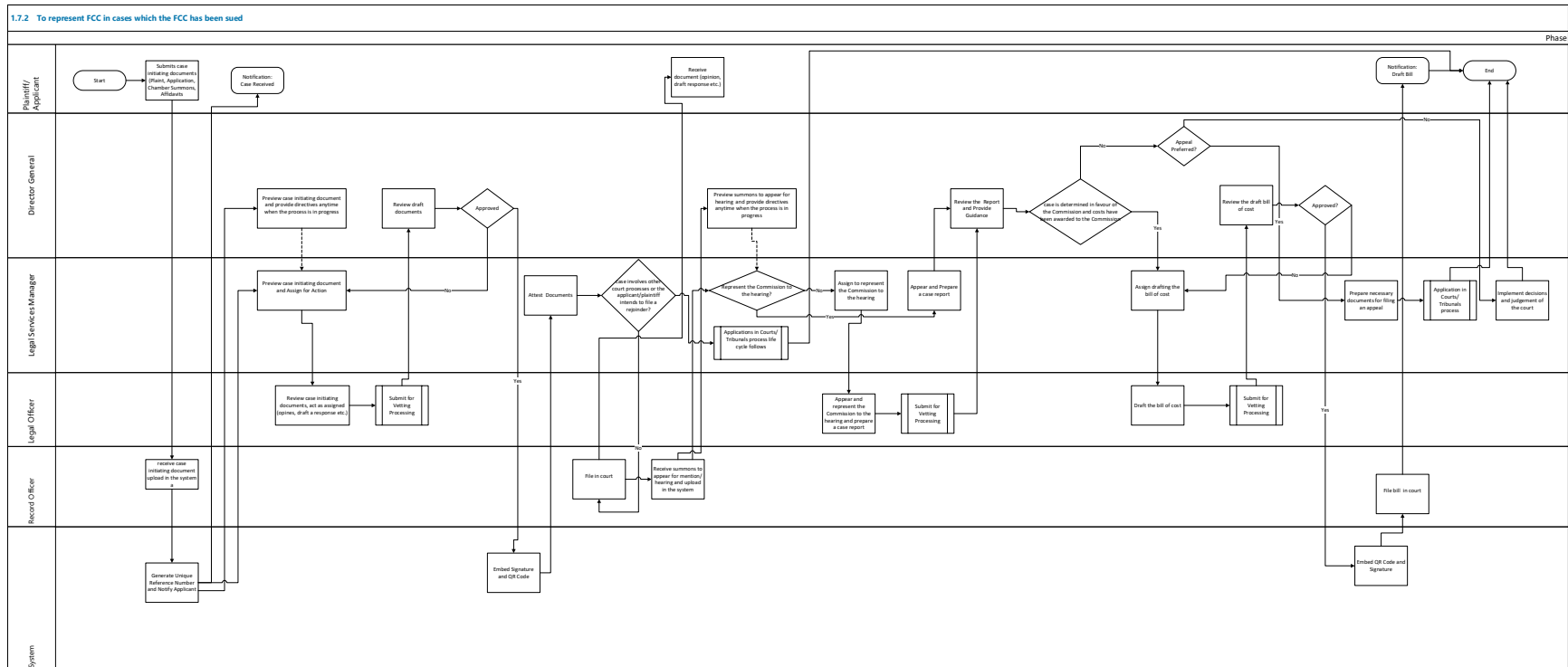
Name of Process	FCC Sued
Process Number	FCC_SBP_LS_TB_02
Process Description	This entails process of representing FCC in case FCC has been sued
Process Boundaries	<p>Start Point: FCC being served with case initiating document (Plaint, Application, Chamber Summons, Affidavits etc.)</p> <p>End Point: Completion of the case</p>
Process Owner	<ul style="list-style-type: none"> ▪ Legal Services Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Legal Services Manager ▪ Plaintiff/ Applicant ▪ Legal Officer ▪ Record Officer
Stakeholders	FCC Directorates/Units, Attorney General, Solicitor General, Ministry of Industry and Trade, The Judiciary
Business Rules	<ul style="list-style-type: none"> ▪ Civil Procedure Code ▪ Labour Laws ▪ Law of Contract ▪ Any other relevant laws
Pre-Conditions	<p>FCC being served with case initiating documents</p> <p>Staff Authenticated and authorized to access the service</p>
Frequency of Occurrence	When need arise
Decisions associated with the process	<p>Mediation</p> <p>Arbitration</p> <p>Litigation</p> <p>Settlement</p>

Process Input	Case initiating documents (Plaint, Application, Chamber Summons, Affidavits etc.)
Process Flow	<ol style="list-style-type: none"> 1. Plaintiff/ Applicant submits case initiating documents (Plaint, Application, Chamber Summons, Affidavits) to FCC 2. Record Officer receive case initiating document, assign reference number, upload in the system and submit 3. Director General preview case initiating document and provide directives to Legal Services Manager anytime when the process is in progress 4. The Legal Services Manager review and assign a Legal Officer for action 5. Legal officer review case initiating documents, act as assigned (opines, draft a response etc.) and submit for vetting processing 6. The DG review draft document (opinion, draft response etc.), approve and assign the Legal Services Manager for action. 7. If approved by the Director General, the Legal Service Manager sign (Signature and QR Code Embedded automatically), attest etc. the response and submit to Record Officer for filing in court and serving the same to applicant/plaintiff 8. If the case involves other court processes (e.g., injunction, preliminary objections etc.), Applications in Courts/Tribunals process life cycle follows 9. If the applicant/plaintiff intends to file a rejoinder, the FCC will be served with the rejoinder, Applications in Courts/Tribunals process life cycle follows 10. Record Officer receive summons to appear for mention/hearing and upload in the system and submit 11. Director General preview summons to appear for hearing and provide directives to Legal Services Manager anytime when the process is in progress

	<p>12. The Legal Service Manager receives the summons, Appears or Assign the Legal Officer to represent the Commission to the hearing</p> <p>13. The Legal Service Manager or Legal officer shall appear and represent the Commission to the hearing</p> <p>14. If the Legal officer represented the Commission to the hearing, the legal officer prepares a case report and submit to the Legal Services Manager for preview</p> <p>15. If the Legal Services Manager represented the Commission to the hearing, the Legal Service Manager prepares a case report and submit to the Director General for preview and guidance</p> <p>16. If the case is determined in favour of the Commission and costs have been awarded to the Commission, the Legal Service Manager will draft the bill of cost or assign the Legal Officer to draft the bill of cost</p> <p>17. The Legal Service Manager review the draft bill of cost and submit to Director General for review and approval</p> <p>18. If approved by the Director General, the Legal Service Manager sign (Signature and QR Code automatically embedded upon approval), attest etc. the draft bill of cost and submit to Record Officer for filing in court and serving the same to the respondent</p> <p>19. If the case has been determined against the commission, the Legal Service Manager shall advise the Director General on whether the commission should prefer an appeal or not.</p> <p>20. Director General will receive and review the advice from the Legal Service Manager.</p> <p>21. If the Director General approves the advice that an appeal should be preferred, the Director general will assign the Legal Service</p>
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	<p>Manager to prepare necessary documents for filing an appeal.</p> <p>Application in Courts/Tribunals process follows</p> <p>22. Else, FCC implement decisions and judgement of the court</p>
Process Output	Signed response/reply (written statement of defence, counter-affidavit etc.)
Measurable Outcome	Number of signed responses/replies
Exceptions to Normal Process Flow	
Control Points and Measurements	Number of signed responses/replies

1.7.2.1 Process Flow Diagram



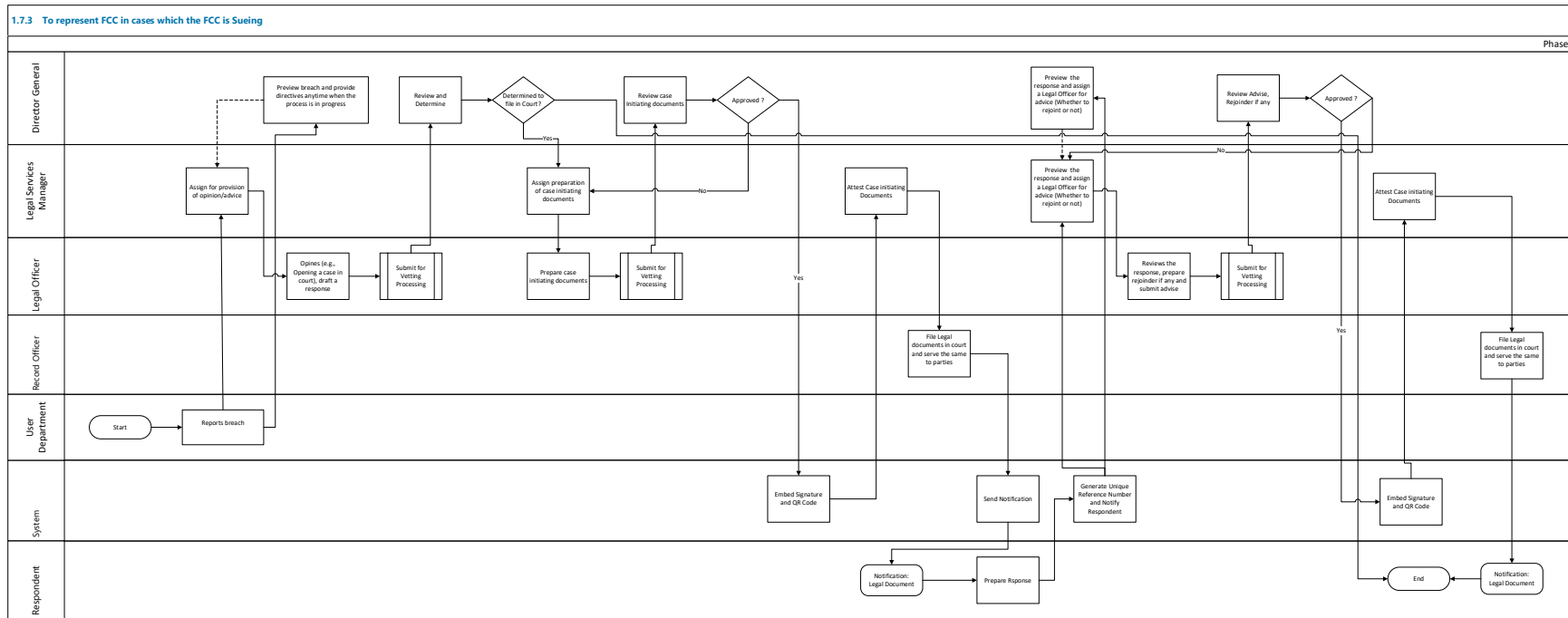
1.7.3 To represent FCC in cases which the FCC is Sueing

Name of Process	FCC Sueing
Process Number	FCC_SBP_LS_TB_03
Process Description	This entails process of representing the FCC in case FCC is sueing
Process Boundaries	Start Point: FCC being aggrieved with an action or omission by a certain person (Legal/Natural) (breach of terms/conditions/agreement etc) End Point: Completion of the Case
Process Owner	<ul style="list-style-type: none"> ▪ Legal Services Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Legal Services Manager ▪ Respondent ▪ Legal Officers ▪ Record Officers
Stakeholders	FCC Directorates/Units, Attorney General, Solicitor General, Ministry of Industry and Trade, The Judiciary
Business Rules	<ul style="list-style-type: none"> ▪ Civil Procedure Code ▪ Labour Laws ▪ Law of Contract ▪ Any other relevant laws
Pre-Conditions	Action or omission warranting for legal action (breach of terms/conditions/agreement) Staff Authenticated and authorized to access the service
Frequency of Occurrence	When need arise
Decisions associated with the process	Mediation Arbitration

	<p>Litigation</p> <p>Settlement</p>
Process Input	FCC file case initiating document (Plaint, chamber summons etc.)
Process Flow	<ol style="list-style-type: none"> 1. Respective Department/ Division reports breach to the DG for review 2. Director General preview breach and provide directives to Legal Services Manager anytime when the process is in progress 3. Legal Services Manager submit the matter to the Legal Officer for opinion/advice 4. The Legal Officer opines (e.g., Opening a case in court), draft a response and submit for vetting processing 5. The Director General review the advice and make determination 6. If determination by the DG requires FCC to file a case in Court, the DG send notification to Legal Services Manager to prepare case initiating documents. 7. The Legal Services Manager assigns a Legal Officer to prepare case initiating documents 8. Legal Officer prepare case initiating documents and submit for vetting processing 9. The DG review case initiating documents, approve and submit the same to Legal Services Manager for action. 10. If approved, the Legal Service Manager sign (Signature and QR Code Embedded automatically upon approval), attest etc. and submit to Record Officer for filing and serving 11. Record Officer receive/download Legal documents, file Legal documents in court and serve the same to parties 12. Respondent submits response to FCC 13. Record Officer receive the response, assign reference number, upload in the system and submit

	<p>14. Director General preview response and provide directives to Legal Services Manager anytime when the process is in progress</p> <p>15. The Legal Services Manager review the response and assign a Legal Officer for advice (Whether to rejoin or not)</p> <p>16. Legal officer reviews the response, prepare rejoinder if any and submit advise for vetting processing</p> <p>17. The DG review the advice and rejoinder if any, approve and assign the Legal Services Manager for action.</p> <p>18. If approved by the Director General, the Legal Service Manager sign (Signature and QR Code embedded automatically), attest etc. the rejoinder and notification is sent to Record Officer for filing in court and serving the same to respondent</p> <p>19. Record Officer, download document, file the rejoinder in court and serve the same to parties</p>
Process Output	Decision by the Court
Measurable Outcome	Number of signed Plaintiff, Chamber Summons, Affidavit, Rejoinder
Exceptions to Normal Process Flow	
Control Points and Measurements	Plaint, Chamber Summons, Affidavit, Rejoinder

1.7.3.1 Process Flow Diagram



1.7.4 Applications in Courts/Tribunals

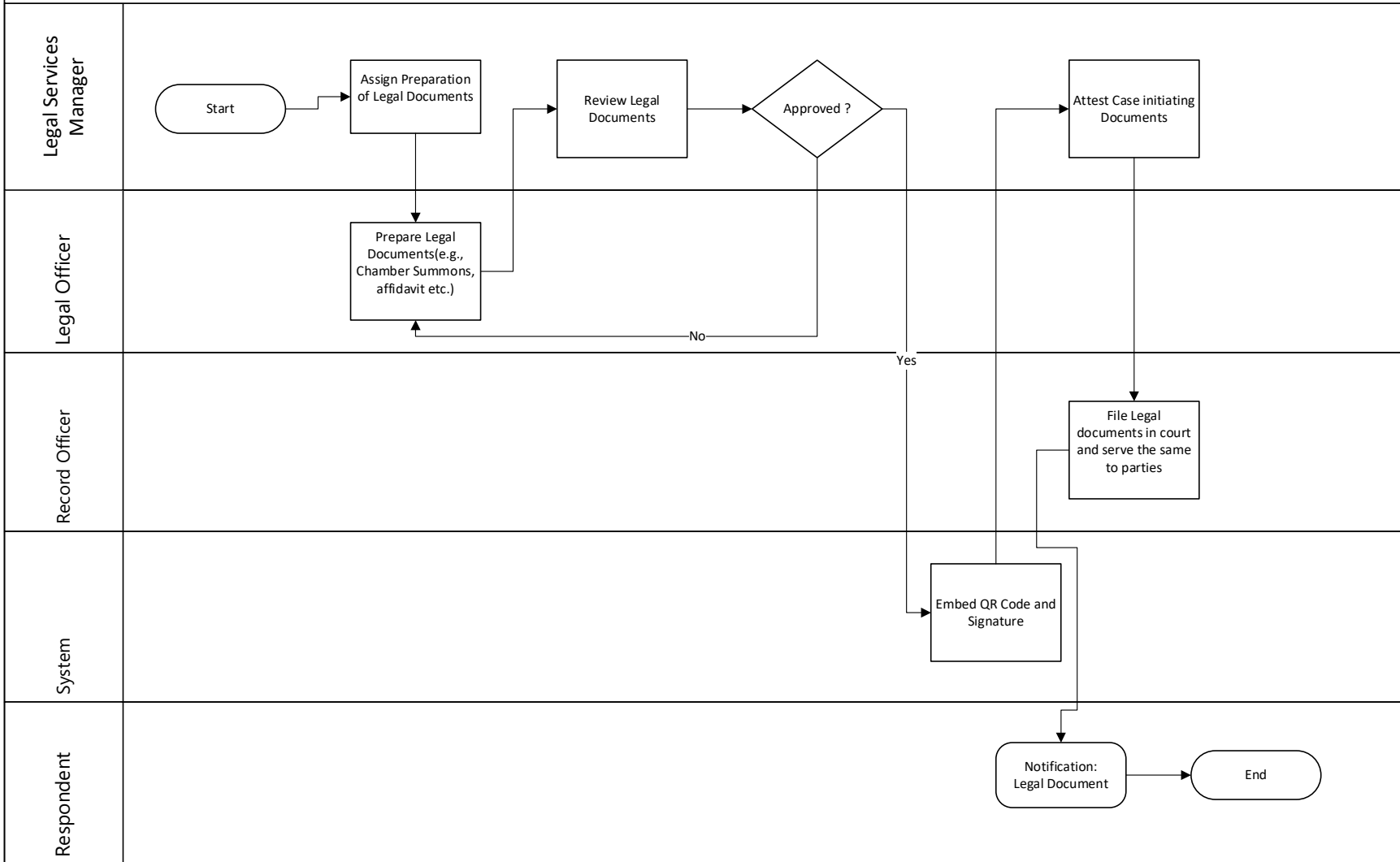
Name of Process	Applications in Courts/Tribunals
Process Number	FCC_SBP_LS_TB_04
Process Description	This entails process of opening application in court
Process Boundaries	Start Point: Drafting of necessary document for initiating an application (Plaint, Application, chamber summons) to court, tribunal etc. End Point: Ruling on the application
Process Owner	<ul style="list-style-type: none"> ▪ Legal Services Manager
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Legal Services Manager ▪ Respondent(s) ▪ Legal Officer ▪ Record Officer
Stakeholders	FCC Directorate/Unit, Attorney General, Solicitor General, Ministry of Industry and Trade, Court
Business Rules	<ul style="list-style-type: none"> ▪ Civil Procedure Code ▪ Labour Laws ▪ Law of Contract
Pre-Conditions	Existence of a case in court (e.g., FCC Sued) Staff Authenticated and authorized to access the service
Frequency of Occurrence	When need arise
Decisions associated with the process	Ruling of the application
Process Input	Approval by the DG to open an application

Process Flow	<ol style="list-style-type: none"> 1. Legal Services Manager submit Instruction to Legal Officer to prepare Legal documents 2. Legal Officer prepare Legal documents (e.g., Chamber Summons, affidavit etc.) and submit to the Legal Service Manager for review 3. Legal Service Manager review, sign (Signature and QR Code embedded automatically), submit and notification sent to Record officer 4. Record Officer download Legal documents, file in court and server the same to parties
Process Output	Legal Documents and Appearance before the court
Measurable Outcome	Decisions by the court
Exceptions to Normal Process Flow	
Control Points and Measurements	Number of signed Legal documents

1.7.4.1 Process Flow Diagram

1.7.4 Applications in Courts/Tribunals

Phase



1.8 Audit Unit

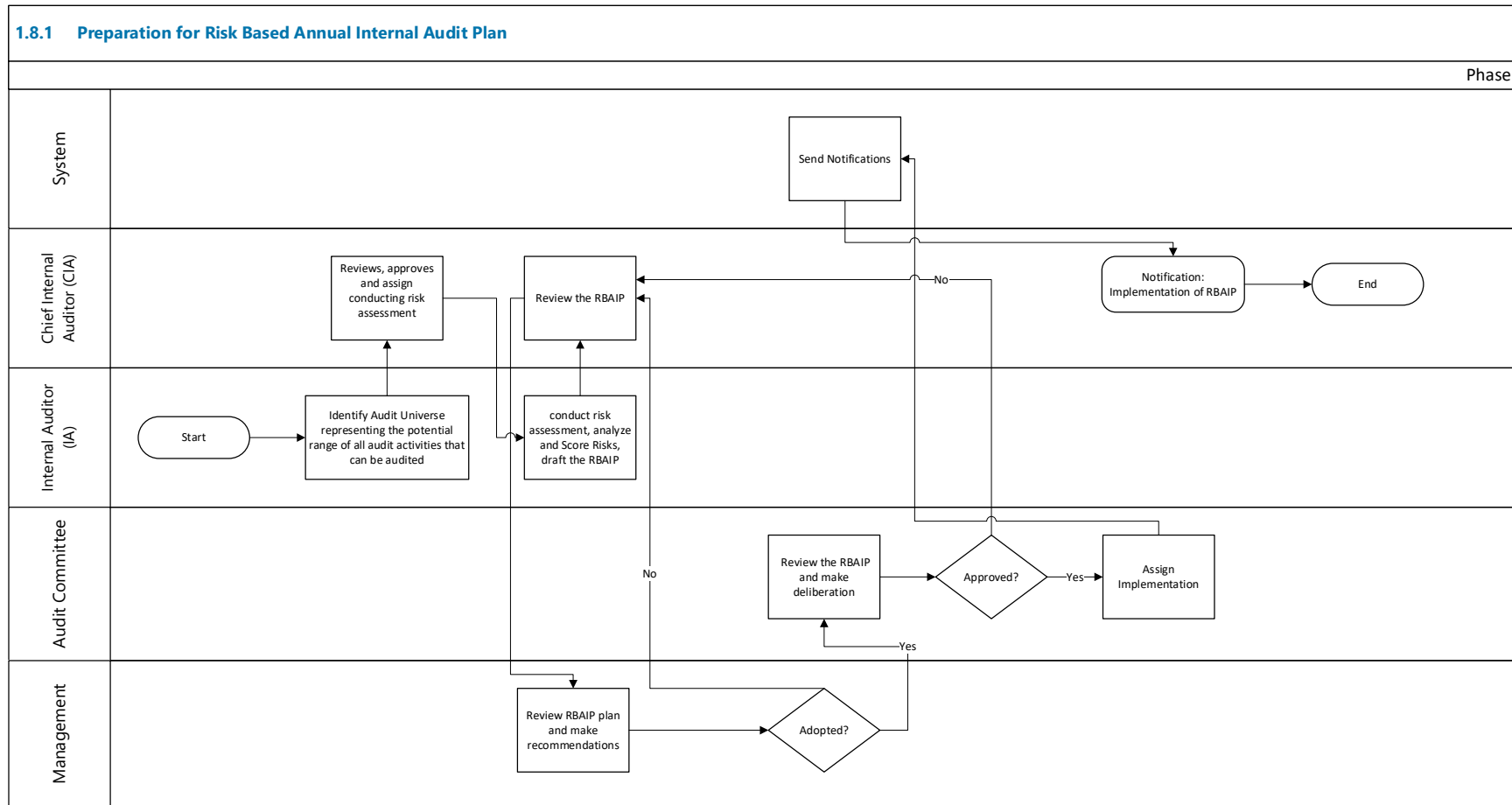
1.8.1 Preparation for Risk Based Annual Internal Audit Plan

Name of Process	Preparation for Risk Based Annual Internal Audit Plan
Process Number	FCC_SBP_IA_TB_01
Process Description	This procedure describes the process for preparation of Risk Based Annual Internal Audit Plan (RBIAP).
Process Boundaries	Start Point: CIA initiates by instructing auditors to start the process End point: Approved Annual Audit Plan
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Audit Committee ▪ Management ▪ Director General ▪ Commission
Stakeholders	FCC Staff
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2019 ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Chief Internal Auditor initiate the process of preparation of the Risk based Internal Audit annual plan at the end of quarter two in every financial year by instructing auditors to start preparation of RBIAP Staff Authenticated and authorized to access the service

Frequency of Occurrence	Annually
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approval of the Audit RBIAP
Process Input	<ul style="list-style-type: none"> ▪ Policies, framework, manuals and SOPs, Quarterly reports
Process Flow	<ol style="list-style-type: none"> 1. Internal Auditors (IA) identify Audit Universe representing the potential range of all audit activities that can be audited through consultation with Heads of directorates/units/zones and submit to CIA for review and approval 2. CIA reviews and approves the audit universe and assign IA to conduct risk assessment 3. IA conduct risk assessment, analyze and Score Risks, draft the RBAIP and submits to CIA for review 4. CIA review the RBAIP and submit to the Management for review and comments 5. The management review RBAIP plan and make recommendations 6. If Management adopts the RBAIP plan, the CIA submit the plan to the Audit Committee for review, deliberation and approval 7. Audit Committee review the plan and make determination 8. If Audit Committee recommend for Improvement, CIA make necessary improvement and resubmit to committee for determination 9. Audit Committee Approve the plan and assign CIA for Implementation
Process Output	Approved Annual Risk Based Internal Audit Plan (RBIA)
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Approved Annual Risk Based Internal Audit Plan

Exceptions to Normal Process Flow	
Control Points and Measurements	Approved Risk Based Annual Internal Audit Plan

1.8.1.1 Process Flow Diagram



1.8.2 Audit Engagement Initiation

Name of Process	Audit Engagement Initiation
Process Number	FCC_SBP_IA_TB_02
Process Description	This process details steps involved in audit initiation
Process Boundaries	<p>Start Point: Audit Plan</p> <p>End point: Monitoring and Reporting of the corrective action</p>
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Chief Internal Auditor (CIA) ▪ Lead Auditor (LA) ▪ Internal Auditor (IA)
Stakeholders	All Staffs
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2019 ▪ FCC Risk Management Manual, 2019 ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	<p>Approved Annual Risk Based Internal Audit Plan</p> <p>Staff Authenticated and authorized to access the service</p>

Frequency of Occurrence	Whenever need arises/Suo moto
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approval of the Internal Audit Memo
Process Input	<ul style="list-style-type: none"> ▪ Approved Annual Risk Based Internal Audit Plan
Process Flow	<ol style="list-style-type: none"> 1. The CIA appoints Lead Auditor (LA) and audit team for approved audit assignments as per Engagements Schedule from the Risk Based Internal Audit Plan (RBIAP) to prepare Internal Audit Memo 2. Lead Auditor prepares an Internal Audit Memo (As per approved FCC memo template) identifying and submit for vetting processing 3. DG review the Internal Audit Memo, approve and notification is sent to the Lead Auditor to initiate Pre-Audit Preparation 4. Lead Auditor prepare audit engagement plan, checklists and other procedures or documentation relative to the audit and provide a copy to audit team members for review 5. The audit team review the audit plan checklists and other procedures or documentation relative to the audit and if in order, sign the declaration of Independence/Conflict of interest Form prior to participation in engagement audit activities and submit to Lead Auditor 6. Lead Auditor contact the auditable area to ensure all arrangements are in place and appropriate personnel and documents, are available for the audit process
Process Output	<p>Approved Internal Audit Memo</p> <p>Signed declaration of Independence/Conflict of interest Form No. (F-IAU-CIA-001-AEN)</p>
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of approved internal audit memo

Exceptions to Normal Process Flow	
Control Points and Measurements	Approved internal audit memo

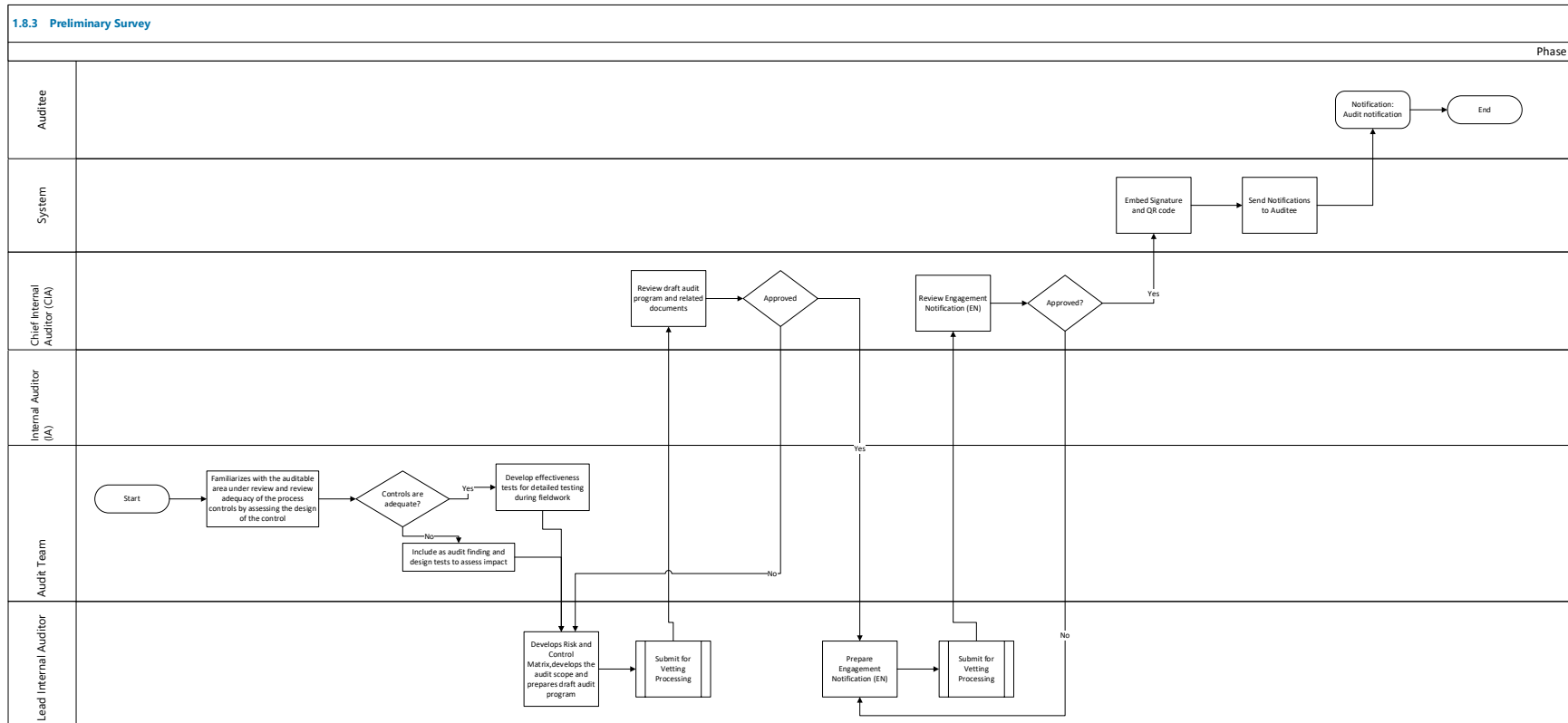
1.8.3 Preliminary Survey

Name of Process	Preliminary Survey
Process Number	FCC_SBP_IA_TB_03
Process Description	This process details steps involved in conducting preliminary survey
Process Boundaries	<p>Start Point: Audit Team Conducts preliminary assessment of audit activity for identifying its critical risks, which need to be covered in the audit in order to achieve the audit objectives</p> <p>End point: Approved Engagement Notification to Auditee</p>
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Lead Auditor (LA) ▪ Audit Team
Stakeholders	Auditee
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2019 ▪ FCC Risk Management Manual, 2019 ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations ▪ International Professional Practices Framework (IPPF) 2017

Pre-Conditions	Approved Audit Engagement Initiation Staff Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Signing of engagement notification ▪ Development of effective testing
Process Input	<ul style="list-style-type: none"> ▪ Approved internal audit memo
Process Flow	<ol style="list-style-type: none"> 1. The Audit Team familiarizes itself with the auditable area under review conducting preliminary review 2. Audit Team Members review adequacy of the process controls by assessing the design of the control 3. If controls are found to be adequate, Audit Team Members develop effectiveness tests for detailed testing during fieldwork 4. If controls are inadequate, Audit Team Members include as audit finding and design tests to assess impact in the process and submit to LA 5. LA develops Risk and Control Matrix and prioritizes the auditable process areas, develops the audit scope covering areas of focus from the risk and control matrix, prepares draft audit program and submits for vetting processing 6. CIA approves the audit program and instructs LA to prepare Engagement Notification (EN). 7. LA prepares EN and submit for vetting processing 8. CIA approve (Signature and QR Code embedded automatically) EN and notification is sent to auditee
Process Output	Approved Internal Audit Memo Signed declaration of Independence/Conflict of interest Form No.

Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of approved internal audit memo
Exceptions to Normal Process Flow	
Control Points and Measurements	Approved Engagement Notification

1.8.3.1 Process Flow Diagram



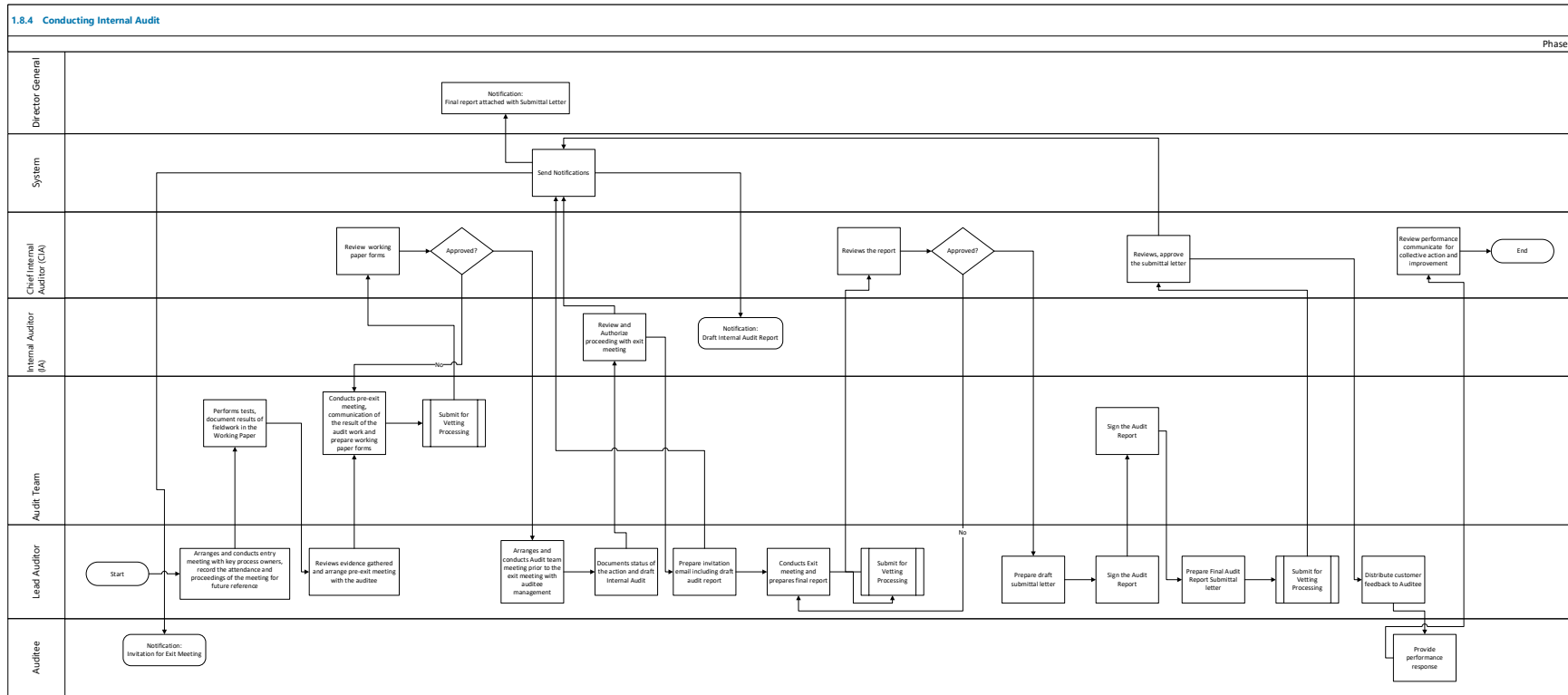
1.8.4 Conducting Internal Audit

Name of Process	Conducting Internal Audit
Process Number	FCC_SBP_IA_TB_04
Process Description	This process details steps involved in conducting Audit
Process Boundaries	Start Point: Internal Auditor conduct entry meeting End point: Approval of Final Audit Report
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Lead Auditor (LA) ▪ Audit Team
Stakeholders	Auditee
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2019 ▪ FCC Risk Management Manual, 2019 ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Approved Audit Engagement Initiation Staff Authenticated and authorized to access the service

Frequency of Occurrence	Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Signing of engagement notification ▪ Development of effective testing
Process Input	<ul style="list-style-type: none"> ▪ Approved internal audit memo
Process Flow	<ol style="list-style-type: none"> 1. LA arranges and conducts entry meeting with key process owners, record the attendance and proceedings of the meeting for future reference 2. Audit Team Members performs tests to evaluate effectiveness of controls by collecting evidence through audit techniques, document results of fieldwork in the Working Paper and submit to LA for review 3. LA reviews evidence gathered by audit team members to ensure that each audit documentation matches critical element and arrange pre-exit meeting with the auditee. 4. LA and Audit Team Members conducts pre-exit meeting at the audit area for clarification and communication of the result of the audit work. 5. Audit Committee prepare working paper forms (audit findings, results and observations) and submit for vetting processing 6. CIA review and approve working paper forms and submit to LA for further action 7. LA arranges and conducts Audit team meeting prior to the exit meeting with auditee management for reviewing and consolidating the deviations and recommendations for presentation to the auditee and for preparation of the draft Internal Audit Report 8. LA documents status of the action, draft Internal Audit and submit to IA for review 9. IA review the draft report, forward report to CIA for noting and authorizes the LA to proceed with the exit meeting 10. LA arranges exit meeting by agreeing date of the meeting with the auditee; sending invitation email including draft audit report to auditee, auditors and other personnel responsible for the finding (3 working days prior to meeting). 11. LA conducts Exit meeting with the key personnel of the audited activity and document exit meeting minutes and attendance sheet

	<p>12. LA prepares final report incorporating written responses from Auditee and other adjustments obtained from the exit conference then submit for vetting processing</p> <p>13. CIA reviews the report and instructs LA to arrange report, Preparation of submittal letter and distribution to auditee.</p> <p>14. LA arrange the audit Final Report, Signoff the report with other audit team members then prepares Final Audit Report Submittal letter and sends to CIA for review and approval</p> <p>15. CIA reviews, approve the submittal letter and notification containing Final report attached with Submittal Letter is sent to the Director General, Auditee and other authorized relevant parties concerned with the findings</p> <p>16. LA distribute customer feedback to Auditee through the system and direct auditee to provide performance response to CIA.</p> <p>17. CIA review performance and communicate with Auditors and auditee for collective action and improvement</p>
Process Output	<p>Approved Internal Audit Memo</p> <p>Signed declaration of Independence/Conflict of interest Form No.</p>
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of approved internal audit memo
Exceptions to Normal Process Flow	
Control Points and Measurements	<p>Approved Engagement Notification</p>

1.8.4.1 Process Flow Diagram



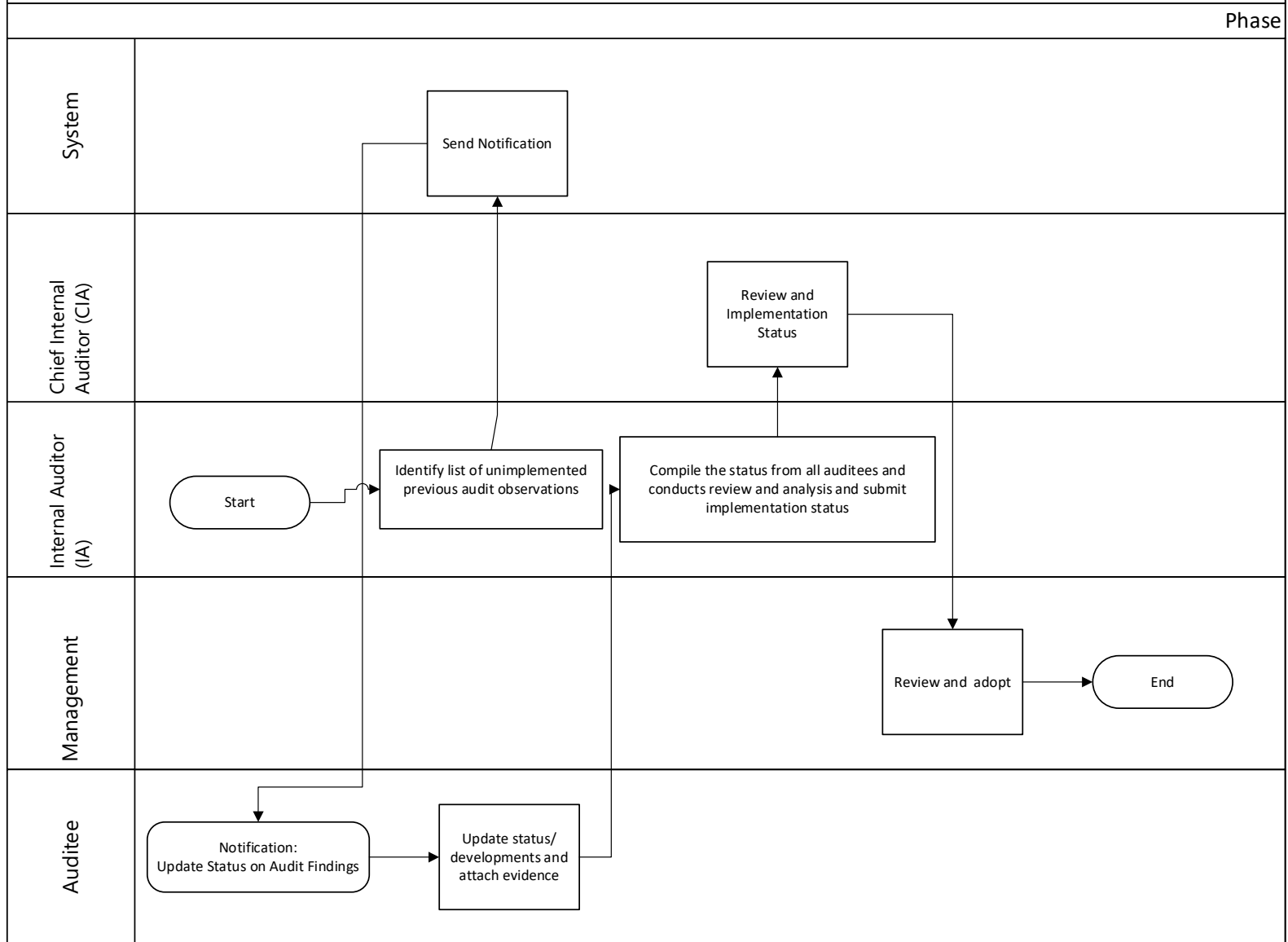
1.8.5 Monitoring

Name of Process	Monitoring
Process Number	FCC_SBP_IA_05
Process Description	This process details steps involved in monitoring implementation status of previous audit observations
Process Boundaries	<p>Start Point: Internal Auditor share audit previous audit findings to auditee</p> <p>End point: Approval Management responses</p>
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Directors ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Lead Auditor (LA) ▪ Audit Team
Stakeholders	Auditee
Business Rules	<ul style="list-style-type: none"> ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2022 ▪ Risk based Annual Internal Audit Plan ▪ FCC Strategic and Business Plan ▪ FCC Annual Activity Plan and Budget ▪ FCC Annual Procurement Plan and Budget ▪ FCC Rules & Regulations ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Approved previous quarterly report

	Staff Authenticated and authorized to access the service
Frequency of Occurrence	Quarterly
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Agreed Implementation status
Process Input	<ul style="list-style-type: none"> ▪ Approved previous quarter report
Process Flow	<ol style="list-style-type: none"> 1. Internal Auditor identify list of unimplemented previous audit observations 2. Internal Auditor share the list with the auditee for updating status/developments 3. Auditee respond to the list within five days and submit to the internal auditor with the attached evidences 4. Internal auditor compile the status from all auditees 5. Internal auditor conducts review and analysis 6. Internal auditor submits the implementation status of previous audit observation to CIA for final review 7. CIA present the implementation status of the previous audit observations to the Management meeting for discussion and adoption
Process Output	Agreed implementation status of the previous audit observations
Measurable Outcome	<ul style="list-style-type: none"> ▪ Implementation rate of previous audit observations
Exceptions to Normal Process Flow	
Control Points and Measurements	Agreed implementation status of the previous audit observations

1.8.5.1 Process Flow Diagram

1.8.5 Monitoring



1.8.6 Approval of the Report

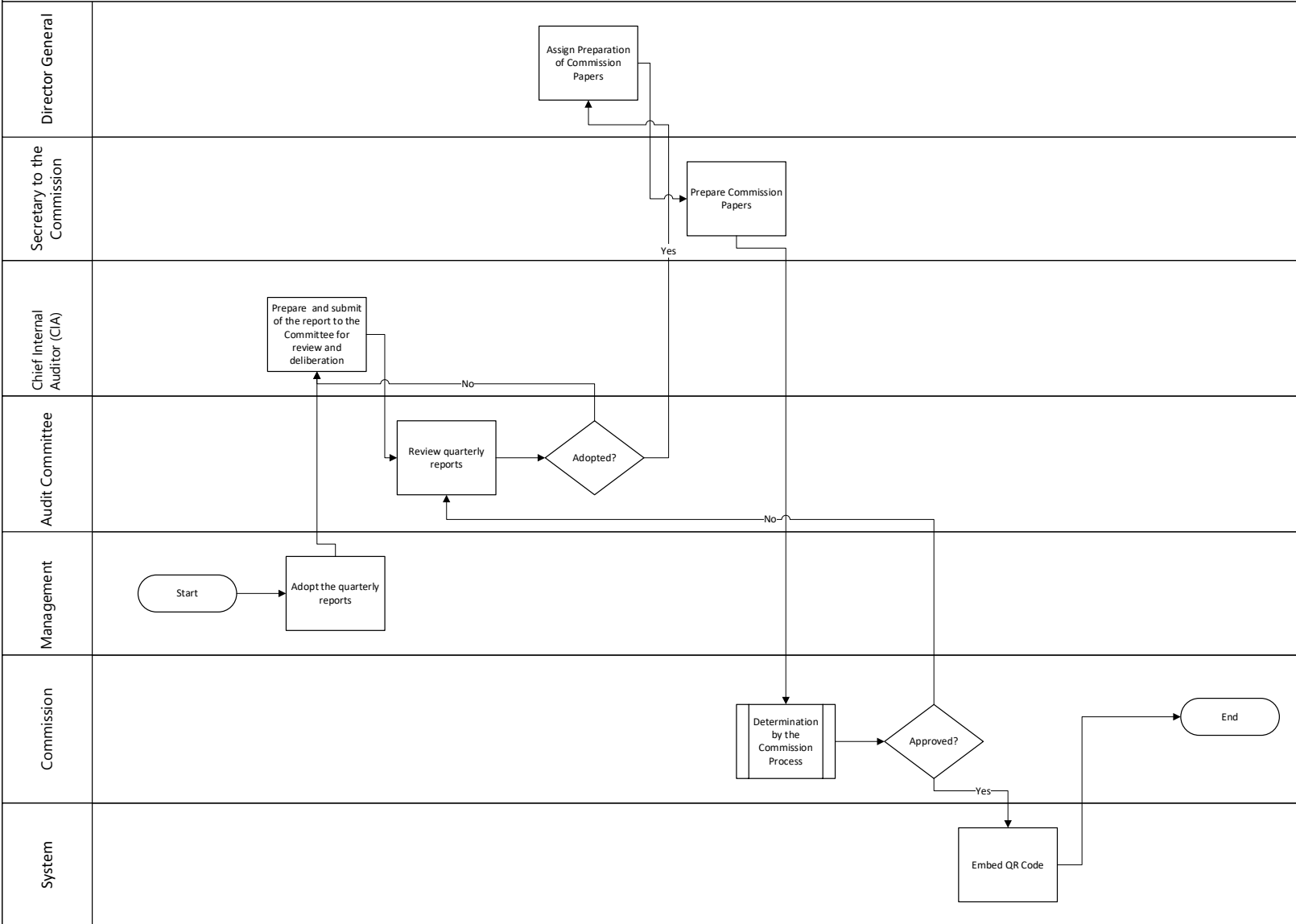
Name of Process	Submission of the quarterly audit reports to Audit Committee
Process Number	FCC_SBP_IA_06
Process Description	This procedure describes the process of submission of quarterly Internal Audit Report to Audit Committee and Commission.
Process Boundaries	Start Point: CIA submit Quarterly Internal Audit Report End point: Approved Quarterly Internal Audit Report
Process Owner	Chief Internal Auditor (CIA)
Process Actors	<ul style="list-style-type: none"> ▪ Chief Internal Auditor (CIA) ▪ Internal Auditor (IA) ▪ Management ▪ Audit Committee ▪ Director General ▪ Commission
Stakeholders	Management, Audit Committee and Commission
Business Rules	<ul style="list-style-type: none"> ▪ Risk Based Annual Internal Audit Plan ▪ FCC Internal Audit Manual, 2020 ▪ FCC Risk Management Policy and Framework, 2022 ▪ International Professional Practices Framework (IPPF) 2017
Pre-Conditions	Chief Internal Auditor submits the quarterly internal audit report to Audit Committee for Discussion and deliberation there after the Audit Committee submit to the Commission for approval
Frequency of Occurrence	Quarterly

Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approved quarterly report
Process Input	<ul style="list-style-type: none"> ▪ Discussed quarter internal audit report by management
Process Flow	<ol style="list-style-type: none"> 1. After Management adopt the quarterly reports, the CIA submits the report to the Audit Committee for review, deliberation 2. Audit Committee reviews the report and make determination 3. If Audit Committee recommends for Improvement, CIA makes necessary improvement and resubmits to committee for determination 4. Audit Committee recommends the report to the Commission for approval
Process Output	Approved Quarterly Internal Audit Report
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Approved Quarterly Internal Audit Reports
Exceptions to Normal Process Flow	
Control Points and Measurements	Approved Quarterly Internal Audit Report

1.8.6.1 Process Flow Diagram

1.8.6 Approval of the Report

Phase



1.9 Risk Management and Quality Assurance Unit

This is the unit established to provide expertise on risk management and quality assurance to the Commission; including the implementation of risk management policy, integration of risk management with Commission activities, identifying key risks, implementation of risk mitigation controls, and coordination of the review of Standard Operating Procedures (SOPs). It was established in July 2023.

Services provided by the Unit include the following processes;

I. Risk Management Process.

- Establishing Context
- Conducting risk assessment (Risk Identification, Analysis, and Evaluation)
- Risk Treatment
- Monitoring and review
- Communication and Consult
- Recording and Reporting

II. Quality Assurance processes

The FCC has scheduled an internal quality audit to be conducted at planned intervals, aiming to ascertain adherence to both its internal quality management system (QMS) requirements and those outlined in the ISO 9001:2015 standard. The implementation of this activity will be effective upon the establishment of the Quality Management System at FCC, within the financial year 2023/24. It includes the following processes:

- Planning
- Execution
- Reporting
- Monitoring

Business processes for both services have been provided as follows;

1.9.1 Risk Assessment Processes

Name of Process	Risk Assessment Processes
Process Number	FCC_SBP_RMQA_TB_01
Process Description	<p>The development of a risk register typically involves several key steps to ensure that risks are identified, assessed, measured, and managed risks to achieve strategic objectives.</p> <p>This process aims to ensure all risks are identified, mitigated, monitored, and reported by Directorates / Sections/ Units /Zone.</p>
Process Boundaries	<p>Start Point: The risk identification process begins by raising awareness among Risk Champions and facilitating a thorough understanding to establish the context effectively.</p> <p>End Point: Maintaining comprehensive documentation of the risk management process i.e Risk Register and The Risk Treatment Action Plan sheet</p>
Process Owner	Risk Management and Quality Assurance Manager (RMQAM)
Process Actors	<ul style="list-style-type: none"> ▪ Director General ▪ Directors ▪ Unit Managers ▪ Heads of Zones ▪ Risk Champions
Stakeholders	Ministry of Industry and Trade, Ministry of Finance, Internal Auditor General (IAG), Professional Bodies, Service Providers, Commission, Audit Committee, Management, Internal Audit Function, Risk Champions and FCC Staff.
Business Rules	<ul style="list-style-type: none"> ▪ Fair Competition Act, 2003 ▪ MMA, 1968

	<ul style="list-style-type: none"> ▪ Guideline for developing and implementing risk management framework in Public Sector Entities, 2023. ▪ Risk Management Framework, 2024 ▪ Risk Management and Quality Assurance Annual Plan
Pre-Conditions	<ol style="list-style-type: none"> 1. Appointment of Risk Champions by the Director General for a duration of three years. 2. Training and awareness sessions are provided to Risk Champions, Risk Owners, and Staff regarding Risk Management Processes. 3. Conduct departmental surveys to pinpoint potential risk-prone areas. 4. Staff Authenticated and authorized to access the service
Frequency of Occurrence	Quarterly or when the need arises.
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Acknowledging the risks identified by the Risk Champion via the Risk Assessment Sheet ▪ Updating the Institutional Risk Register as new risks emerge, existing risks change, or risk responses are modified. ▪ Review the risk register periodically to ensure its relevance and alignment with the Commission's objectives ▪ Monitoring the status of identified risks to ensure they align with the FCC's risk appetite.
Process Input	<ol style="list-style-type: none"> 1. Risk assessment sheet from the Directorate level 2. Internal Audit Reports 3. External Audit Reports/External Assurance Providers 4. Quarterly Progress /Performance Report 5. New Regulations/Policies/Laws/ 6. Special Audit Reports 7. Reported Incidents
Process Flow	<ol style="list-style-type: none"> 1. The Risk Management and Quality Assurance Unit (RMQAU) conduct awareness to Risk Champions, Risk Owners, and staff on

	<p>how to identify risks to each activity and initiates the risk identification process.</p> <ol style="list-style-type: none">2. The RC Team conducts risk assessment by thoroughly analysing, evaluating, and implementing controls for identified risks and fill and record all identified risks in Risk Assessment Sheet and submit3. Identified risks be discussed by the respective directorates/ Sections/Units/Zone staff. Upon agreement, the Risk Champion specify agreed risks from previous submission, analyse, evaluate and insert severity level, prepare risk Assessment sheet and the Risk Treatment Action Plan and submit to the Risk Management Coordinator for reviewing4. The Risk Management Coordinator (RMQAM) assigns the task of consolidating the Risk Assessment Sheets and Risk Treatment Action Plan to the Senior Risk Management Officer (SRMO), with the objective of generating the Risk Register.5. SRMO review and consolidate risks assessment sheets, Risk Treatment Action Plan and submit to RMQAM for review6. RMQAM review and organize a workshop with all risk champions to discuss the consolidated risk register and incorporate the associated mitigation measures.7. The RC Team reviews the Consolidated Risk Register and makes necessary updates to the previous risk register before submitting it to the Management Meeting for discussion.8. After discussion with the Management, the Risk Management Coordinator/RMQAM shall incorporate changes into the Risk Register and Risk Treatment Action Plan. (if any)9. The Risk Management Coordinator/RMQAM shall submit the Risk Register and Risk Treatment Action Plan to the Audit Committee
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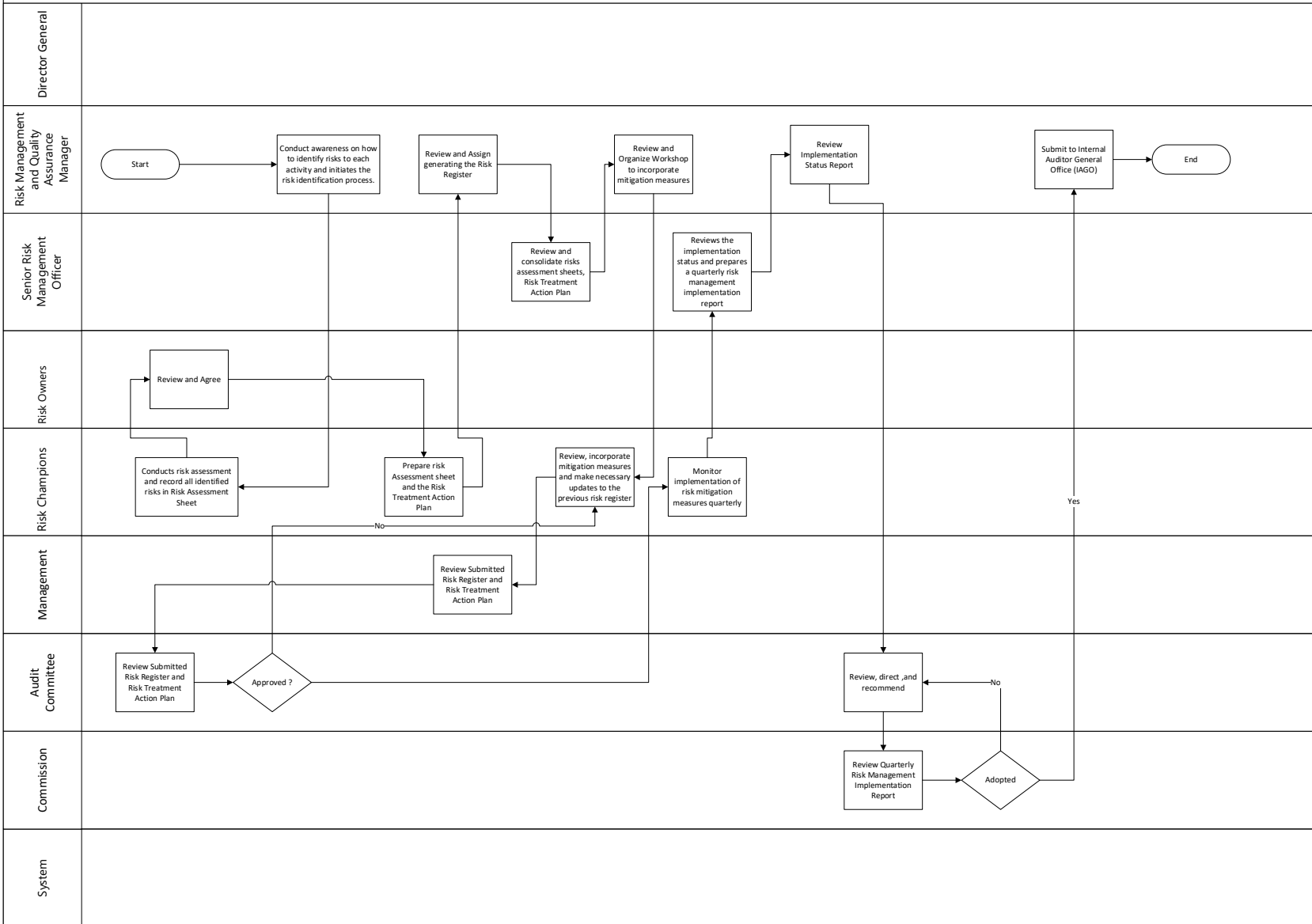
	<p>for reviewing, directing, and recommending for adoption to the Commission.</p> <p>10. Upon approval by the Audit Committee, RMQAM submits the approved risk mitigation measures outlined in the Risk Treatment Action Plan to the Risk Owners for implementation.</p> <p>11. RMQAM through SRMO and Risk Champions monitors the implementation of risk mitigation measures quarterly.</p> <p>12. RMQAM reviews the implementation status of the risk mitigation measures and prepares a quarterly risk management implementation report.</p> <p>13. The Report is submitted to the Audit Committee for reviewing, directing, and recommending for adoption to the Commission.</p> <p>14. RMQAM incorporates any changes to the Risk Management Report identified during the Audit Committee Meeting.</p> <p>15. The Quarterly Risk Management Implementation Report is submitted to the Commission Meeting.</p> <p>16. After adoption by the Commission, the report is submitted to the Internal Auditor General Office (IAGO).</p>
Process Output	<ul style="list-style-type: none"> i. Institutional Risk Register ii. Directorate Risk Register iii. Risk Treatment Action Plan iv. Quarterly Risk Management Implementation Report
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of reports issued and submitted to the Internal Auditor General Office. (IAGO) ▪ Approved risk register
Exceptions to Normal Process Flow	<ul style="list-style-type: none"> ▪ Review of Risk Management Guiding Documents can be done any time during the quarter. i.e. Risk Management Framework, Risk Management Annual Plan

	<ul style="list-style-type: none">▪ Risk Assessment of the emerging risks/ incidents
Control Points and Measurements	Review of the Risk Register and Risk Treatment Action Plan by Management Members

1.9.1.1 Process Flow Diagram

1.9.1 Risk Identification Processes

Phase



1.9.2 Quality Assurance Services

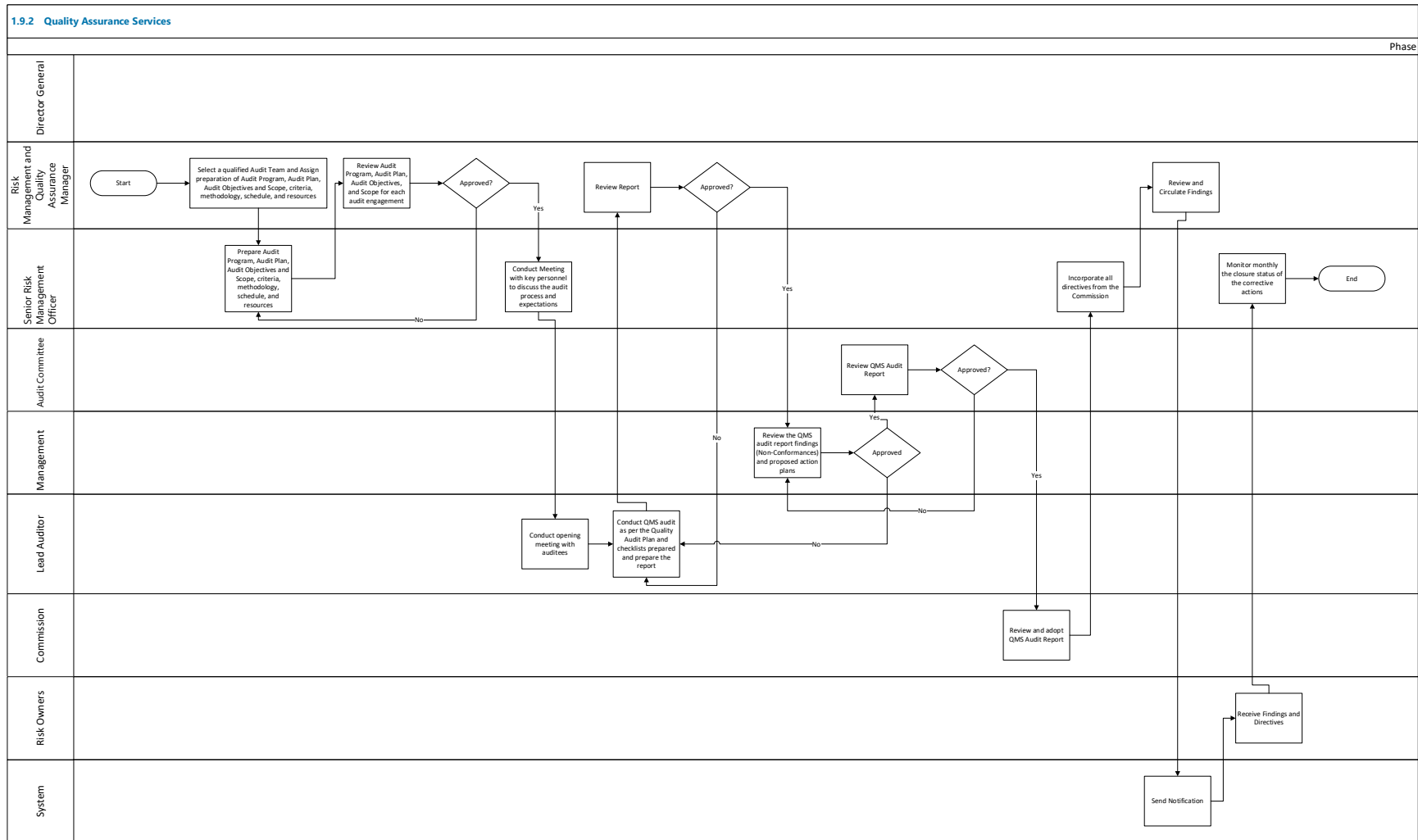
Name of Process	Quality Management System Process
Process Number	FCC_SBP_RMQA_TB_02
Process Description	This process aims to ensure Quality Management System (QMS) Audit is being conducted and corrective actions are implemented timely.
Process Boundaries	Start Point: Planning and Preparation End point: Monitoring and Reporting of the corrective action
Process Owner	Risk Management and Quality Assurance Manager (RMQAM)
Process Actors	<ul style="list-style-type: none"> ▪ Directors ▪ Unit Managers ▪ Heads of Zones ▪ Risk Champions ▪ Quality Auditors ▪ Staff
Stakeholders	Ministry of Industry and Trade, Ministry of Finance, Internal Auditor General (IAG), Professional Bodies, Service Providers, Commission, Audit Committee, Management, Internal Audit Function, Risk Champions and FCC Staff.
Business Rules	<ul style="list-style-type: none"> ▪ ISO 9001:2015 QMS requirements ▪ ISO 19011:2018 Guidelines for auditing management systems ▪ Quality Policy ▪ QMS Audit Manual ▪ framework, Manuals, and SOPs

Pre-Conditions	Appointment of Quality Auditors (QA) by Director General Staff Authenticated and authorized to access the service
Frequency of Occurrence	Semi- Annually or Whenever need arises
Decisions associated with the process	<ul style="list-style-type: none"> ▪ Approval of the Audit Program ▪ Approval of the Audit Plan ▪ Approval of the Quality Policy ▪ Approval of the Quality Manuals ▪ Approval of the SOPs (Standard Operating Procedures).
Process Input	<ul style="list-style-type: none"> ▪ ISO 9001:2015 QMS requirements ▪ QMS audit manual ▪ Policies, framework, manuals and SOPs, Previous Audit Reports
Process Flow	<p>Planning Process of the Quality Assurance Audit</p> <ol style="list-style-type: none"> 1. RMQAM in collaboration with the QMS Coordinator shall Select a qualified Audit Team and the Lead Auditor (Team Leader) with relevant expertise in QMS. 2. The Senior Risk Management and Quality Assurance Officer in collaboration with the Lead Auditor shall prepare the Audit Program, Audit Plan, Audit Objectives and Scope, criteria, methodology, schedule, and resources needed for the audit for each audit engagement. 3. The Risk Management and Quality Assurance Manager shall review and approve the Audit Program, Audit Plan, Audit Objectives, and Scope for each audit engagement. 4. The selected Audit Team shall conduct a Pre-Audit meeting and Preparation by reviewing relevant documentation,

	<p>such as ISO 9001:2015 Standards, quality manuals, procedures, and records.</p> <p>5. The QMS Coordinator shall convene meetings with key personnel to discuss the audit process and expectations.</p> <p>6. Lead Auditor/Team Leader shall conduct opening meeting with auditees.</p> <p>Execution, Reporting and Monitoring Processes</p> <p>7. QA conduct QMS audit as per the Quality Audit Plan and checklists prepared (QA should not audit his/her process)</p> <p>8. Upon completion of quality audit exercise, QA shall prepare the report and submit to RMQAM for review and recommendations</p> <p>9. In case of recommendations, the Lead Auditor (Team Leader) shall incorporate of recommendations and resubmit to RMQAM.</p> <p>10. RMQAM present the QMS audit report findings (Non-Conformances) and proposed action plans to Management.</p> <p>11. Upon Management discussion, RMQAM present the report to the Audit Committee for deliberations and recommending to the Commission for Adoption.</p> <p>12. RMQAM through SRMO incorporate all directives from the Commission, then forward the findings to respective directorates/ Sections/Units/Zone heads for implementation</p> <p>13. RMQAM through SRMO monitor monthly the closure status of the corrective actions and report to the Commission quarterly.</p>
Process Output	Quality Audit Report
Measurable Outcome	<ul style="list-style-type: none"> ▪ Number of Quality Audit conducted

Exceptions to Normal Process Flow	Review of Quality Manual, Standard Operating Procedures (SOP'S),and other relevant guiding documents.
Control Points and Measurements	Number of corrective actions Implemented

1.9.2.1 Process Flow Diagram



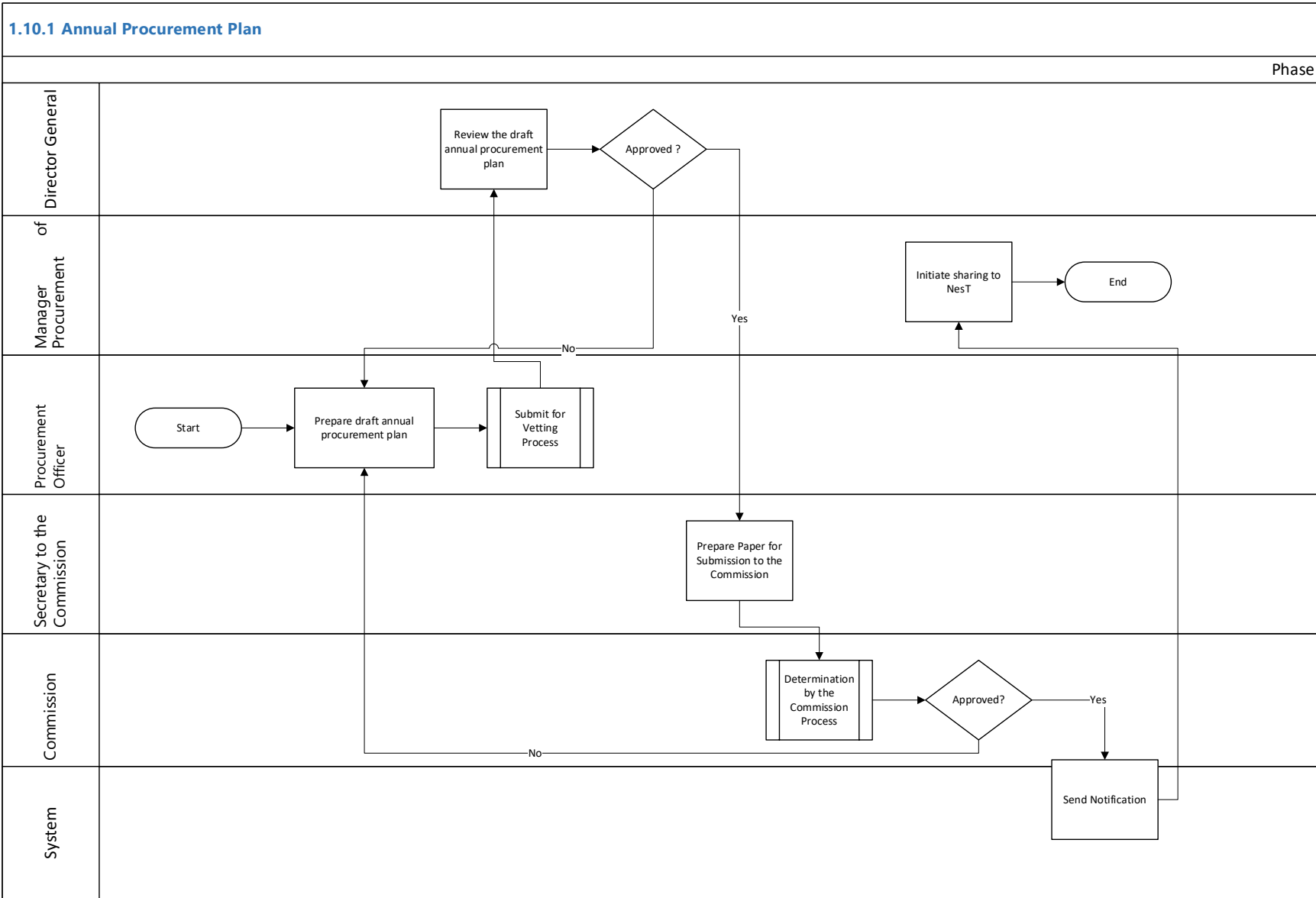
1.10 Procurement Management

1.10.1 Annual Procurement Plan

Name of Process	Annual Procurement Plan
Process Number	FCC_SBP_PM_TB_01
Process Description	This process is used by management to plan for implementation of FCC annual procurement plan
Process Boundaries	Start Point: Manager of Procurement initiate annual procurement plan End Point: Approved annual procurement plan
Process Owner	Manager of Procurement
Process Actors	All FCC Directorate and independents units
Stakeholders	All FCC Staff and the Commission
Business Rules	<ul style="list-style-type: none"> ▪ PPRA Procurement regulations
Pre-Conditions	Strategic Plan Annual Work Plan Staff Authenticated and authorized to access the service
Frequency of Occurrence	Annually
Decisions associated with the process	Approved, rejected or send back for procurement plan(Approved by management and Commission)
Process Input	Approved annual work plan
Process Flow	<ol style="list-style-type: none"> 1. Procurement Officer prepare draft annual procurement plan and submit for vetting processing 2. DG review the plan and approve submission to the Management for review and deliberation 3. Secretary to the Commission submit the plan to the Management for review and comments

	<ol style="list-style-type: none"> 4. The Management review annual procurement plan and make recommendations 5. If Management adopt the plan, Secretary to the Commission submit the plan to the Commission for review, deliberation and approval 6. The commission review the plan and make determination 7. If the Commission recommend for Improvement, Secretary to the Commission inform Procurement Manager to make necessary improvement through the system and resubmit to Commission for determination 8. The Commission Approve the plan and notification is sent to Procurement Manager 9. Procurement Manager upload approved annual procurement plan in the system and a copy is shared to NeST through Integration
Process Output	Approved Annual Procurement Plan
Measurable Outcome	Number of approved annual procurement plan
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Approved annual procurement plan

1.10.1.1 Process Flow Diagram

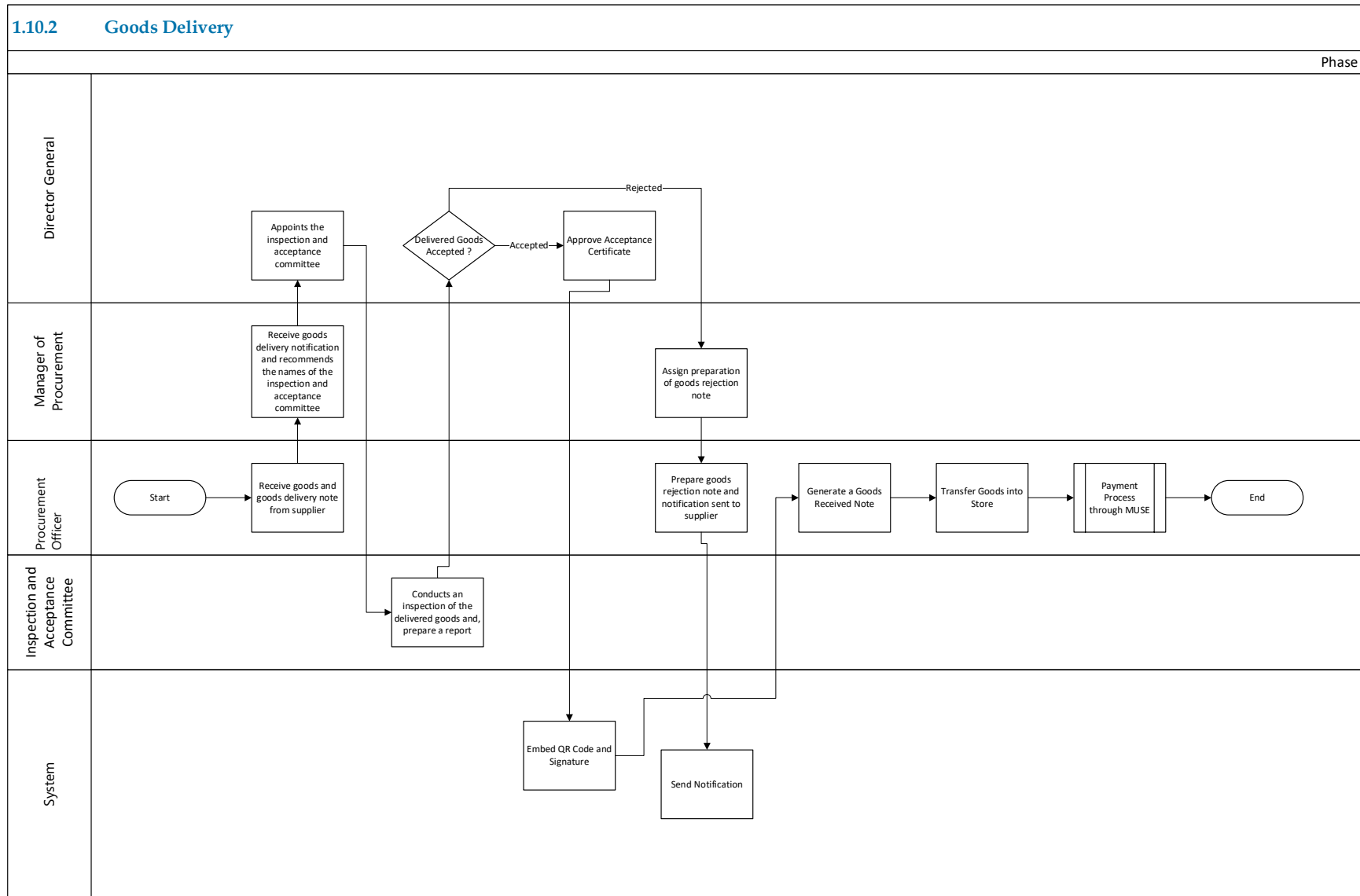


1.10.2 Goods Delivery

Name of Process	Goods Delivery
Process Number	FCC_SBP_PM_TB_02
Process Description	This process is used by procurement for receiving purchased goods
Process Boundaries	Start Point: Supplier deliver goods as per contract/ purchase order End Point: Procurement officer store received goods
Process Owner	Manager of Procurement
Process Actors	All FCC Directorate and independents units
Stakeholders	All FCC Staff and the Commission
Business Rules	<ul style="list-style-type: none"> ▪ PPRA Procurement regulations
Pre-Conditions	<ul style="list-style-type: none"> ▪ Supplier issued with contract/ purchase order ▪ Staff Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Accepted, rejected goods
Process Input	Goods delivery note
Process Flow	<ol style="list-style-type: none"> 1. Procurement Officer receive goods and goods delivery note from supplier and notify Procurement Manager on the delivery 2. The Procurement Manager notifies the DG regarding the delivered goods and recommends the names of the inspection and acceptance committee to the DG for approval before the inspection. 3. The DG appoints the inspection and acceptance committee and informs the Procurement Manager for further processing 4. The Procurement Manager informs the inspection and acceptance committee members about the inspection activity for the delivered goods

	<ol style="list-style-type: none"> 5. The Inspection and Acceptance Committee conducts an inspection of the delivered goods and, upon completing the task, writes a report through the system submits it to the DG 6. If the DG determines that the delivered goods are accepted, sign (Signature and QR Code embedded automatically upon approval) the acceptance certificate and submit and notification is sent to user department to fill out the payment request form. 7. If the DG determine rejection of delivered goods, notification is sent to Procurement to inform supplier on the decision 8. The Procurement Officer provide feedback/acceptance certificate to the supplier/ Goods Rejected Note 9. The Procurement Officer generates a Goods Received Note and complete the payment process in the MUSE system. 10. After the complete process of delivery, inspection, and acceptance of goods, the goods are transferred to the respective general store and recorded in store register
Process Output	<p>Acceptance certificate</p> <p>Inspection report</p>
Measurable Outcome	Number of approved inspection report
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Inspection Report

1.10.2.1 Process Flow Diagram



1.10.3 General Store Functions of Receiving Goods and Goods Issue Note

Name of Process	Goods Issue Note
Process Number	FCC_SBP_PM_TB_03
Process Description	This process is used by procurement for issuing of received goods
Process Boundaries	Start Point: Goods already delivered and in storage End Point: Respective unit receive ordered goods
Process Owner	Manager of Procurement
Process Actors	All FCC Directorate and independents units
Stakeholders	All FCC Staff and the Commission
Business Rules	<ul style="list-style-type: none"> ▪ PPRa Procurement regulations
Pre-Conditions	<ul style="list-style-type: none"> ▪ Goods already delivered and in storage ▪ Staff Authenticated and authorized to access the service
Frequency of Occurrence	Whenever need arise
Decisions associated with the process	Issue of good to user department
Process Input	Acceptance certificate and inspection report
Process Flow	<ol style="list-style-type: none"> 1. The officer from the user department fills out the requisition form for the required items and submits for vetting process 2. The Procurement Manager reviews the requisition form and assigns a Procurement Officer to prepare the requested items. 3. The Procurement Officer then records them on a goods issue voucher and, after counterchecking, requests the user department to accept it before issuing the goods. 4. User department accept the issued goods and notification sent to Procurement officer 5. The Procurement Officer issues the goods from the store ledger.

Process Output	Signed Good Issue Note
Measurable Outcome	Number of signed Goods Issue Note
Exceptions to Normal Process Flow	Not applicable
Control Points and Measurements	Signed Good Issue Note

1.10.3.1 Process Flow Diagram

