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Alleged Abuse of Dominance

**Seychelles Car Hire Operators Association
V/S Five Star Hotels**

Case Number: FCA58

Date: OCTOBER 2015

Complaint: On 15th May, 2015, the Fair Trading Commission received a complaint through a meeting between the Commission and the Seychelles Car Hire Operators Association. Based on the complaint Five Star Hotels are forcing car hire operators to provide free cars to their hotel management. This according to the Association amounts to an abuse as it forces Car hire operators to undertake trade practices which are detrimental to their business.

The Seychelles Car Hire Operators Association regroups car hire operators operating in the Seychelles. Its main purpose is to promote, foster, encourage, protect and advance the common and legitimate interests of all its members engaged in the car hire business in Seychelles.

Based on the above, the Fair Trading Commission conducted an investigation in an effort to identify the different types of offences being committed and by whom.

Commission's Assessment: With the aim to verify the complaint lodged, the Commission held meetings with the Five Star Hotels operating in the country.

Through the investigation, the Commission discovered that most Five Star Hotels have a contract with at least one car hire operator. This establishes that Five Star Hotels do not operate in the car hire market. Moreover, all of the hotels do not gain any benefits such as free cars for their management except for one Five Star Hotel interviewed.

Furthermore, the Five Star Hotels select car hires based on their services offered and the quality of the services they offer. Half of the Five Star Hotels interviewed indicated that they do not have a designated place for car hires, however, the parking space at hotels are used by car hires and taxi operators. Lastly, one of the Five Star Hotel noted that it provides free and discounted access to car hire when they use the hotel facilities.

Conclusion: In conclusion, the Commission found that each Five Star Hotel has its own procedure for electing car hires to operate at the respective hotels. Furthermore, most Five Star Hotels do not obtain any direct benefits from the car hires such as lower prices and/or free cars for the hotel staffs. Benefits obtain are mostly in the provision of services for the hotel clients. Additionally, the hotels do not operate in the same market as the car hire operators. It was recommended that the Commission keeps under review the current market for any activities that may adversely or unfairly affect the interests of consumers and businesses. Case was discontinued. The Seychelles Car Hire Operators Association was made aware of same.