

Presentation

The Polynesian Competition Authority's mission is to detect, ascertain and put an end to anti-competitive practices (unlawful agreements, abuses of a dominant position) in all sectors of economic activity.

It can be referred to by the President of French Polynesia, the Speaker of the Assembly of French Polynesia, a mayor or a Chair of a public establishment of inter-municipal cooperation, a representative professional or trade union organization, a consumer association, a consular chamber or by a company when facts or practices are likely to constitute anti-competitive practices, regardless of the sector of activity and the public or private status of the operators concerned.

The Authority can also take action on its own initiative on a proposal from the General Rapporteur.

The Authority can order the interested parties to put an end to anti-competitive practices within a specified period or impose special conditions. It can also accept commitments, offered by companies or organizations, likely to put an end to it.

It can impose a financial penalty applicable either immediately, or in the event of non-compliance with the injunctions, or in the event of non-compliance with the commitments it has accepted.

The maximum amount of the fine can be reduced by half if the company does not contest the grievances notified to it. When determining the sanction, the Authority may take into account the company's commitment to change its behaviour.

The Authority can also issue emergency measures (known as "precautionary measures") when the reported practice causes serious and immediate harm to the general economy, to the sector concerned, to the interests of consumers or the complaining company, pending consideration of the merits of the case.