

The advisory function

An advisory role on draft texts and on any competition issue

The Polynesian Competition Authority has general competence in competition matters and may be asked to express opinions on any competition issue, on French Polynesia's bills or other texts regulating this area.

Thus, the President of French Polynesia and the Speaker of the Assembly of French Polynesia can consult it on all bills, either proposed by the government or by the Assembly of French Polynesia, in connection with the competitive functioning of markets or with sectoral regulation.

They must do so in the event of a proposed draft country's law submitted either by the government or by the Assembly of French Polynesia, or a draft resolution instituting a new regime having the effect of subjecting the exercise of a profession or access to a market to restrictions, to establish exclusive rights in certain zones or sectors of activity, or to impose uniform practices in terms of prices or conditions of sale.

It can also be consulted by the courts on anti-competitive practices defined in Book II of the Competition Code of French Polynesia (unlawful agreements, abuse of a dominant position, exclusive import rights), identified in the cases referred to them.

In addition, it can take the initiative to give a public opinion on any question concerning competition and recommend to the Government to implement any measure necessary to improve the competitive functioning of the markets.