



**COMPETITION
AUTHORITY
OF KENYA**

Creating efficient markets for consumers



STRATEGIC PLAN

(2021/2022 – 2024/2025) *(Revised)*

Expanding Enforcement Frontiers for Increased
Consumer Welfare and Sustainable Economy

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ACRONYMS AND ABBREVIATIONS

ABP	Abuse of Buyer Power
AfCFTA	African Continental Free Trade Area
BCP	Business Continuity Plan
BeTA	Bottom-up Economic Transformation Agenda
BP	Buyer Power
COMESA	Common Market for Eastern and Southern Africa
C&ER	Communications & External Relations
CCSA	Competition Commission South Africa
CMS	Case Management System
CSR	Corporate Social Responsibility
DRP	Disaster Recovery Plan
DOJ	Department of Justice of the United States of America
EAC	East Africa Community
EACCA	East Africa Community Competition Commission
E&C	Enforcement & Compliance
ERP	Enterprise Resource Planning
ERS	Economic Recovery Strategy
FDI	Foreign Direct Investments
FSD – K	Financial Sector Deepening – Kenya
FTC	Federal Trade Commission
HR&A	Human Resource & Administration
IA	Internal Audit
ICT	Information & Communication Technology
IPA	Innovation for Poverty Action
IPSAS	International Public Sector Accounting Standards

ICPEN	International Consumer Protection and Enforcement Network
ISO	International Standardization Organization
KICA	Kenya Information and Communications Act
LSK	Law Society of Kenya
M&A	Mergers and Acquisitions
M&E	Monitoring and Evaluation
MoU	Memorandum of Understanding
MTEF	Medium-Term Expenditure Framework
MTP	Medium Term Plan
ODPP	Office of the Director of Public Prosecution
RECs	Regional Economic Communities
RQA	Risk and Quality Assurance
RTP	Restrictive Trade Practices
PFM	Public Financial Management
PPR	Planning, Policy & Research
PESTEL	Political, Economic, Social, Technological, Environment, and Legal
PMR	Product Market Regulation
QMS	Quality Management System
SADC	Southern Africa Development Community
SCAC	State Corporations Advisory Committee
SDG	Sustainable Development Goals
SMART	Specific, Measurable, Achievable, Realistic and Time-bound
SWOT	Strengths, Weaknesses, Opportunities, and Threats

CONCEPTS AND TERMINOLOGIES

Term	Description
Core Values	The fundamental rules by which the Authority conducts business
Goal	High-level statements of achievements of a strategic objective
Vision	A vibrant, compelling image of the desired future of the Authority or the impact the Authority desires to create in competition regulation
Mission	The reason for the Authority's existence
Outputs	The product or service the Authority delivers
Performance Indicator	A measure used to assess the performance of the Authority or department in service delivery
Service Delivery Targets	Specific outputs needed to achieve the Strategic Priorities
Situational Analysis	The assessment of the Authority's internal and external environment. It is from this analysis that strategic issues become apparent
Strategy Matrix	Sets out the parameters that lead to the fulfilment of the Authority's vision and goals. It contains three Strategic themes/goals, and their corresponding objectives, strategies and activities
Strategic themes/goals	Broad, long term targets designed to achieve the Authority's mission. Strategic Initiative Actions for achieving the strategic priorities

FOREWORD

On behalf of the Board Members, I am pleased to present the revised 3rd Strategic Plan (SP-III) whose theme is to Expand Enforcement Frontiers for Increased Consumer Welfare and Sustainable Economy. This Plan covering the FY 2021/22 to 2024/25 had been formulated towards the end of the FY 2020/21 on the backdrop of adverse economic shocks occasioned by the COVID-19 pandemic. The Authority's 1st and 2nd Strategic Plans were implemented successfully bringing to the fore key lessons from a decade-long experience in regulating market conduct, market structure, abuse of buyer power, and consumer protection.

The revision of this Plan appreciates the achievements recorded in the first two years of the four-year implementation period under the goals of Delivering Effective Enforcement, Research and Advocacy, and Visibility and Organizational Sustainability. Some of the achievements include; a 28 percent increase in the number of consumer complaints cases investigated resulting in over Ksh. 7 million consumer savings, a 25 percent increase in the number of merger cases finalized that contributed Ksh. 25 billion to the economy and Ksh. 35.5 million recovered in delayed payments to deter instances of abuse of buyer power in the

economy. Some of the sectors where competition enforcement initiatives were undertaken include; insurance, manufacturing, finance, retail, telecommunication, and housing, among others.

Kenya's interconnectivity with the global economy has made the economy competitive, in the world markets and in attracting foreign direct investment, but it has also exposed the economy to the vagaries of global economic risks. For instance, the sprinting global inflation has led to the depreciation of the domestic currencies resulting in higher debt repayments, budget, and balance of payments deficits, and higher costs of imports for fuel and food which has raised the cost of living in most economies.

The initial implementation and the resultant review of this Plan is taking place under challenging economic realities at the domestic, regional, and global level. The global economy faces concerns such as; high inflation, COVID-19 spill-over effects, energy crisis, technology wars, and geopolitical tensions, among others. Against this backdrop, the International Monetary Fund (IMF) projects that global growth will decelerate from 3.2 percent in 2022 to 2.7 percent in 2023. The growth of developing economies and emerging markets is projected at 3.7 percent while that of developed economies is estimated to grow at 1 percent. The

eurozone economies are projected to grow at 0.5 percent, China to grow at 4.4 percent, and emerging market is forecast at 2.9 percent while Sub-Saharan Africa's growth is projected at 3.7 percent. Africa Development Bank projects Kenya's economy to grow at 5.7 percent in 2023. This growth will be demand-side driven by a decline in domestic and external demand caused by lower income and by an increase in food and fuel import costs. On the supply side, this growth will be shaped by tepid economic activity across sectors due to cost-push factors.

In light of the foregoing, this Plan not only aims to expand the competition enforcement frontier but also takes into consideration the government's priority areas through the Bottom-Up Economic Transformation Agenda (BeTA). The government's areas of focus are Agriculture, Micro, Small, and Medium Enterprises, Housing and Settlement and Digital and Creative economy. Implementation of the Plan is expected to increase efficiency in the production, distribution, and supply of goods and services, stimulate innovation, optimal allocation of resources, improve consumer welfare and create an environment conducive for local and foreign investments.

Some of the enforcement initiatives to be undertaken to achieve the BeTA agenda include; conducting surveillance of MSMEs in manufacturing to

examine incidences of abuse of buyer power, monitoring the marketplace and technological developments to identify and investigate emerging consumer issues with a focus on the food sector, carry out investigations to establish suspected cartels or abuse of dominance conducts in the digital and traditional markets with a focus on housing and manufacturing sectors, providing advisories on the issue of remuneration orders in the professional services sector to reduce the cost of services associated with building and construction to lower the costs associated with construction of affordable houses, among others.

On collaboration at the regional and global front, the Authority will cooperate with other agencies and regulators to share knowledge, skills, and experiences on emerging competition enforcement issues about food security, climate change, and inflation. The Authority reiterates its commitment towards efforts aimed at realizing a continental competition regime under the auspices of the African Continental Free Trade Area (AfCFTA) that will promote and safeguard competition and protect consumers from anti-competitive practices.

Lastly, the Board is committed to guiding the implementation of the revised Plan to realize its mandate in line with the government development

agenda. I would like to express my gratitude to the National Treasury and Economic Planning, strategic partners, stakeholders and the general public whose support is central to achieving the strategic objectives set out in this Plan. Further, I wish to acknowledge the dedicated service and commitment of the members of the Board, Management and the Staff

of the Authority for their invaluable contribution and enthusiasm in supporting the achievement of our mandate.

Shaka Kariuki
Board Chair

PREFACE AND ACKNOWLEDGEMENT

As with all veritable plans, the Authority's revised 3rd Strategic Plan is a blend of our aspirations, as inspired by our calling to serve the Kenyan public. It heavily draws learnings from over a decade of enforcing the Competition Act, acknowledges the challenges and risks that may impede the achievement of our targets, and, most importantly, seeks to attend to the Government's priority areas regarding economic recovery and inclusive and sustainable growth.

The 1st Plan, which spanned from 2012 to 2016, supported the Authority's nascent era by laying the building blocks that birthed the effective agency we are today. This was achieved through, among others, developing the requisite operating procedures and manuals, bringing on board new staff, forging strategic partnerships and prioritizing soft enforcement. In the 2nd Plan, which we finalized implementing in June 2021, the Authority stepped up its enforcement interventions specifically through sanctioning anti-competitive conduct, penalizing undertakings that merge without approval, and enhancing consumer welfare, including awareness creation.

In 2017, the Authority's mandate was expanded to include Buyer Power whose objective is securing the

sustainability of supplier undertakings which are at risk of being exploited by powerful players purchasing their goods and services. So far, over Ksh. 2 billion has been released to SMEs by buyers who had delayed their payments and occasioned cash flow constraints and, in some instances, business closure. Further, we have facilitated the development of a code of conduct and template contracts to better regulate and secure the retail sector.

The current Plan, themed Expanding Enforcement Frontiers for Increased Consumer Welfare and Sustainable Economy, runs from FY2021/22-2024/25. It outlines the expansionary strategies we are deploying to enhance consumer welfare, foster competitive and efficient markets, and spur innovation to achieve inclusive development and sustainability, ensuring consumers access competitively priced goods and services.

Development of the Plan was also heavily informed by the need to accommodate enforcement learnings we have gathered over the years as well as capturing and attending to emerging issues, in the local and international sphere. As highlighted earlier, we have also heavily aligned ourselves with key development blueprints, including the Government's priority areas. The Plan was peer-reviewed internally and externally to ensure

that the targets are not only realistic but, more importantly, relevant to the needs of the citizenry – our most important stakeholder. The revision of the plan was consultative and involved seeking views from staff members, and inculcating relevant recommendations from key stakeholders such as the legal fraternity, the business community, sector regulators, consumer protection bodies, development partners, and partners in the competition arena.

The Plan places a premium on the role of research in mandate execution. The Authority is acutely aware of the need to enhance its research function to bolster the legitimacy of its decisions as well as flag potential market concerns requiring corrections through regulatory and policy interventions. The Authority intends to do this by partnering with education and research institutions that share our goal of using evidentiary information to inform interventions. One area of research we shall explore will seek to enhance the competitiveness of our digital markets as aligned with the Government’s priority area of the digital superhighway and the creative economy.

This Plan is informed by various development blueprints, including Vision 2030, the Government’s Bottom-Up Economic Transformation Agenda (BeTA), the Post-COVID-19 Economic Recovery Strategy, and the Digital

Economy Blueprint 2019, among others.

With specific regard to BeTA, we have outlined interventions and strategies that will, among others, support the ongoing transformation of the SME sector, improve the competitiveness of our manufacturing sector, and lower the cost of agricultural inputs. For instance, we shall monitor the marketplace on emerging consumer protection issues in sectors like pharmaceuticals, financial and e-commerce services, and, aviation, children’s products, and insurance. The aim is to enhance consumer welfare and savings. We shall also conduct surveillance of MSMEs in manufacturing and agro-processing sectors to flag and address any abuse of buyer power concerns. In order to support the expansion of our road network countrywide, in a cost-effective manner, the Authority shall conduct investigations in the road construction sector, specifically to address any bid rigging concerns that may be artificially inflating costs to the detriment of the Kenyan public.

Automation of the Authority’s services has over the past five years facilitated increased efficiency of operations. One commendable achievement is that we continued offering services to stakeholders uninterrupted through the pandemic. In support of the Government’s efforts to enhance service delivery through digitization,

CAK services were onboarded on the E-citizen platform in March 2023. The Authority will continue to leverage on ICT to enhance service delivery while lowering the cost of doing business for the Authority and its stakeholders. For instance, we intend to leverage business intelligence and data analysis tools in our enforcement activities.

The Authority is also alive to the impact that bilateral and multilateral trade agreements such as the Tripartite Agreement and the Africa Continental Free Trade Area have on how business is conducted locally, regionally, and internationally. The Authority continues to participate in the ongoing AfCFTA negotiations which seek to unlock intra-Africa trade while respecting the tenets of competition and consumer protection that are key to any functioning economy, whether viewed through a national or continental lens.

One of the challenges that the Authority will seek to address in the lifetime of this Plan is the impact that online platforms have on consumers, businesses, and competition, about choice, quality, innovation, and pricing of goods and services as well as user concerns. That is why, as a part of a continental effort, we are interrogating the practices of global digital platforms to address any issues that may be disenfranchising Kenyans from fully exploiting the potential of these platforms. In this journey, it will

be imperative that we enhance our collaboration with international and local agencies, including sector-specific regulators, with regard to information and knowledge sharing, conducting joint investigations, capacity building, and exchanging best practices.

The biggest success determinant with respect to the actualization of the Plan is our human capital. Taking cognizance of the changing global and local economic and competition law environment, as well as the risks and opportunities outlined in this Plan, shall ensure that our staff are adequately skilled and motivated. Re-engineering of staff capabilities shall be actualized through need-based training to equip our staff with the relevant knowledge and skills to enable them to achieve the Plan's objectives.

I wish to thank the Board for their steadfast guidance in the process of implementing this Strategic Plan. We also appreciate our stakeholders and partners for their invaluable input. Further, I wish to thank our parent ministry, the National Treasury and Economic Planning, for its policy guidance and resource support during the execution of our mandate.

We look forward to your continued support in actualizing this Plan.

Dr. Adano W. Roba, PhD
Ag. Director-General

Executive Summary

This 3rd Strategic Plan has been developed under the theme; Expanding Enforcement Frontiers for Increased Consumer Welfare and Sustainable Economy, and has relied heavily on the lessons learned from the first two Plans. The Plan also comes at a time when innovation is key to deliver on the Authority's mandate, occasioned by financial constraints due to the prevailing COVID-19 pandemic. Further, this Plan focuses on cooperation and collaboration as key strategies for delivering effective competition enforcement in the national economy. In addition, research will play a central role in the Authority's activities to ensure optimal decisions.

The Authority's 3rd Strategic Plan is structured as follows: Chapter 1 describes the Authority's mandate, the rationale for strategic planning and our governance structure, while Chapter 2 focuses on the environment under which the Authority operates and its impact on the mandate.

Chapter 3 of the Plan elucidates the Authority's strategic direction about its goals, objectives and strategies. In the Plan, we have identified three goals that the Authority will focus on for the next two (2) years. The goals are; delivering effective enforcement; research and advocacy; and visibility and sustainability. Further, thirteen (13) strategic objectives have been identified to aid in delivery of the goals. Various activities will be implemented towards the achievement of the objectives. In Chapter 4, we record the resources required to deliver this plan in terms of financial and human capital while Chapter 5 focuses on monitoring, evaluation and learning at the Authority.

Furthermore, risks that could compromise successful implementation of the plan have been identified and corresponding mitigation strategies proposed. The total direct cost for implementing this Strategic Plan is estimated at KSh. 2.4 billion over the four (4) years of the plan.

CHAPTER 1: INTRODUCTION

Overview

This chapter describes the Authority's mandate, the rationale for strategic planning and the governance structure.

1.1 Background

The Competition Act No. 12 of 2010 ("the Act") came into effect on 1st August, 2011 and its objective is to promote competition, consumer protection and deter abuse of buyer power to foster economic development and enhance consumer welfare in Kenya for shared prosperity. The Act was envisioned out of Article 46 of the Constitution of Kenya, 2010 and Kenya's Vision 2030 on economic development. The enforcement of the Act ensures that consumers enjoy competitive prices, quality goods and services, and wider choices through sustained innovations.

The Competition Authority of Kenya ("the Authority") is an Authority established under Section 7 of the Act whose responsibility is to enforce

compliance with the Act.

1.2 The Authority's Mandate

The Authority is mandated to promote and safeguard competition in the national economy and to protect consumers from unfair and misleading market conduct to:

- i. Increase efficiency in the production, distribution and supply of goods and services;
- ii. Promote innovation;
- iii. Maximize the efficient allocation of resources;
- iv. Protect consumers;
- v. Create an environment conducive for both foreign and local investment;
- vi. Capture national obligations in competition matters concerning regional integration initiatives;
- vii. Bring national competition law, policy and practice in line with the best international practices; and
- viii. Promote the competitiveness of

national undertakings in world markets.

1.3 The Organizational Development Role

The theme for this Plan, which runs between 1st July, 2021 and 30th June 2025, is expanding enforcement frontiers for increased consumer welfare and Sustainable Economy. This theme ushers the Authority into the second decade of competition enforcement and promotion of consumer welfare. It aims to expand the frontiers of enforcement to respond to emerging concerns such as the digital economy including FinTech, big data, and multi-sided markets, among others. The strategies and action plans under each strategic objective are linked to performance indicators and outputs to enable the Authority to assess progress and impact in realizing its goals.

This Plan is aligned to the Constitution of Kenya 2010; the Competition Act No. 12 of 2010; Kenya Vision 2030 Blueprint; the Bottom-up Economic Transformation Agenda (BeTA) the Kenya Digital Economy Blueprint; post-COVID-19 Economic Recovery Strategy, Data Protection Act, 2019, the Sustainable Development Goals (SDGs), Medium Term Plan IV (MTP IV) and relevant regional regulatory instruments including those of

COMESA and EAC Competition Authority.

The Plan focuses on enhancing the following key broad areas:

- i. Enforcement of the competition law by increasing deterrence of Restrictive Trade Practices (RTPs) and Abuse of Buyer Power to reduce the effects of cartelization in the market and strengthen competitiveness and sustainability of SMEs and other sectors;
- ii. Regulation of Mergers and Acquisitions in order to attract investments into the economy by promoting competitive markets and ease of doing business, thus reviving the economy post-COVID era;
- iii. Increase Consumer welfare to the citizenry;
- iv. Implementation of cooperation frameworks with local, regional and international agencies to complement the Authority's efforts in delivering on its mandate with specific focus on emerging issues such as the digital economy, Gender equality, Climate change, and AfCFTA;
- v. Collaboration with education institutions to deepen the competition culture and protection of consumer rights;

- vi. Apply research and best practices in the Authority’s activities for optimal decisions;
- vii. Implementation of the Risk Management Framework, Quality management and Business Continuity Policy to reduce exposure to risk, increase stakeholder confidence and ensure optimal sustainability respectively;
- viii. Optimal resource utilization through planning, monitoring and evaluation of the Authority’s performance for continual improvement;
- ix. Mobilize adequate resources to support the Authority’s activities for sustainability;
- x. Management of human capital to increase productivity;
- xi. Enhancing Corporate Visibility and Awareness of the Authority’s mandate;
- xii. Leveraging on ICT to increase efficiency and improve service delivery; and
- xiii. Enhancing the dynamism and responsiveness of the Authority’s legal framework, tools and policies with regard to enforcement to accommodate emerging issues, best international practices and enforcement learnings.

1.4 Global, Regional and National Development Issues

Competition policy is an essential facet of the legal and institutional framework in the Global economy. Historically, most jurisdictions with competition laws focused on anti-competitive practices domiciled within their domestic markets. Today, most aspects of competition law enforcement have a transnational dimension. For example, a large proportion of cartel cases concern price fixing and market sharing arrangements that cut across national and international borders. This also applies to prominent abuse of dominance and consumer protection cases in digital markets.

This is equally true of transnational merger cases that routinely require the notification and approval of two or more jurisdictions. Accordingly, the actions of enforcement authorities in one jurisdiction can have negative spill over effects in other countries. New challenges for both competition authorities and the global community have arisen due to the growth of the digital economy and the emergence of global value chains (“GVCs”). The latter, in particular, involves potential competition policy concerns regarding vertical market restraints. As such, competition policy may come to be seen as an important tool to ensure that

GVCs serve the national, regional and global markets efficiently and fairly.

1.5 Authority's Governance Structure

The Authority is governed by a Board that is mandated to ensure that the obligations, roles and responsibilities to stakeholders are fulfilled through sound corporate governance practices. Section 10 of the Act provides that the Board shall comprise of a Chairperson; five (5) independent members; Principal Secretary to the National Treasury; the Principal Secretary Ministry of Industrialization, Trade and Investments; the Attorney General; and the Director-General.

The Board is accountable to the Government through the National Treasury and Economic Planning, and adheres to the highest standards of corporate governance and ethics as well as ensuring compliance with all applicable laws. The Board members perform their duties with impartiality, honesty, transparency and accountability, professionalism, integrity, care and due diligence and act in good faith to the best interests of the public.

To effectively execute its role, the Board has constituted four (4) committees: Technical & Strategy; Human Resource; Audit; and Finance.

1.6 Role of the Board

The Board is responsible for the overall strategic direction and operational guidance of the Authority. In this regard, the responsibilities of the Board include:

- i. Establishing short and long-term goals of the Authority and development of strategies to achieve these goals;
- ii. Monitoring the Authority's performance against these set goals;
- iii. Overseeing the preparation of annual financial statements and reports;
- iv. Approving annual budgets and procurement plans; and
- v. Ensuring that the Authority has adequate systems of internal controls coupled with appropriate monitoring of compliance activities to mitigate risk and ensure business continuity.

CHAPTER 2: SITUATIONAL ANALYSIS

Overview

This chapter details the current status of implementation of the Competition Act No.12 of 2010 based on the evaluation of the Authority's performance under its 2nd Strategic Plan. The strategic issues highlighted in this Chapter are the basis for the strategic priorities identified with a view to contributing to the Government's development agenda including Bottom-Up Economic Transformation Agenda (BeTA).

2.1 Review of the Strategic Plan, 2017/18 - 2020/21

The themes and objectives of the Strategic Plan 2017/18 - 2020/21 were as follows:

Table 1: Themes and Objectives of the 2nd Strategic Plan

No.	Theme	Objectives
1.	Deliver Effective Enforcement	<ul style="list-style-type: none"> To increase deterrence of anti-competitive practices To enhance market surveillance To enhance transparency, accountability and predictability of enforcement, compliance and merger issues To increase deterrence of Abuse of Buyer Power
2.	Consumer Protection	<ul style="list-style-type: none"> To increase deterrence of unfair and misleading market practices To empower consumers to exercise choice through consumer awareness To enhance transparency, accountability and predictability of consumer matters To promote the creation and strengthening of consumer bodies.

No.	Theme	Objectives
3.	Planning, Research and Quality Assurance	<ul style="list-style-type: none"> To deepen integration regionally and internationally through expanding market Frontiers To deepen the Authority’s understanding of sectoral markets To enhance Monitoring & Evaluation To advance the Authority’s Knowledge Management To coordinate implementation of ISO standards To enhance institutional risk management practices and compliance of quality Assurance To coordinate implementation of the Business Continuity Management To oversee Implementation of the Anti-Fraud and Corruption Strategy
4.	Visibility and Corporate Image	<ul style="list-style-type: none"> To increase outreach and awareness To enhance corporate visibility (locally, regionally, and internationally) To strengthen media relations
5.	Organizational Sustainability	<ul style="list-style-type: none"> To broaden revenue streams To optimize use of resources To improve productivity and efficiency To enhance institutional capacity

2.2 Performance of the Strategic Plan 2017/18 - 2020/21

The performance of the second Strategic Plan had been evaluated against the five strategic themes highlighted above. The Authority executed 95 percent of its planned activities, with only three activities not having been implemented. It is imperative in line with the authority’s mandate to look at the impact of these achievements on consumers. As stated by the Authority’s motto, the ultimate goal of the Act is to create efficient markets for consumers. The next section, therefore, details the

impact of the Authority’s activities over the last four years; challenges and opportunities.

Supporting Factors

The successful implementation of the second Plan was supported by the following factors:

- a. **Automation** – The Authority automated its processes through the Case Management System (CMS) and the Enterprise Resource Planner (ERP). This has increased efficiency through reduced turnaround time, which has enabled faster finalization of cases. In addition,

the stakeholders are able to submit information to the Authority in a more expedient manner, thereby facilitating efficient analysis. As a result, the need for storage of physical documents has been eliminated and the costs incurred on stationery and printing have been reduced by over 30%.

- b. Staff Capacity and Skills** – The Authority has intentionally equipped staff with the requisite skills to execute their work effectively and committed funds to building capacity, more so with regard to emerging areas. This has not only improved productivity, but also increased efficiency and effectiveness. In addition, new areas of enforcement are being explored as the knowledge base has widened. Staff have been able to participate in various fora to share the Authority’s experiences and exchange knowledge that has further aided in the delivery of its mandate;
- c. Reliable Financing** – the Authority has throughout the Plan received 70% of its budget from the Exchequer, thus enabling it to execute its mandate. Additionally, Appropriation-in-Aid collected has supported 30% of the Authority’s activities. Development partners have continued to support the

Authority’s programmes and activities through technical assistance; such as supporting market inquiries during the period.

- d. Motivation of Staff** – The Authority has continually ensured that its staff are well remunerated and motivated which has enabled them to deliver on their roles. In furtherance of this, the Authority has in place comprehensive medical insurance cover as well as car loan and mortgage schemes, among others. An employee satisfaction and work environment survey conducted in 2019 recorded an index of 79.5%, representing a 6% increase in satisfaction levels compared to levels recorded during a similar survey conducted during execution of the first Strategic Plan. Further, staff turnover has over the years remained at an average of 4%; and
- e. Support from Development Partners** – The Authority collaborated with development partners such as the World Bank Group, FSD-K, IPA, FTC, JFTC/JICA, CCSA, among others. This was through technical assistance and financial support, which enabled the Authority to conduct market inquiries and enhanced staff skills level.

Impact of the Strategic Plan 2017/18 - 2020/21

To illustrate the role of competition regulation in the economy, it is imperative to elucidate the impact from some of the activities implemented by the Authority over the last four years, as highlighted below;

Table 2: Impact of the 2nd Strategic Plan

Theme	Objectives	Impact
Deliver Effective Enforcement	To enhance transparency, accountability and predictability of enforcement, compliance and merger issues	<ul style="list-style-type: none"> The Authority contributed to investments in the Kenyan economy through increased transparency, predictability and accountability among the business community in the merger process. The value of the mergers and acquisitions considered, contributed over Ksh. 100 billion to the Kenyan economy; Elimination of double notification of mergers with a COMESA dimension which has reduced compliance costs for businesses.
	To increase deterrence of anti-competitive practices (selected cases)	<ul style="list-style-type: none"> Pursuant to the Authority's intervention in the cement sector to extinguish anti-competitive practices relating to collusion, Ksh. 3.1 billion in consumer savings were realized, from reduction of cement prices; The Authority intervened in the mobile money sector, resulting in 90% reduction in the cost of USSD to the consumer (Cost per session reduced from Ksh.10 to Ksh.1). Enhanced effectiveness in detection and enforcement of anticompetitive practices by revision of existing fining and settlement guidelines and development of informant reward scheme guidelines.

Theme	Objectives	Impact
	To increase deterrence on Abuse of Buyer Power	<ul style="list-style-type: none"> In its enforcement of the Buyer Power regulations the Authority's interventions resulted in the recovery of Ksh. 2 billion owed to MSMEs by buyers in the retail sector thereby supporting MSMEs sustainability and employment. Further, the Authority sensitized the business community on acts that result into the abuse of buyer power.
Consumer Protection	To increase deterrence of unfair and misleading market practices	<ul style="list-style-type: none"> Enhanced disclosure and transparency of fees and charges by providers of Digital Financial Services (DFS), Mobile Network Operators and Banking institutions that enabled consumers to make informed choices and increased demand-driven competition; Increased awareness by consumers on fees and charges for mobile phone financial transactions with 80% of consumers reporting correct fee amount as compared to 25% before the intervention of the Authority.
Planning, Research & Quality Assurance	To prepare position papers on various policies, bills and legislation	<ul style="list-style-type: none"> Over 30 advisories were issued to the National and County Governments in various sectors resulting in alignment of their legislation and policies with the Competition Law Sectors covered in these advisories including aviation, tea, sugar, retail, County Governments of Kericho and Kiambu among others. The Authority also issued advisories to the National Assembly about state of competition in professional services, and dominance in the telecommunications sector.
	To develop and implement Co-operation Frameworks	<ul style="list-style-type: none"> Over 40 case officers were trained on Competition Law by FTC, JFTC/JICA, and CCSA saving the Authority (and the taxpayer) an estimated Ksh. 40 million in training costs.

Challenges in Implementing Strategic Plan, 2017/18 - 2020/21

The Authority faced several challenges in the course of implementing this Strategic Plan including:

- a. **Lack of Regulations on the Digital Economy and Big data** - The rise of digital giants is explained by technological breakthroughs providing first-mover advantages and consolidation opportunities due to network effects associated with high switching costs and strong lock-in effects. Collecting, storing, analysing, and working with data play an important role in modern, data-driven economies. Big Data has attendant new challenges in terms of data privacy and protection of competition that need to be considered in various areas of law including Data Protection, Consumer Law, Privacy and Competition Law.
- b. **Abuse of Buyer Power** – Enforcement of abuse of buyer power faced challenges given the difficulties in aligning with rationale for enforcement since stakeholders required high levels of sensitization to appreciate and comply the Authority’s initiatives. Further stakeholders did not appreciate the rationale for the Authority’s intervention on voluntary contractual obligations

between buyers and sellers.

- c. **The COVID-19 Pandemic** - The uncertainty surrounding the COVID-19 pandemic and the changes it brought, made it difficult to forecast the long-term impact of the crisis on competition law enforcement. The pandemic was characterized by several issues in our markets including panic buying and supply chain constraints, leading to shortages of essential commodities. As a result consumer complaints related to inflated pricing and quality of goods increased at the onset of the pandemic. The Authority will develop Post-COVID-19 Exemption Guidelines to address the above challenges.
- d. **Evolving Government Agenda** – The introduction of the Big 4 Agenda necessitated a review of the Strategic Plan mid-way through its execution to incorporate the National Government’s priority programs. The Authority will ensure that the next Plan is sturdy enough to accommodate amendments occasioned by changes in Government policy.
- e. **Low awareness of the mandate of the Authority amongst stakeholders**– a survey conducted by the Authority in June 2019 indicated that the level of awareness of the Authority’s mandate was

35%. The Authority has continually undertaken awareness creation activities meant to enhance its corporate image and visibility. In the new Plan, the Authority will enhance these interactions with stakeholders, physically and through print, electronic and social media, to enhance its brand awareness levels and visibility.

- f. **Information asymmetry** – difficulty in access, cost of acquisition and reliability of information gathered from stakeholders for analysis affected the efficiency and effectiveness in concluding some tasks.

2.3 Opportunities for the 3rd Strategic Plan 2021/22 - 2024/25

The opportunities that the Authority can take advantage of for successful implementation of its 3rd Strategic Plan include:

- a. **Development of new business models** - Enhancement of enforcement frontiers to address the competition concerns posed by digital business models.
- b. **Regional competition environment** – The National and Regional Competition Laws and under AfCFTA, have been harmonized providing opportunity to develop engagement frameworks between the Authority and RECs Agencies. The Authority will take advantage

of these collaborations to build capacity, share information and conduct research.

- c. **Increasing awareness** of the Competition Act by the business community and consumers in Kenya.
- d. **Increasing potential for collaboration and cooperation** with stakeholders on emerging issues.
- e. **Continue leveraging ICT** to increase efficiency and effectiveness in service delivery.
- g. **Implementation** of the Risk Management and Business Continuity Management Frameworks, to mitigate service delivery.

2.4 Implementation Status of the 3rd Strategic Plan (FY2021/22 – 2024/25)

During the first year of implementation of the FY2021/22 – 2024/25, Ksh. 39 million in delayed payments was recovered, determination of Mergers and Acquisitions contributed Ksh. 25 billion to the economy, and Ksh. 7 million was realized as a result of the resolution of consumer complaints. In addition, Ksh. 12 million was realized from enforcement of restrictive trade practices and the subsequent settlements with the contravening parties.

To enhance consumer awareness,

collaboration with KICD has enabled the integration and mainstreaming of competition and consumer protection literacy into the Competency Based Curriculum (CBC) for junior and senior secondary schools. To create awareness on the Authority's mandate, the Authority conducted 25 sensitization forums amongst various stakeholders, including players in the manufacturing, retail and insurance sectors; legal fraternity and media players. This is expected to increase compliance with the Act by players and lawyers, promote positive and well-informed reporting by journalists and faster decision-making by the judges and advocates when competition matters are presented before them.

In order to deepen knowledge in the Authority, the staff rotation programme was operationalized. This has ensured that eight case handlers, 4 Analysts and 4 ICT staff were placed in different departments in order to gain deeper understanding of the Authority's operations, while also promoting teamwork, synergy across departments and transparency.

In line with its advisory role;

- i. The Authority prepared a well-researched paper to the National Treasury on price fixing by professional associations. This has resulted in a decline to approve the proposed price guidelines by the Accountants Association (ICPAK);

- ii. Reviewed the Kenya Information and Communication Act (KICA), 2022 Regulations;
- iii. Reviewed the National Payment Strategy 2022 to 2025;
- iv. Reviewed the Central Bank of Kenya (Digital Credit Providers) Regulations, 2022; and
- v. Submitted a memorandum to the Senate on the telecommunication sector.

In enhancing collaboration with regional regulatory agencies, the Authority reviewed the MoU with COMESA Competition Commission. This has resulted in;

- i. Co-operation in investigations of 12 cases;
- ii. Collaboration in developing and reviewing 5 guidelines on anti-competitive practices to increase transparency, predictability and accountability in the enforcement of the Competition Law;
- iii. Information exchange on consumer violations in the Common Market on 3 product recalls;
- iv. Two joint training sessions for case handlers on emerging issues in January and May 2022;
- v. Knowledge exchange on the Electronic Case Management System that CCC is planning to design;
- vi. Two joint advocacy initiatives to business communities in Nairobi and Mombasa; and
- vii. Joint market research on the

market observatory on agriculture and food products.

Budget absorption at the close of the Financial Year was at 100% of the allocated funds. Further, ICT systems were available 98% of the time, thus supporting efficient service delivery. The cyber security of the systems was enhanced by regularly sensitization of the staff members as well as updating the policies to harden the firewalls. 7,000 IEC materials were disseminated; 5 audio visuals were produced; 2 newsletters published; and more than 70,000 new social media followers gained in the 2021/2022 financial year. This has resulted in increased visibility to the Authority.

In realizing the above-listed successes, the Authority faced challenges as outlined below;

- Delayed disbursement of approved funds/ exchequer affected delivery of activities – Alternative financing and partnerships should be considered for sustainability;
- Delayed procurement of evidence as a result of the COVID-19 containment measures – Acquisition of forensic lab and equipment should be considered in order to reduce reliance on physical documents; reduce the number of human resources required and increase the analysis speed and accuracy; and

- Reduced exchequer support by the National Treasury to cater for COVID-19 containment and vaccination - Alternative financing should be considered for sustainability.

2.5 Government Development Strategies

In preparing the strategic plan, the Authority is guided by the Government's key policy priorities as highlighted in the documents below;

The Kenya Vision 2030

The Kenya Vision 2030 is the country's development blueprint which aims to propel the country to Upper-Middle-Income Economy status by 2030. Realization of this ambitious target is heavily dependent on the successful implementation of the development projects outlined therein. The Authority, under the Third Medium Term Plan (MTP III), which runs from 2018 – 2022, delivered on the financial sector targets. Specifically, the Authority's deliverables touched on Banking Competition and Consolidation which is aimed at increasing competition in the banking sector. The Authority will implement the MTP IV programmes, once published.

Bottom-Up Economic Transformation Agenda (BeTA)

The Agenda is geared towards economic turnaround and inclusive growth, and aims to increase investments in at least five sectors envisaged to have the largest impact and linkages to the economy as well as on household welfare. These include: Agricultural Transformation; Micro, Small and Medium Enterprise (MSME); Housing and Settlement; Healthcare; Digital Superhighway and Creative Industry. The priority interventions are expected to lead to lowering the cost of living, eradicating hunger, managing unemployment, improving fiscal performance, stabilizing foreign exchange and ensuring inclusive economic growth.

Digital Economy Blue Print, 2019

The Digital Economy Blueprint, 2019 identifies the pillars and cross-cutting issues that will guide the Government in the effective regulation of the digital economy, while leveraging on its benefits. In particular, the digital business pillar aims at developing a robust digital market characterized by fair competition and advanced consumer protection among others.

In addition, the framework identifies the need to develop a regulatory framework that establishes a level playing field between providers and consumers. The Authority's mandate

plays a critical role in contributing to the achievement of the objectives set out in the business pillar through enforcement of its competition and consumer protection mandate.

Africa Agenda 2063

The strategic framework for socioeconomic transformation of Africa, Agenda 2063, identifies the African Continental Free Trade Area (AfCFTA) as one of its flagship initiatives. The AfCFTA aims at boosting intra-African trade in goods and services. To achieve this, the member states agreed to a mutually beneficial trade agreement covering trade in goods, services, investment, intellectual property rights and competition policy. The Authority plays a vital role in advising the Government on the agreement on competition policy.

Sustainable Development Goals

The Authority continues to contribute to the realization of the SDGs in the following aspects; poverty eradication; responsible consumption and reproduction, industry, innovation and infrastructure, inclusive and sustainable economic growth and full and productive employment. Additionally, the Authority also contributes to Sustainable Goal on Sustainable Action and Gender Equality.

2.6 External Environmental Review

PESTEL Analysis

This section analyses the Authority’s existing operating environment (Political, Economic, Social, Technological, Environmental and Legal) and how these would impact on the Authority’s performance in this Strategic Plan period. The environment creates both opportunities and threats. A brief description of these dimensions about the Authority’s mandate are in the table below:

Table 3: PESTEL Analysis

Category	Details	Implication on Strategy	Strategic Response
Political	Political transitions	Decision-making	Sensitization on the Authority’s mandate Alignment of enforcement with Government economic priority policies, programmes and projects
	Bilateral and Multilateral relationships	Global competitiveness of the economy	<ul style="list-style-type: none"> • Strategic collaborations; • Harmonization of enforcement
	Devolution	<ul style="list-style-type: none"> • Increased geographical markets in the counties; 	<ul style="list-style-type: none"> • Strategic collaborations at county level; • Aligning county and national government regulations;
		<ul style="list-style-type: none"> • Consumer awareness; 	
Economic	Bilateral and Multilateral trade agreements	Provisions with an effect on competition and consumer protection	<ul style="list-style-type: none"> • Active participation in negotiations; • Advocacy with Key Government stakeholders;
	Macro Policies (Monetary and Fiscal)	Effect on Investments; Government priority areas	Prioritization of Research and Advisory

Category	Details	Implication on Strategy	Strategic Response
	Employment levels and Per capita income / median household income	Consumer spending	Consumer Awareness; Advocacy
	Access to credit	Effect on Trade and Investments	Regulatory Impact Assessment and Advisory; Advocacy
	Sovereign debt e.g. Budget/ investments	<ul style="list-style-type: none"> Effect on Trade and Investments; Regulatory framework; 	Review and adopt best practices on recovery and digitalization
	Global economic changes	<ul style="list-style-type: none"> Effect on Trade and Investments; Regulatory framework; 	Review and adopt best practices on recovery and digitalization
Social-cultural	Population growth	<ul style="list-style-type: none"> Increase in demand; Market expansion Increase in Micro, Small and Medium Enterprises 	<ul style="list-style-type: none"> Increase promotion of consumer awareness; Enhance regulatory capacity Markets screening Sensitization of the Authority's mandate Reprioritization of the Authority's activities
	Awareness on Authority's mandate	<ul style="list-style-type: none"> Compliance to Competition Law; Reporting of violation of the Competition Act; 	<ul style="list-style-type: none"> Enhance publicizing impact of policies/ interventions with high impact to enhance awareness and visibility; Strategic collaborations
	Education levels	<ul style="list-style-type: none"> Awareness of Competition Law; Compliance 	<ul style="list-style-type: none"> Stakeholder education; Simplify processes and guidelines for enforcement

Category	Details	Implication on Strategy	Strategic Response
	Gender distribution	Awareness level;	Align activities to constitutional and other legal requirements;
	Age distribution	Effect on Investments;	Adopt other means of communications/awareness raising targeting relevant age groups
Technological	Lifecycle of technology	Decision-making timelines;	Respond and align to new technology
	Information security & Management	Service delivery	
		<ul style="list-style-type: none"> Leakage and loss of data; Systems failure; Data management Data privacy 	<ul style="list-style-type: none"> Appropriate Information Security Management (ISM) policies and regulatory framework; Knowledge management systems;
	Intellectual property	<ul style="list-style-type: none"> Effect on Decision Making; Enforcement and Monitoring; 	<ul style="list-style-type: none"> Adaptive competition assessment tools; Research; Global collaborations; Enhance regulatory framework;
	Skills and innovation		
	Data Analytics		
	Social Media	Quality of service delivery;	Stakeholder engagement;
	Stakeholder awareness;		
	Regulatory framework	Jurisdiction;	Collaboration and cooperation with key stakeholders;
		Data and information management;	Provision of Advisories;
Environmental	Global/ National pandemics	Negative effect on the working environment and available resources	Business continuity management
	Climate change		
	Environmental sustainability		
	Work place environment		

Category	Details	Implication on Strategy	Strategic Response
Legal	RECs competition enforcement mandate	Overlapping jurisdiction	Strategic collaborations
	Regulatory Agency mandate		
	Changes in the regulatory framework(s) in the SP's areas of focus	Effect on decision-making	Strategic collaborations
	Constitutional and statutory amendment(s)	Changes in institutional dispensation	Realign strategic plan
	Governance	Effect on decision-making; Social economic development;	Development of appropriate policies and regulatory framework
	Global regulatory trends	Reciprocity in enforcement Conflicting laws;	Global collaborations

2.7 Impact of COVID-19 on Competition Regulation

In response to the COVID-19 pandemic, the Authority took the following measures with regard to implementation of the Act and continued execution of its mandate:

- i. Monitored closely significant and rapid price increases and take immediate actions including enforcement actions against excessive price increases and use of interim measures or warning notices to stop the conduct

- quickly, when appropriate;
- ii. Monitored merger applications and in particular, rescue mergers. Firms in financial distress may seek to improve their condition by merging with healthier competitors. These transactions will be carefully scrutinized to ensure that the merger constitutes a "rescue merger", to avoid risks of approving anticompetitive mergers with a long-lasting negative structural impact in the marketplace; and

iii. The Authority has adopted flexible ways of operating through automation in order to increase efficiency and reduce business disruption through technology.

2.8 Stakeholder Analysis

Stakeholder Analysis enables the Authority to examine and manage the expectations of its stakeholders to effectively execute its mandate. The Authority's stakeholders play a critical role in facilitating the effective implementation of its activities. The table below defines the role and type of interaction required with each stakeholder;

Table 4: Stakeholder Analysis

Stakeholder	Stakeholder Expectations	CAK Expectations
National Treasury and Economic Planning	<ul style="list-style-type: none"> Prudent utilization of allocated resources Compliance with relevant Government policies and circulars Informing Policy issues Implementation/Achievement of PC targets Statutory compliance Timely advisory opinions on competition and consumer protection matters Implementation of Government policies 	<ul style="list-style-type: none"> Timely approval of budgets and procurement plans Timely and Adequate disbursements of funds Policy guidance and support. Information sharing on policy issues Provision of an enabling regulatory environment
Parliament	<ul style="list-style-type: none"> Enforcement of the Competition Act Provision of annual reports and audited Financial Statements Accurate and timely submission of information to the relevant house committees 	<ul style="list-style-type: none"> Timely enactment/ amendment of legislation Consultation on laws and regulations regarding Competition and Consumer Protection Vetting of board members and the Director General Approving budgets
Competition Tribunal	<ul style="list-style-type: none"> To collaborate and cooperate in Competition Law enforcement Representation during matters before the tribunal To participate in the development of rules and regulations 	<ul style="list-style-type: none"> Impartial, transparent and timely decisions Making decisions informed by the tenets of competition and consumer protection

Stakeholder	Stakeholder Expectations	CAK Expectations
Consumers	<ul style="list-style-type: none"> Enforcement of the Act Educate them on their rights and obligations Timely resolution of consumer complaints 	<ul style="list-style-type: none"> Filing of complaints Cooperate in investigations Comply with consumer obligations Provide feedback on consumer protection issues
Business Community/ Associations	<ul style="list-style-type: none"> Sensitization on the Act Adherence to the laws and regulations Speedy and timely decision-making as per the Act 	<ul style="list-style-type: none"> Cooperate during investigations Comply with the Authority's orders Enhanced understanding of the Competition Act Participate in consultations with the Authority
Consumer bodies	<ul style="list-style-type: none"> Information sharing Recognition as enforcement partners Capacity building on Competition Law 	<ul style="list-style-type: none"> Information sharing Escalating consumer complaints to the Authority Comply with rules and standards for consumer bodies Carry out consumer education and sensitization Cooperate with the Authority during investigations
Sector regulators	<ul style="list-style-type: none"> Collaboration and cooperation in Competition Law enforcement and consumer protection matters 	<ul style="list-style-type: none"> Collaboration and cooperation in enforcement of the Act
Legal fraternity	<ul style="list-style-type: none"> Predictable and transparent legal procedures Information sharing Capacity building on the Act Consistent review of our laws and policies in line with International Best Practice (IBPs) Timely decision making 	<ul style="list-style-type: none"> Timely sharing of information Adherence to provisions of the Act

Stakeholder	Stakeholder Expectations	CAK Expectations
Office of Auditor General	<ul style="list-style-type: none"> Submission of the Financial statement as per the Public Finance Management (PFM) Act Timely, prompt facilitation of the statutory audit 	<ul style="list-style-type: none"> Carry out timely audits and issue a Report
Office of the Data Commissioner	<ul style="list-style-type: none"> Compliance with the Data Protection Act 	<ul style="list-style-type: none"> Granting approvals pursuant to the Data Protection Act Cooperation on delivery of the Authority's policy agenda for competition in the digital economy and research/market studies information
Judiciary	<ul style="list-style-type: none"> Encourage Alternative Dispute Resolution (ADR) on competition and consumer protection Sensitization on Competition Law and consumer protection Timely representation of matters before the courts Compliance with court decisions 	<ul style="list-style-type: none"> Enhanced understanding of the Act Timely resolution of cases
Office of the Attorney General	<ul style="list-style-type: none"> Accurate and timely submission of information pertaining to competition and consumer protection Well-researched proposals and drafts on legal amendments on competition and consumer protection matters Minimize risks and exposures related to Competition Law litigations 	<ul style="list-style-type: none"> Support on legislative matters regarding the Act Timely legal representation Timely advisories on the Act Timely approval of legal and gazette notices Support on legislations, treaties and agreements on competition and consumer protection

Stakeholder	Stakeholder Expectations	CAK Expectations
National Police Service	<ul style="list-style-type: none"> • Collaboration in investigations of criminal contraventions under the Competition Act. 	<ul style="list-style-type: none"> • Collaboration in criminal contraventions under the Competition Act. • Collaboration in investigations of criminal contraventions under the Competition Act. • Capacity building in investigations.
Office of the Director of Public Prosecutions	<ul style="list-style-type: none"> • Collaboration in the prosecution of criminal contraventions under the Competition Act. • Give timely advise on whether to pursue Alternative Dispute Resolution (ADR) 	<ul style="list-style-type: none"> • Timely approval of requests for waivers. • Collaboration in capacity building on competition and consumer protection matters.
County Governments	<ul style="list-style-type: none"> • Safeguard and promote competition in countries. • Deter unfair and misleading business practices. • Timely advisory opinions on competition and consumer protection matters. • Capacity building on competition and consumer welfare. 	<ul style="list-style-type: none"> • Collaboration on competition and consumer protection matters. • Request advisory opinions on county legislations and policies to ensure compliance with the Act. • Provision of an enabling regulatory environment.
Regional and International Competition and Consumer Protection Agencies	<ul style="list-style-type: none"> • Collaboration and cooperation in policy, rules and guidelines development and implementation • Undertaking joint research and investigations 	<ul style="list-style-type: none"> • Collaboration and cooperation in policy, rules and guidelines development and implementation • Undertaking joint research and investigations
Regional and International Networks	<ul style="list-style-type: none"> • Information sharing on best practices • Cooperation in capacity building on Competition Law enforcement 	<ul style="list-style-type: none"> • Information sharing on best practices • Cooperation in capacity building on Competition Law enforcement

Stakeholder	Stakeholder Expectations	CAK Expectations
Media	<ul style="list-style-type: none"> • Accurate and timely information • Capacity building on Competition Law and consumer protection. • Accurate and timely interpretation of the Competition Act. 	<ul style="list-style-type: none"> • Accurate reporting on competition and consumer protection matters. • Support the Authority in awareness creation
Development Partners	<ul style="list-style-type: none"> • Achievement of project objectives • Develop policies that are supportive of competition and investment environment 	<ul style="list-style-type: none"> • Technical assistance and financial support • Timely information sharing
Learning and Research Institutions	<ul style="list-style-type: none"> • Accurate and up to-date information • Collaboration on competition and consumer protection issues. • Inform curriculum development. 	<ul style="list-style-type: none"> • Engaging in competition and consumer protection-related education, training and research
Suppliers / Service Providers	<ul style="list-style-type: none"> • Prompt payment for goods, works and services as per the contract terms • Fair and transparent procurement process 	<ul style="list-style-type: none"> • Prompt delivery of goods, works and services as per the contract terms/terms of reference
Staff	<ul style="list-style-type: none"> • Competitive terms and conditions of employment • Conducive work environment • Timely decision making and communication • Stable and progressive organization • Timely reporting • Implementation of the Act and other Government policies • Prudence and accountability in the utilization of resources • Implementation of Plans • Guidance and policy directions • Provide opportunities for professional development 	<ul style="list-style-type: none"> • High performance and productivity • Timely reporting • Implementation of the Act and other Government policies • Timely decision making • Prudent and accountability in utilization of resources • Implementation of Plans • Support and resources in the implementation of those Plans

2.9 Internal Environment

SWOT Analysis

The Authority's internal Strengths and Weaknesses and external Opportunities and Threats have been appraised as a predicate to developing the planning goals and developmental priorities and are presented in the table below;

Table 5: SWOT Analysis

Internal	External
<ul style="list-style-type: none"> • Comprehensive Competition Law in place that encompasses the tenets of a modern Competition Law • Skilful and competent and dynamic workforce to execute the Authority's mandate • Public confidence on the Authority's decisions on competition, consumer protection matters and abuse of buyer power • Integrated and automated processes that have ensured efficiency and business continuity • Statutory and operational Independence • Strong work ethics and positive organizational culture • Low staff turnover • Quality Management System ISO 9001: 2015 certification and Information Systems Management 	<ul style="list-style-type: none"> • Good working relationship with stakeholders • Continued collaborative interest from development partners • Continuous advancements in technology to improve operational efficiency and effectiveness • Leverage on synergies with other agencies with concurrent jurisdiction • Partnerships with other Government bodies and private sectors • Opportunity to attract more funding on Competition Law and policy through enhanced partnership with international organizations • Collaborate with RECs • Collaboration with County Governments • Capacity-building opportunities for staff on emerging issues • Statutory changes to the Competition Act • Change of National government administrative

Internal	External
<ul style="list-style-type: none"> • Institutionalized Knowledge Management policy that has harnessed tacit and explicit knowledge • Robust Institutional Risk Management system and Business Continuity Management (BCM) systems • Inadequate regulatory framework to handle emerging competition issues • Inadequate specialized skills to handle emerging competition issues • Inadequate sources of own-source revenue. 	<ul style="list-style-type: none"> • Regional and international recognition of the Authority • Exposure to cyber-attacks on Authority's systems • Low awareness of the Authority's mandate • Delays in appointment of Board members • Delays in appointment of Competition Tribunal members • Technological advancements • Potential change in Government policy • Expanding informal sector • Challenges in enforcement of standards and quality verification which may dampen execution of the Authority mandate • Statutory changes to legislations, which may have negative impacts on competition law.

CHAPTER 3: STRATEGIC MODEL

Overview

This Chapter presents the Authority's strategic direction informed by the situational analysis. It further details the Authority's core ideology (mission, vision and core values); Quality Policy and Quality Objectives; describes the Strategic Priorities in detail and spells out the key areas of focus and high-level initiatives that will drive the achievement of the Strategic Priorities.

3.1. VISION, MISSION AND CORE VALUES

Vision

A Kenyan economy with globally efficient markets and enhanced consumer welfare for shared prosperity.

Mission

To enhance competition and consumer welfare in the Kenyan economy by regulating market structure and conduct to ensure efficient markets for sustainable growth and development.

Core Values

The guiding principles in the operations of the Authority are:

- i. Customer focus – we commit to attaining the highest standards in service delivery to all stakeholders in line with ISO 9001:2015;
- ii. Integrity – we commit to act in an honest, transparent and responsible manner while implementing our programmes;
- iii. Professionalism – we are guided by professional ethics aimed at building an appropriate corporate culture and creating the right corporate image;
- iv. Impartiality – we uphold the highest levels of equity by treating all stakeholders without any discrimination whatsoever;
- v. Teamwork – we adopt a participatory approach and work together at all levels in the conduct of business; and
- vi. Innovation and Creativity – We are a learning organization

that embraces change and continuously enhances creativity and innovation in our business processes.

Motto

Creating efficient markets for consumers.

Quality Policy

The Authority is committed to enhancing the welfare of the people of Kenya by promoting and protecting effective competition in markets and preventing unfair and misleading market conduct.

Towards this, the Authority commits to comply with all applicable statutory and other applicable requirements and continual improvement of its Quality Management System based on ISO 9001:2015 Standard.

The policy and the established quality objectives shall be reviewed to ensure their continual suitability and adequacy, shall be communicated, understood and applied throughout the organization and shall be available to relevant interested parties, as appropriate.

Quality Objectives

The Authority shall be guided by the following quality objectives;

- i. Provision of quality and effective regulation of both market conduct and structure;

- ii. Protection of consumers from false and misleading representation;
- iii. Optimal utilization of the Authority's resources in the attainment of its mandate;
- iv. Enhancement of customer satisfaction that exceeds expectations by providing quality services;
- v. Operations that comply with all applicable laws and regulations;
- vi. Proactive engagement of stakeholders and prompt feedback on its services; and
- vii. Attracts, trains, develops and retains highly qualified, skilled and motivated staff for the realization of its mandate.

3.2. Strategy Overview and Focus Areas

This 3rd Strategic Plan is guided by the overarching theme - Expanding Enforcement Frontiers for Increased Consumer Welfare and Sustainable Economy. The Authority will focus on new geographical areas, demographics, new and emerging sectors and partnerships. Furthermore, enforcement intervention will be prioritized in sectors that are more prone to anti-competitive practices and, therefore, likely to occasion consumer harm.

The Plan will focus on emerging issues in key sectors of the economy including

abuse of buyer power, bid rigging, abuse of dominance, and the digital economy. Further, the Authority will explore new partnerships in areas of research to inform new areas of enforcement for increased competition and improved consumer welfare. The Authority will also collaborate with regional and international bodies/agencies in order to support the development of regulations in the emerging enforcement areas. To effectively evaluate the outcome of our enforcement activities, the Authority will conduct an impact assessment on its decisions which benefit a significant number of Kenyan consumers. In addition, the Authority will contribute to the implementation of the Economic Recovery Strategy, 2020 through various interventions in sectors of the economy that have been adversely affected by the COVID-19 pandemic.

In light of the above, the Authority's strategy is articulated through the following strategic objectives:

- i. **Delivering Effective Enforcement** - The Authority seeks to effectively implement the Act to regulate the market structure through mergers and acquisitions, regulate market conduct by deterring restrictive trade practices and abuse Buyer Power and enhance consumer welfare to enable growth of an inclusive economy with competitive markets.
- ii. **Research and Advocacy** - The Authority strives to adopt best practices by continuously conducting research on competition regulation, collaborating and co-operating with relevant stakeholders and driving an advocacy agenda that is responsive to evolving market conditions.
- iii. **Visibility and Organizational Sustainability** – The Authority aims to deliver on its mandate through a cohesive, well-structured organization where people, processes and systems perform optimally. Sustainability will be enhanced through proper planning of resources, implementing the risk management framework and Business continuity policy, identifying alternative sources of funding and implementing cost control measures to derive maximum benefit from available resources. Attracting, developing and retaining talent is essential to ensure a high-performing organization. Further, the impact of the Authority's decisions on the citizenry and performance management are key. Leveraging on ICT is imperative to optimizing business processes and improved service delivery.

3.3. Strategy Matrix: Strategic Goals, Strategic Objectives, Strategies and Activities

The matrix below provides a snapshot of the key result areas, strategic objectives, strategies and activities emanating from the three Strategic goals;

Table 6: Strategy Matrix

THEME: EXPANDING ENFORCEMENT FRONTIERS FOR INCREASED CONSUMER WELFARE AND SUSTAINABLE ECONOMY		
STRATEGIC GOAL 1: DELIVERING EFFECTIVE ENFORCEMENT		
1.0. Objective: To Enhance the Merger Analysis Process in Order to Minimize Financial Burden on Businesses		
Expected Outcomes		
<ul style="list-style-type: none"> i. <i>Competitive markets that promote investment and growth of SMEs</i> ii. <i>Reduced cost of filing by businesses and improved completeness in filing</i> iii. <i>Reduced timelines in merger analysis and sound decision-making</i> 		
Strategy	Indicator	
1.1. Regulation of mergers and simplification of merger notification	1.1.1. Analysis of all mergers notified to the Authority	1.1.1.1. % of Completion
	1.1.2. Analysis of mergers identified to have been implemented without the approval of the Authority	1.1.2.1. % of completion
	1.1.3. Joint assessment of mergers with Regional Competition Agencies for notifications with local nexus	1.1.3.1. % of completion
	1.1.4. Providing advisory opinions	1.1.4.1. % of advisory opinions requests completed
	1.1.5. Identify and process sectors that qualify for exemption from notification	1.1.5.1. No. of Sector (s) processed for exemption
	1.1.6. Revise the Merger Notification form to align it to the changing technology and emerging market trends	1.1.6.1. Revised Merger Notification form
	1.1.7. Revise Merger Guidelines specifically on Public interest Considerations	1.1.7.1. Revised Guidelines
	1.1.8. Sensitize stakeholders on merger notification and Merger Guidelines	1.1.8.1. No. of attendees

Strategy	Activity	Indicator
1.2. Merger analysis through technology-aided review	1.2.1. Enhance research, use of business intelligence and data analysis tools in the economic analysis of mergers	1.2.1.1.No. of mergers analyzed using research, business intelligence and data analysis tools
1.0. Objective: To Enhance Deterrence on Unfair Market Conduct to Safeguard Access to Markets and Consumers		
Expected Outcomes		
i. Reduction in sectors with propensity for Abuse of Buyer Power		
ii. Reduced amount of delayed payments owed by buyers to suppliers beyond agreed timelines		
2.1. Evaluate, investigate and conclude on complaints/cases on Abuse of Buyer Power in traditional markets and digital platforms	2.1.1. Undertake investigations into cases of Abuse of Buyer Power	2.1.1.1. No. of cases investigated
2.2. Increase public awareness of the obligations, rights and remedies for abuse of buyer power for effective enforcement	2.2.1. Undertake sensitization initiatives on abuse of buyer power in various sectors	2.2.1.1.No. of sectors sensitized
2.3. Enhance market surveillance	2.3.1. Monitor sectors and undertakings experiencing or likely to experience incidences of abuse of buyer power	2.3.1.1.No. of sectors and undertakings monitored

Strategy	Activity	Indicator
	2.3.2. Conduct surveillance of MSMEs in manufacturing for incidences or likely incidences of abuse of buyer power	2.3.2.1.No. of monitoring reports
	2.3.3. Conduct surveillance of MSMEs in agro-processing for incidences or likely incidences of abuse of buyer power	2.3.3.1.No. of monitoring reports
	2.3.4. Monitor implementation of published Codes of Practice	2.3.4.1.No. of monitoring reports
	2.3.5. Assess the adoption of developed Template Contracts by sectors	2.3.5.1.No. of sector assessment reports
	2.4.1. Undertake review of Buyer Power Guidelines	2.4.2.1.Reviewed Buyer Power Guidelines
	2.4.2. Develop Fining and Settlement Guidelines for Abuse of Buyer Power	2.4.2.2.Developed Fining and Settlement Guidelines for Abuse of Buyer Power
1.0. Objective: To Enhance Protection of Consumers from Unfair and Misleading Business Practices		
Expected Outcomes		
	<i>i. Increased consumer savings</i>	
	<i>ii. Increased satisfaction for the complainants</i>	
	<i>iii. Increased compliance to the Act by businesses</i>	
	<i>iv. Increased awareness by the public on the Authority's consumer protection mandate</i>	
3.1. Increase detection and take measures to address misleading and unfair practices that harm consumers	3.1.1. Investigate consumer issues and provide remedies	3.1.1.1.No. of cases finalized
	3.1.2. Monitor the marketplace and technological developments to identify and investigate emerging consumer issues with a focus on the utility sector; pharmaceuticals; big data; technological advancements; digital financial services; e-commerce; insurance; aviation; and children products.	3.1.2.1.No. of sectors monitored
	3.1.3. Provide advisories to stakeholders on consumer-related matters	3.1.3.1.No. of advisories provided
	3.1.4. Collaborate with local and international agencies on consumer matters	

Strategy	Activity	Indicator
3.2. Proffer consumers and businesses with knowledge and guidance to prevent consumer harm	3.2.1. Provide the public with knowledge and tools to prevent consumer harm from products and services.	3.2.1.1.No. of public awareness activities
	3.2.2. Provide businesses with knowledge and tools to comply with the provisions of the Act	3.2.2.1.Business forum awareness reports
	3.3.1. Engage county Governments in creating an enabling environment for the creation of consumer bodies	3.3.1.1.No. of county Governments engaged
3.3. Promote creation and strengthen consumer bodies	3.3.2. Provide consumer bodies with knowledge and tools to prevent consumer harm and create awareness	3.3.2.1. No. of forums on education and equipping of consumer bodies 3.3.2.2.No. of complaints received by consumers bodies
	3.3.3. Entrench global practices on consumer protection by hosting an international conference	3.3.3.1.No of conferences
4. Objective: To Enhance Deterrence on Anticompetitive Practices for Sustained Consumer Welfare		
<i>Expected Outcomes</i>		
4.1. To prioritize investigation of suspected cartels and abuse of dominance conduct in the traditional and digital markets.	4.1.1. To identify, undertake screenings and investigate identified sectors to establish suspected cartels or abuse of dominance conducts such as excessive pricing, price discrimination, predatory pricing and margin squeeze in the digital and traditional markets with a focus on Housing and Manufacturing sectors	4.1.1.1. No. of cases concluded

Strategy	Activity	Indicator
	3.1.1. To investigate and conclude complaints on suspected cartels or abuse of dominance conducts such as excessive pricing, price discrimination, predatory pricing and margin squeeze in the digital and traditional markets.	4.1.2.1. No. of cases concluded
	4.1.3. Evaluate exemption applications to ensure public benefit and pro-competitive gains	4.1.3.1. % completion of exemption applications
	4.1.4. To enhance local, regional and international collaborations in the investigations of the cartels and abuse of dominance	4.1.4.1. No. of cases handled through local, regional and international collaborations
	4.1.5. To increase awareness of the market players on the restrictive trade practices.	4.1.5.1.No. of awareness initiatives conducted
	4.1.6. Enhanced use of technology in competition analysis.	4.1.6.1. No. of cases investigated through the use of technology
	4.2. To prioritize and investigate collusive tendering and bid rigging schemes	4.2.1. Conduct screening and investigate suspected bid-rigging schemes with a focus on roads construction sector.
4.2.2. Enhance the collaboration with sector regulators (such as PPRA)		4.2.2.1. No. of cases concluded 4.2.2.2. No. of cases handled through collaborations with PPRA

Strategy	Activity	Indicator
4.3. To enhance compliance on the decisions of the Authority	4.3.1. Conduct market compliance checks to ensure adherence to the Authority's decisions	4.3.1.1. No. of compliance checks with the objective of the decision of the Authority.
4.4. To enhance transparency and accountability of processes and procedures of the Authority	4.4.1. Sensitise stakeholders on Competition Guidelines in at least five regions.	4.4.1.1. No. of sensitization forums.
	4.4.2. Develop a position paper on Strategic Market Positions	4.4.2.1. Position paper developed.
	4.4.3. Revise existing guidelines to effectively deal with Emerging Competition issues.	4.4.3.1. Guidelines developed and/or revised.
3. Objective: To Entrench the Authority as a Centre for Competition and Consumer Protection Law		
<i>Expected Outcomes</i>		
<i>i. Digests of Competition Law jurisprudence</i>		
<i>ii. Strategic Collaborations with Key Stakeholders</i>		
5.1. Establishment of a repository of jurisprudence to guide decision making in Competition Law matters	5.1.1. Development and dissemination of the competition and consumer protection law digests	5.1.1.1. No. of competition and consumer protection law digests
5.2. Development of learning and reference content for key stakeholders	5.2.1. Compilation and dissemination of competition and consumer protection law publications.	5.2.1.1. No. of publications
5.3. Nurture strategic collaborations with key stakeholders	5.3.1. Collaborate with training institutions to promote competition and consumer protection law trainings	5.3.1.1. No. of Competition and Consumer Protection law trainings.
		5.3.1.2. No. of institutions.

STRATEGIC GOAL 2: RESEARCH AND ADVOCACY

3. Objective: To Advance Knowledge of Sectoral and Emerging Markets

Expected Outcome i. Impactful knowledge creation and management

Strategy	Activity	Indicator
6.1. Contribute to the implementation of the Digital Economy Blue Print's Digital Business Pillar by undertaking Research in Emerging markets	6.1.1. Screening and Prioritization of markets	6.1.1.1 No. of screening reports
	6.1.2. Undertaking research and implementing findings in prioritized markets – Agriculture, digital markets and MSMEs	6.1.2.1. No. of Market Inquiry reports
	6.1.3. Implementation of the recommendations from the Digital Credit Market Inquiry	6.1.3.1 No. of Implementation reports
	6.1.4. Implementation of recommendations from the Pharmaceutical Industry Study	6.1.3.2 No. of Implementation Reports
	6.1.5. Develop a research policy	6.1.3.3 No. of Policies developed
6.2. Information and data management policy to enhance competition regulation	6.2.1. Consolidating and updating the data repository on traditional and emerging markets	6.2.1.1. No. Research databases created 6.2.1.2. No. of sectors covered
	6.2.2. Enhance knowledge sharing in the Authority by publish research by publishing research papers, presenting conference papers and cataloguing resources	6.2.2.1. No. of conference papers presented 6.2.2.2. No. of e-resources catalogued 6.2.2.3. No. of publications

Strategy	Activity	Indicator
6.3. Impact Assessment	6.3.1. Prioritization of sectors for impact assessment	6.3.1.1. No. prioritized of sectors
	6.3.2. Conduct impact assessment of the Authority's decisions	6.3.2.1. No. of impact assessment reports
3. Objective: To Enhance Effective Advocacy on Competition Law		
<i>Expected Outcome</i>		
<i>i. Deepened competition culture</i>		
7.1. Pro-active engagement of stakeholders	7.1.1. Develop new collaborations and Cooperation Frameworks to address effective competition in the digital space and education/research institutions	7.1.2.1. No. of New Cooperation frameworks
	7.1.2. Review the existing Cooperation Frameworks	7.1.2.2. Implementation reports
	7.1.3. Stakeholder capacity building on Competition Law and policy	7.1.4.1. No. of capacity building initiatives
	7.1.4. Support regional agencies in implementing their Competition Laws	7.1.4.2. No. of agencies supported
	7.1.5. Conduct County Sensitizations	7.1.6. No. of counties engaged
	7.1.7. Hold and participate in competition / consumer protection conference(s) under the competition/consumer protection network (s)	7.1.7.1. No. of conferences
	7.2. Provision of research based advisory opinions on legislations and policies	7.2.1. Preparation of research-based Advisory opinions to Government agencies
	7.2.2. Preparation of position papers to international forums on emerging issues	7.2.2.1. No. of Position papers submitted
	7.2.3. Advocacy to professional associations to deepen competition in the professional services sector	7.2.3.1. No. of Associations sensitized

STRATEGIC GOAL 3: VISIBILITY AND ORGANIZATIONAL SUSTAINABILITY

8. Objective: To Enhance Optimal Resource Use

Expected Outcome

i. Optimum Resource allocation and utilization

Strategy	Activity	Indicator
8.1. E n h a n c e d Planning, Monitoring and Evaluation of the Authority's performance for continual improvement	8.1.1. Monitoring and evaluation of the Authority's performance	8.1.1.1. No. of reports
9. Objective: To Enhance Institutional Risk Management Practices, Business Continuity and Implementation of Standards		
Expected Outcomes		
<ul style="list-style-type: none"> i. <i>Reduced exposure to risks and adequate mitigation measures</i> ii. <i>Reduced costs while ensuring optimal sustainability</i> iii. <i>Increased stakeholder confidence and trust while safeguarding the Authority's reputation</i> 		
9.1. Enhance service delivery and mitigating against likely disruptions through adoption of standards	9.1.1. Implement ISO 22301:2019 Business Continuity Management Standard	<ul style="list-style-type: none"> 9.1.1.1. Documented business continuity plans 9.1.1.2. No. of updated BIA plans 9.1.1.3. Comprehensive risk identification and mitigation 9.1.1.4. No. of audits and management reviews 9.1.1.5. Critical processes identified
	9.1.2. Re-certification to ISO 9001:2015 Quality Management Standard, implementation and monitoring of the requirements of the standard	9.1.2.1. ISO Certification
9.2. Enhance information security and privacy protection	9.2.1. Pursue certification on ISO/IEC 27001:2022 standards to ensure Confidentiality, Integrity and Availability	9.2.1.1. % implementation of ISMS standards

10. Objective: To Ensure Optimal Institutional Efficiency and Effectiveness

Expected Outcome
i. Improved staff productivity

Strategy	Activity	Indicator
10.1. Ensure staff retention	<p>10.1.1. Implementation of the Career Progression Guidelines</p> <p>10.1.2. Building Leadership Capacity in the Authority</p> <p>10.1.3. Corporate Succession Management</p>	<p>10.1.3.1. % staff retention levels</p> <p>10.1.3.2. No. of vacancies filled internally</p> <p>10.1.3.3. No. of staff enrolled in the leadership program</p> <p>10.1.3.4. Developed and implemented succession plan.</p>
10.2. Ensure an optimal staff complement	10.2.1. Implement the Workload Analysis Survey recommendations	10.2.1.1. No. of recommendations implemented
10.3. Improve staff competencies	<p>10.3.1. Capacity building in the following areas among others;</p> <ul style="list-style-type: none"> ● Big Data and Digital economy; ● Artificial Intelligence; ● Platform marketing; ● Buyer Power; ● Bid rigging; and ● Sustainability 	10.3.1.1. % of staff trained
10.4. Enhance the performance culture in the Authority	<p>10.4.1. Conducting Culture Audit</p> <p>10.4.2. Build Leadership capacity on performance management</p> <p>10.4.3. Revise the performance management toolkit</p>	<p>10.4.3.1. Culture Audit report</p> <p>10.4.3.2. No. of managers/supervisors trained</p> <p>10.4.3.3. Revised Performance toolkit</p>

Strategy	Activity	Indicator
10.5. Expand staff motivation strategies	<p>10.5.1. Enhance staff Club membership and extend the benefit to staff.</p> <p>10.5.2. Promote a conducive work environment</p> <p>10.5.3. Develop and implement remote working guidelines</p> <p>10.5.4. The review of staff Medical Benefit</p> <p>10.5.5. Annual Team Building</p> <p>10.5.6. Establishment of a post-retirement medical scheme</p> <p>10.5.7. Review of the HR instruments (HR policies and procedure manual, career progression guidelines and organization structure)</p>	<p>10.5.7.1. % /No. of staff members enrolled for the Club membership</p> <p>10.5.7.2. Employee and Work Environment Satisfaction Index</p> <p>10.5.7.3. Frequency in performance recognition</p> <p>10.5.7.4. Remote working guidelines developed and implemented</p>
11. Objective: To Leverage Technology to Enhance Service Delivery		
<i>Expected Outcomes</i>		
<i>i. Robust ICT infrastructure and high availability systems</i>		
<i>ii. Systems security</i>		
<i>iii. Data-driven decision making</i>		
11.1. Enhance ICT infrastructure, business continuity & disaster recovery plan	<p>11.1.1. Upgrade of the Authority's Data Centre, enhance backup storage and replication systems and conduct DR tests</p> <p>11.1.2. Develop and implement ICT strategy 2021-2024</p> <p>11.1.3. Upgrade of the existing system (ERP & CMS) and related portals</p>	<p>11.1.3.1. % uptime of ICT infrastructure</p> <p>11.1.3.2. Successful implementation of upgraded data centre</p> <p>11.1.3.3. No. of successful DR tests undertaken</p> <p>11.1.3.4. % implementation of the ICT strategy</p>

Strategy	Activity	Indicator
11.2. Leverage on Technology to increase service delivery	<p>11.2.1. Automate the Risk and Internal Audit function</p> <p>11.2.2. Procure data mining and data analytics tools</p> <p>11.2.3. Enhanced use of technology in competition analysis</p>	<p>11.1.3.5. Successful implementation of systems upgrade</p> <p>11.2.3.1. % level of Automation</p>
12. Objective: To Improve Efficiency and Effectiveness in Financial Management		
<i>Expected Outcome</i>		
<i>i. Delivery of the Authority's mandate</i>		
12.1. Adopt cost-reduction initiatives	<p>12.1.1. Outsourcing of non-core services</p> <p>12.1.2. Identification and disposal of unserviceable fixed assets</p>	<p>12.1.2.1. % Reduction in the cost of operating outsourced services</p> <p>12.1.2.2. % Reduction in the fixed assets maintenance costs</p>
12.2. Mobilize adequate resources to support the Authority's activities	<p>12.2.1. Engage with development partners to increase the funding pool</p> <p>12.2.2. Develop donor funds resource mobilization policy</p> <p>12.2.3. Engage with the National Government for increased funding</p> <p>12.2.4. Collect, account and report projected A-I-A revenue.</p>	<p>12.2.4.1. % increases in resource allocation from development partners</p> <p>12.2.4.2. Donor funds resource mobilization policy</p> <p>12.2.4.3. % increase in resource allocation from Exchequer</p> <p>12.2.4.4. Amount of Projected A-I-A revenue collected</p>

Strategy	Activity	Indicator
12.3. Prudently allocate resources	12.3.1. Deploy resources cost-effectively in providing services that best meets the needs of our stakeholders/clients	12.3.5.1. % implementation of planned activities as per the strategic plan
	12.3.2. Considering competing demands and prioritizing activities in resource allocation	12.3.5.2. % absorption rate of the allocated financial resources
	12.3.3. Carry out routine audits to examine the cost-effectiveness of resources contributing to the delivery of planned programmes	12.3.5.3. No. of Audit reports
	12.3.4. Facilitate statutory reporting and audit	12.3.5.4. No. of days taken to submit annual financial statements to the OAG
	12.3.5. Compliance audit of the internal controls system	12.3.5.5. No. of Audit reports
3. Objective: To Enhance Stakeholder Engagement for Improved Corporate Visibility		
Expected Outcomes		
i. Enhanced stakeholder engagement		
13.1. Enhance and create awareness and activities	13.1.1. Production and dissemination of Information, Education, and Communication (IEC) materials in both English and Swahili	13.1.2.1. No. of IEC Materials developed and disseminated
	13.1.2. Engaging stakeholders through new media	13.1.2.2. No. Audio/Visual content in the database
	13.1.3. Undertake publicity & sensitization campaigns at the grassroots including holding competition fair	13.1.2.3. % increase in impressions
13.2. Corporate Social Responsibility (CSR) initiatives	13.1.4. Sensitize champions from Huduma centers	13.1.4.1. No. of mobile clinics held
	13.2.1. Undertake Corporate Social Responsibility (CSR) initiatives in the education, health, and environment	13.1.4.2. No. of Huduma centres visited
		13.2.1.1. No. of CSR activities conducted

Strategy	Activity	Indicator
13.3. Leverage Media as a strategic partner	13.3.1. Sensitize Media on Competition Law & Policy	13.3.2.1. No. of workshops held
	13.3.2. Train Management on Media Relations	13.3.2.2. No. of Management training sessions held
13.4. Enhance service delivery	13.4.1. Conduct Customer Satisfaction Survey and implement recommendations	13.4.1.1. Customer Satisfaction/Perception Index

CHAPTER 4: IMPLEMENTATION AND CO-ORDINATION FRAMEWORK

Overview

The implementation of this Strategic Plan is dependent on the measures taken to ensure alignment between the strategy and resources. In the pursuit of effectiveness and efficiency during execution, the most critical step will be to monitor performance by breaking down the goals into smaller manageable blocks, a pragmatic and critical approach to successfully implement the strategy. This will involve the development of annual work plans, which are cascaded from the corporate to the departmental level.

4.1.2 Structure of the Organization

The Authority will maintain optimal staffing levels through the Strategic Plan period to ensure the achievement of the planned activities. This will be achieved through proactively attracting and retaining qualified and competent talents and enhancing motivation to ensure productivity. In addition, the Authority will continue

to enhance institutional capacity in emerging issues.

4.1.3 Authority's Departments and Directorates

The Authority's Management comprises the Director-General's Office (DG), three (3) Directorates (Competition & Consumer Protection; Policy, Research and Risk & Quality Assurance; and Corporate Services) and thirteen (13) departments (Communications & External Relations; Supply Chain Management, Buyer Power, Corporation Secretary & Legal Services, Internal Audit, Consumer Protection, Mergers & Acquisition, Enforcement & Compliance, Human Resource & Administration, ICT, Finance, Planning, Policy & Research and Risk & Quality Assurance).

The Director-General is responsible for advising the Board and the day-to-day management of the Authority.

4.1.4 Organization Structure

The current organogram is highlighted in figure 1 below.

Organization Structure

The organogram below represents the structure required to deliver the strategic plan 2021/22 – 2024/25.

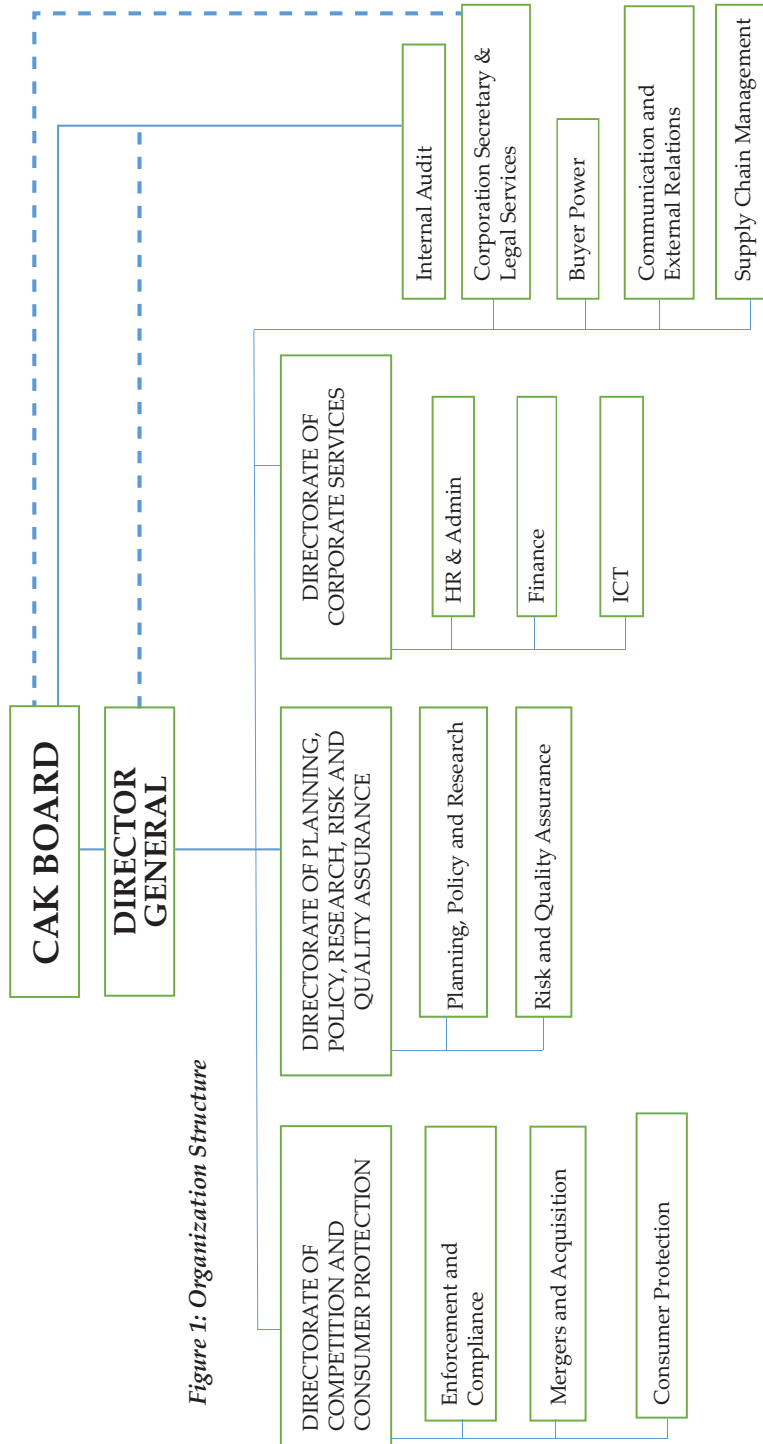


Figure 1: Organization Structure

Staff Establishment

4.2.1 Staff Establishment Table

The table below outlines the current staff establishment

Staff Establishment

Approved Salary Grades	Approved Establishment	Terms of Service (PnP and Contract)	Establishment	In post	Variance
Office of the Director General					
CAK 1	Director General	Contract	1	0	1
CAK 6	Executive Assistant	Permanent and Pensionable	1	1	0
Corporation Secretary and Legal Services Department					
CAK 3	Corporation Secretary and Manager Legal Services	Contract	1	1	0
CAK 4	Principal Legal Officer	Permanent and Pensionable	1	0	1
CAK 5	Senior Legal Officer	Permanent and Pensionable	1	1	0
CAK 6	Legal Officer	Permanent and Pensionable	2	2	0
Communications and External Relations Department					
CAK 3	Manager Communication & External Relations	Contract	1	1	0
CAK 5	Senior Communications Officer	Permanent and Pensionable	1	1	0
CAK 8	Customer Care/ Front Office Assistant	Permanent and Pensionable	1	1	0
Buyer Power Department					
CAK 3	Manager Buyer Power	Contract	1	1	0

Approved Salary Grades	Approved Establishment	Terms of Service (PnP and Contract)	Establishment	In post	Variance
Pricing Division					
CAK 4	Principal Investigations Officer- Pricing	Permanent and Pensionable	1	1	0
CAK 5	Senior Investigations Officer- Pricing	Permanent and Pensionable	2	0	2
CAK 6	Investigations Officer- Pricing	Permanent and Pensionable	5	2	3
Contracts Division					
CAK 4	Principal Analyst - Contracts	Permanent and Pensionable	1	1	0
CAK 5	Senior Analyst - Contracts	Permanent and Pensionable	3	0	3
CAK 6	Analyst - Contracts	Permanent and Pensionable	4	1	2
Internal Audit Department					
CAK 3	Manager, Internal Audit	Contract	1	1	0
CAK 4	Principal Internal Auditor	Permanent and Pensionable	1	0	1
CAK 5	Senior Internal Auditor	Permanent and Pensionable	1	1	0
CAK 6	Internal Auditor	Permanent and Pensionable	1	1	0
Supply Chain Management Department					
CAK 3	Manager Supply Chain Management	Contract	1	1	0
CAK 4	Principal Supply Chain Management Officer	Permanent and Pensionable	1	0	1

Approved Salary Grades	Approved Establishment	Terms of Service (PnP and Contract)	Establishment	In post	Variance
CAK 5	Senior Supply Chain Management Officer	Permanent and Pensionable	1	1	0
CAK 6	Supply Chain Management Officer	Permanent and Pensionable	1	1	0
Directorate of Competition and Consumer Protection					
CAK 2	Director -Competition & Consumer Protection	Contract	1	1	0
Consumer Protection Department					
CAK 3	Manager, Consumer Protection	Contract	1	1	0
CAK 4	Principal Investigations Officer - Consumer Protection	Permanent and Pensionable	2	1	1
CAK 5	Senior Investigations Officer- Consumer Protection	Permanent and Pensionable	4	2	2
CAK 6	Investigations Officer- Consumer Protection	Permanent and Pensionable	4	4	0
Enforcement and Compliance Department					
CAK 3	Manager, Enforcement & Compliance	Contract	1	1	0
CAK 4	Principal Investigations Officer- Enforcement and Compliance	Permanent and Pensionable	2	1	1

Approved Salary Grades	Approved Establishment	Terms of Service (PnP and Contract)	Establishment	In post	Variance
CAK 5	Senior Investigations Officer- Enforcement and Compliance	Permanent and Pensionable	4	4	0
CAK 6	Investigations Officer -Enforcement and Enforcement	Permanent and Pensionable	2	2	0
Mergers and Acquisitions Department					
CAK 3	Manager, Mergers & Acquisitions	Contract	1	1	0
CAK 4	Principal Analyst- Mergers and Acquisitions	Permanent and Pensionable	2	1	1
CAK 5	Senior Analyst -Mergers and Acquisitions	Permanent and Pensionable	4	4	0
CAK 6	Analyst- Mergers and Acquisitions	Permanent and Pensionable	2	2	0
Directorate of Planning, Policy, Research, Risk and Quality Assurance					
CAK 2	Director Planning, Policy, Research, Risk and Quality Assurance	Contract	1	1	0
Planning, Policy and Research Department					
CAK 3	Manager, Planning, Policy & Research	Contract	1	1	0
CAK 4	Principal Analyst- Planning, Policy and Research	Permanent and Pensionable	1	1	0
CAK 5	Senior Analyst- Planning, Policy and Research	Permanent and Pensionable	2	3	0

Approved Salary Grades	Approved Establishment	Terms of Service (PnP and Contract)	Establishment	In post	Variance
CAK 5	Knowledge Management Officer	Permanent and Pensionable	1	1	0
CAK 6	Analyst- Planning, Policy and Research	Permanent and Pensionable	3	1	2
CAK 7	Senior Records Management Assistant	Permanent and Pensionable	1	1	0
CAK 8	Record Management Assistant	Permanent and Pensionable	1	1	0
Risk and Quality Assurance Department					
CAK 3	Manager Risk and Quality Assurance	Contract	1	0	1
CAK 4	Principal Risk and Quality Assurance Officer	Permanent and Pensionable	1	1	0
CAK 5	Senior Risk and Quality Assurance Officer	Permanent and Pensionable	2	0	2
Directorate of Corporate Services					
CAK 2	Director- Corporate Services	Contract	1	1	0
CAK 7	Administrative Assistant	Permanent and Pensionable	1	1	0
Human Resource and Administration Department					
CAK 3	Manager, Human Resource & Administration	Contract	1	1	0
CAK 4	Principal Human Resource and Administration Officer	Permanent and Pensionable	1	0	1
CAK 5	Senior Human Resource and Administration Officer	Permanent and Pensionable	1	1	0

Approved Salary Grades	Approved Establishment	Terms of Service (PnP and Contract)	Establishment	In post	Variance
CAK 6	Human Resource & Administration Officer	Permanent and Pensionable	1	1	0
CAK 7	Senior Driver	Permanent and Pensionable	1	1	0
CAK 8	Driver	Permanent and Pensionable	2	2	0
Finance Department					
CAK 3	Manager, Finance	Contract	1	1	0
CAK 4	Principal Accountant	Permanent and Pensionable	1	1	0
CAK 5	Senior Accountant	Permanent and Pensionable	1	1	0
CAK 6	Accountant	Permanent and Pensionable	1	1	0
ICT Department					
CAK 3	Manager ICT	Contract	1	1	0
CAK 4	Principal ICT Officer	Permanent and Pensionable	1	1	0
CAK 5	Senior ICT Officer	Permanent and Pensionable	2	2	0
CAK 6	ICT Officer	Permanent and Pensionable	2	2	0
			99	74	25

4.2.2 Human Capital Management and Development Strategies

The Authority shall endeavour to recruit the personnel in departments with variances upon availability of the resources. Further the identified skills gap in the areas of digital market and bid rigging, abuse of buyer power, and other emerging

areas shall be prioritized for capacity building. This will enhance efficiency and effectiveness in service delivery. In order to ensure the authority has a robust performance management tool, balanced scorecard has been proposed to improve target setting and appraisal process. The Authority shall ensure that staff are among others, enhancing

the medical scheme by enhancing the in-patient, Club membership/ Gym membership, reviving the post-retirement medical cover, reviving the Laptop Policy and advocating for a 13th salary.

4.3 Financial Resources

4.3.1 Resource Requirements

To achieve the Authority's strategic objectives, various key activities have been identified in the Strategic Plan period (2021/22 – 2024/25). The budget estimates for each objective and related activities are detailed in the implementation matrix.

The total amount projected for the period is about Ksh. 2,400 million financed mainly through forecasted exchequer revenues from the National Government and limited appropriation-in-Aid (A-I-A) from internal sources. The table below shows the estimated budget for each strategic objective.

Table 7: Budget Estimates

Strategic Goal	Strategic Objectives	Projected Amount (Millions Ksh.)				
		2021/22	2022/23	2023/24	2024/25	Total
Delivering Effective Enforcement	To enhance the merger analysis process in order to minimize the financial burden on businesses	11.5	10.5	12	6.5	40.5
	To enhance deterrence on unfair market conduct to safeguard access to markets and consumers	10	10.0	21.6	17.5	59.1
	Increase detection and take measures to address misleading and unfair practices that harm consumers	10.5	12.5	9.5	9.5	42.0
	To enhance deterrence on anti-competitive practices for sustained consumer welfare	15.0	21.0	30.0	23.3	89.3
	To entrench the Authority as a Centre for Competition and Consumer Protection Law	3.5	3.0	0.5	3.5	10.5

Strategic Goal	Strategic Objectives	Projected Amount (Millions Ksh.)				
		2021/22	2022/23	2023/24	2024/25	Total
Research and Advocacy	To advance knowledge of sectoral and emerging markets	28.00	15.00	15.00	20.00	78.0
	To Enhance Effective Advocacy	15.50	10.00	13.0	5.50	44.0
Visibility and Organizational Sustainability	To enhance optimal use of resources	1.2	1.2	3	1.6	7.0
	To enhance institutional risk management practices, business continuity and implementation of ISO standards (Quality Management System, Risk Management, Business Continuity Management and Information Security Management)	5.0	7.0	8	10	30.0
	To ensure optimal institutional efficiency and effectiveness	54.8	60.8	85.3	97.3	298.2
	To Leverage technology to enhance service delivery	18.5	39.5	30.5	37.5	126.0
	To improve efficiency and effectiveness in financial management	5.50	5.50	5.50	5.50	22.00
	To improve efficiency and effectiveness in financial management	20.0	19.0	19.3	17.2	75.5
Total		562.2	601.70	624.50	611.60	2,400.0

4.3.2 Resource Gaps

Table 8: Resource Gaps

FY	Requirement (Ksh. Mn)	Estimated allocations (Ksh. Mn)	Variance (Ksh. Mn)
2021/22	562.2	478.0	84.2
2022/23	601.7	527.0	74.7
2023/24	624.5	546.0	78.5
2024/25	611.6	546.0	65.6
Total	2,400.0	2,097	303.0

4.3.3 Resource Mobilization Strategies

In order to mobilize more resources, the Authority will employ strategies like increased engagement with the National Treasury for increased exchequer allocation and engaging development partners for funding. In order to improve the quality of services, customer satisfaction, and reduced cycle time on the process, the Authority seeks to adopt the following measures in the intervening period: -

- i. Use of open source software for analysis;
- ii. Build capacity on using forensic investigations;
- iii. Use of big data and Internet-of-Things for screening sectors;
- iv. Adopting emerging technologies for better analysis of big data; and
- v. Automation of Internal audit and risk functions.

4.5 Risk Analysis and Mitigation Strategies

The Authority appreciates risks that may impact the execution of this strategy. The Authority has in place a Risk Management Policy that is used to identify potential risks before they occur and have a plan for addressing them, working to eliminate or reduce any negative impacts they might cause.

Risk management looks at internal and external risks that could negatively impact an organization. The table below maps these risks against the strategic objectives and outlines the mitigation strategies that will minimize their impact on the successful implementation of this strategy.

Table 9: Risk Analysis

Risk Category	Risk and Description	Likelihood	Impact	Overall Risk level	Mitigation Measures	Risk Owner
Strategic	Non-achievement of strategic objectives Failure to create and sustain impact through various strategic initiatives	2	3	6	<ol style="list-style-type: none"> 1. Adequate staff with relevant experience 2. Strategic Plan implementation overseen by the board 3. Defined policies and procedures for all processes 4. Continuous engagement / involvement of staff to ensure end-user acceptance and ownership 5. Strategic objectives have been split among the various directorates and units 6. Prioritization of the work plan activities 7. Remote working modalities in place during disruptions 	<ul style="list-style-type: none"> • CAK Members • Board Director General • All Heads of Functional Areas
Financial	Inadequate Funding Limited funds due to reliance on the exchequer	3	4	12	<ol style="list-style-type: none"> 1. Enhanced internal and external funding 2. Charging of merger filing fees, fines and penalties as an alternative source of income 3. Engagement with the National Treasury for sustained and increased funding: Receive cash every quarter 	<ul style="list-style-type: none"> • Manager Finance • Manager Planning, Policy and Research • Manager Mergers & Acquisitions • M a n a g e r Enforcement and Compliance

Risk Category	Risk and Description	Likelihood	Impact	Overall Risk level	Mitigation Measures	Risk Owner
Business Continuity Risk	Disruption of processes Achieve operational sustainability of people, processes, systems and assets in the event of a disruption	3	3	9	<ol style="list-style-type: none"> 4. Sustained relationships with development partners on a continuous basis 5. Quarterly monitoring and reporting of the budget absorption by the finance department 6. Prioritization of the work plan activities in order to undertake the critical activities that have more impact 	<ul style="list-style-type: none"> • Manager ICT • B u s i n e s s C o n t i n u i t y C o o r d i n a t o r • Manager Human Resources and Administration
					<ol style="list-style-type: none"> 1. Identification of successors to fill in key positions of the authority has been done 2. Defined succession management policy in place 3. Organization structure was reviewed and approved 4. Implementation of the Business Continuity Plan and requirements of ISO 22301 standard 5. Regular systems audit and periodic review of critical service providers 6. Monitoring, testing and reporting of the DR site 	

Risk Category	Risk and Description	Likelihood	Impact	Overall Risk Level	Mitigation Measures	Risk Owner
Operational	<p>Failure of ICT infrastructure N e t w o r k susceptibility; Web and system attacks; Cyber attacks</p>	3	4	12	<ol style="list-style-type: none"> 7. Implementation of ISMS based on ISO 27001 Standard 8. Use of VPN for only ICT staff to access specific modules of the systems during remote working 9. Continuous blocking of harmful sites by the ICT department 10. Limitation on installation of software/applications to the Authority's systems only to authorized ICT staff 	<ul style="list-style-type: none"> • Manager ICT
					<ol style="list-style-type: none"> 1. Installation of anti-virus - Symantec and Kaspersky (1) 2. Carrying out staff sensitization on possible harmful sites and links 3. Procurement of genuine licensed software 4. Enhanced verification with service providers 5. Implementation of Business Continuity plan and disaster recovery plan 6. Installation of firewalls 	

Risk Category	Risk and Description	Likelihood	Impact	Overall Risk level	Mitigation Measures	Risk Owner
Reputational/ Stakeholder Management	<p>N e g a t i v e reputation and perception of the Authority by stakeholders</p> <p>Loss of confidence as well as dilution of brand value</p> <p>Data breaches</p>	3	3	9	<ol style="list-style-type: none"> 7. ICT monitoring access to sites by staff. Admin rights are restricted to ICT staff only 8. Continuous blocking of harmful sites and phisher emails 9. Limitation on installation of software/applications to the Authority's systems only to authorized ICT staff 	<ul style="list-style-type: none"> • Director General • Manager Legal & Corporation Secretary • M a n a g e r Communications and External Relations • Manager Internal Audit

Risk Category	Risk and Description	Likelihood	Impact	Overall Risk level	Mitigation Measures	Risk Owner
					<ol style="list-style-type: none"> 5. Close monitoring of media mentions by the communication and external relations team 6. Close monitoring of media mentions by the communication and external relations team 7. Review of processes within CAK through risk based QMS audits, internal audits, and external audits by the Office of the Auditor General. 8. A whistle blower policy is in place 9. Quarterly meetings and reports on corruption 10. Designated boxes for corruption reporting have been placed at accessible areas of the Authority 11. Implementation of recommendations from a review of processes from Management systems, internal and external audit assurance findings. 	

CHAPTER 5:

MONITORING, EVALUATION AND LEARNING

Overview

This section details the Authority’s monitoring and evaluation framework; performance assessment and reporting structure; critical success factors as well as the process of carrying out periodic reviews.

5.1. Monitoring

The routine monitoring and reporting on the progress of the SP will be done quarterly by the 15th day of the subsequent quarter. The Planning, Policy, and Research function will be responsible for monitoring the implementation of the Strategic Plan. To ensure that there is continuous monitoring and reporting, departments will be expected to prepare periodic reports on the activities and key performance indicators. The implementation of the Strategic Plan will be guided by the matrix below;

Monitoring and Evaluation

Roles and Responsibilities	
The Board	Oversee the implementation of the Strategic Plan
The Director General	<ul style="list-style-type: none"> • Provide leadership, foster commitment and support for all implementation efforts • Act as a focal point for the resolution of emerging issues relating to the implementation of the Strategic Plan • Approve strategic decisions. • Empower Directors and Heads of Departments to make critical strategic decisions

The Board	Oversee the implementation of the Strategic Plan
Directors	<ul style="list-style-type: none"> • Guide implementation efforts and ensure accountability of resources • Ensure efficient coordination of the various departments and teams • Tackle obstacles and resolve issues threatening the implementation of the strategy • Review the periodic implementation reports
Departmental Heads	<ul style="list-style-type: none"> • Responsible for implementation of the Plan • Provide status updates on implementation progress • Cascade the targets to team members and monitor progress
All Employees	<ul style="list-style-type: none"> • Execution of assigned tasks and activities towards implementation of the Plan

5.2. Evaluation

Implementation of the Strategic Plan implementation will be reviewed twice, mid-term and end term. The reports will be used to improve the subsequent periods' plans. The end-term review will be done by an external reviewer for objectivity.

5.3. Learning

The Authority will document best practices and disseminate such information to internal and external stakeholders. The purpose of learning is to capture and share knowledge generated during implementation; ensure that activities-related processes build on each; Identify gaps that may need further research; Facilitate evidence sharing that will enable activities to adapt and apply best practices; and Facilitate identification of failures as learning opportunities. The learning tools that the Authority will apply are; the website, SharePoint, the Institution repository/knowledge portal, emails, podcasts, plenary sessions, newsletters, opinion pieces and the staff rotation program.

1. Implementation matrix

Strategic Goal 1: Delivering Effective Enforcement

Strategic Objective	Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To enhance the merger analysis process to minimize the financial burden on businesses	Analysis of all mergers notified to the Authority	Merger determination	% completion	100	100	100	100	3.0	M&A
	Analysis of mergers identified to have been implemented without the approval of the Authority	M I W A s investigated	% completion	80	85	90	95	10.0	M&A
	Joint assessment of mergers with Regional Competition Agencies for notifications with local nexus	Merger assessment reports	% completion	100	100	100	100	2.0	M&A
	Providing advisory opinions	Advisory opinions	% of advisory opinions provided	85	90	95	100	0	M&A
	Providing advisory opinions	Advisory opinions	% of advisory opinions provided	85	90	95	100	0	M&A
	Revise the Merger Notification form to align to changing technology and emerging market trends	Revised Merger Notification form	Revised Merger Notification form	-	1	-	-	4.0	M&A
	Revise Merger Guidelines specifically on public interest considerations	Revised guidelines	Revised guidelines	-	-	1	-	4.0	M&A
	Sensitize stakeholders on merger notification and Guidelines	Stakeholders sensitized	No. attendees	1	1	2	2	4.0	M&A

Strategic Objective	Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To enhance deterrence on unfair market conduct to safeguard access to markets and consumers	Enhance the use of research, business intelligence, and data analysis tools in the economic analysis of mergers	Merger reports	No. of mergers analyzed using research, business intelligence, and Data Analysis Tools	1	2	1	1	12.0	M&A
	Undertake investigations into cases of Abuse of Buyer Power	Cases of abuse of buyer power concluded	No. of cases concluded	25	40	60	80	18	BP
	Undertake sensitization initiatives on abuse of buyer power in various sectors	Sectors sensitized	No. of sectors sensitized	3	3	3	3	25	BP
	Monitor sectors and undertakings experiencing or likely to experience incidences of abuse of buyer power	Sectors and undertakings monitored	No. of sectors and undertakings monitored	-	1	-	-	3.9	BP
	Conduct surveillance of MSMEs in the manufacturing sector for incidences or likely incidences of abuse of buyer power	Sectors monitored	No. of sectors monitored	-	-	1	-	4.5	BP

Strategic Objective	Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
Increase detection and take measures to address misleading and unfair practices that harm consumers	Undertake a review of Buyer Power Guidelines	Revised Buyer Power Guidelines	Reviewed Buyer Power Guidelines	-	-	1	1	2.2	BP
	Develop Fining and Settlement Guidelines for Abuse of Buyer Power	Published Fining and Settlement Guidelines	Published Fining and Settlement Guidelines	-	1	-	-	-	BP
	Monitor implementation of Published Codes of Practice	Monitoring reports	No. of monitoring reports	-	1	1	1	1.0	BP
	Investigate consumer issues and provide remedies	Investigation reports	% of cases finalized	70	65	70	75	1.0	CPD
	Monitor the marketplace and technological developments to identify and investigate emerging consumer issues with focus on the utility sector; pharmaceuticals; big data; technological advancements; digital financial services; E-Commerce; insurance; aviation; and children's products.	Sectors monitored	No. of sectors monitored	2	2	2	3	1.0	CPD
	Provide advisories to stakeholders on consumer-related matters	Advisories provided	No. of advisories provided	10	10	15	20	0	CPD

Strategic Objective	Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	Provide the public with knowledge and tools to prevent consumer harm from products and services	Reports	No. of public awareness activities	2	3	5	7	8.0	CPD
		Mobile Clinics	No. of mobile clinics held	1	2	3	4		
		County fairs	No. of county fairs, shows & exhibitions participated in	1	1	2	2		
	Provide businesses with knowledge and tools to comply with the provisions of the Act	Reports	No. of reports	5	5	7	9	2.0	CPD
	Engage county governments in creating an enabling environment for the creation of consumer bodies	Reports	No. of county governments engaged	5	5	3	4	7.0	CPD
	Provide consumer bodies with knowledge/tools to prevent consumer harm and create awareness	Reports	No. of forums	3	3	2	3	3.0	CPD
	Mainstreaming Consumer Protection Issues in Junior and Senior Secondary Schools Curriculum	Reports	No. of reports	2	1	4	4	20.0	CPD

Strategic Objective	Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To enhance deterrence on anti-competitive practices for sustained consumer welfare	To identify, undertake screenings and investigate identified sectors to establish suspected cartels or abuse of dominance conducts such as excessive pricing, price discrimination, predatory pricing and margin squeeze in the digital and traditional markets with a focus on housing and manufacturing sectors.	Concluded cases	No. of cases concluded	4	4	2	3	20.0	E&C
				8	16	20	22		
	To investigate and conclude complaints on suspected cartels or abuse of dominance conducts such as excessive pricing, price discrimination, predatory pricing and margin squeeze in the digital and traditional markets.	Concluded cases	No. of cases concluded	15	14			5.4	E&C
				Number of days taken					
	Evaluate exemption applications to ensure public benefit and pro-competitive gains	Exemptions granted or declined	% of exemptions concluded)						

Strategic Objective	Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	To increase awareness of the market players on the restrictive trade practices	forums	No. of forums	1	1	1	1	5.0	E&C
	Conduct screening and investigate suspected bidding schemes with a focus on road construction	Concluded cases	No. of cases concluded	2	2	2	2	8.4	E&C
	Conduct market compliance checks to ensure adherence to the Authority's decisions	Compliance reports	No. of compliance reports	12	14	16	17	7.4	E&C
	Sensitize stakeholders on competition guidelines in at least five regions	Sensitization forums	No of forums	-	-	1	1	7.1	E&C
To entrench the Authority as a Centre for Competition and Consumer Protection Law	Revise guidelines to effectively deal with emerging issues	Revised guidelines	No of revised guidelines	-	-	1	1	4.0	E&C
	Development and dissemination of the competition and consumer protection law digest	Competition and Consumer Protection Law Digest.	No. of Competition and Consumer Protection Law digests	0	0	1	0	5	Legal

Strategic Objective	Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	Compilation and dissemination of competition and consumer protection law publications	Competition and Consumer Protection Law publications	No. of publications	0	0	1	1	2	
	Collaborate with training institutions to promote competition and consumer protection law	Competition and Consumer Protection Law training	<ul style="list-style-type: none"> No. of Competition and Consumer Protection Law training No. of institutions 	1	1	1	1	3.5	

Strategic Goal 2: Research and Advocacy

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To advance knowledge of sectoral and emerging markets	Screening and Prioritization of markets, with special focus on Agriculture and ICT	Screening Reports	No. of reports	1	1	3	3	12.0	PPR
	Undertaking research in and implementation of findings in the prioritized markets – Agriculture, digital markets	Research reports	No. of reports	-	1	1	1	30.0	PPR
	Implementation of the recommendations from the Digital Credit Market Inquiry	Regulations	No. of regulations	1	-	-	-	1.0	PPR
	Develop a research Policy	Research Policy	No. of Research Policies	0	1	0	0	0	PPR
	Implementation of the recommendations from the Pharmaceuticals Market Study	Policy Paper	No. of Policy Papers	0	0	1	0	2.0	PPR
	Development and consolidation of a research database on traditional and emerging markets	Research database	Research database created	-	1	-	-	2.0	PPR
				• No. of sectors covered					

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target					Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25			
	Enhance efficient registry operations	Turnaround time	% of: Indexed records	100	100	100	100	4.0	PPR	
			Digitized records							
			Records archived							
	Enhance knowledge sharing in the Authority	Plenaries	No. of plenary sessions	6	6	8	10	12.0	PPR	
			Conference papers	0	0	3	3			
		Catalogues	No. of e-resources cataloged	3	3	0	0			
			Publications	-	-	3	4			
		Prioritization of sectors for impact assessment	Induction curriculum	No. of publications	-	-	3			1
				No. of sectors prioritized	1	1	1			1
		Conduct an impact assessment of the Authority's decisions	Reports	No. of impact assessment reports	1	1	0			2

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To Enhance Effective Advocacy	Develop new collaborations and Cooperation Frameworks to address effective competition in the digital space and education/ research institutions	Co-operation frameworks	No. of New Cooperation frameworks	1	1	1	1	2.0	PPR Legal
	Review the existing Cooperation Frameworks	Reports	Review report	2	2	2	2	2.0	PPR
	Stakeholder capacity building on Competition law and policy	Capacity building initiatives	No.ofcapacity-building initiatives	3	4	4	5	7.0	PPR
	Conduct County Sensitizations	County Sensitization Forums	No. of counties engaged	0	0	5	5	10	PPR
	Preparation of research-based Advisory opinions to Government agencies	Advisory opinions	No. Advisory opinions issued and adopted	2	2	2	2	0	PPR
	Preparation of position papers for international forums on emerging issues	Position papers	No. of Position papers submitted	3	3	3	3	0	PPR
	Advocacy to professional associations to deepen competition in the professional services sector	Reports	No. of Association engaged	0	0	1	2	3.0	PPR & Legal

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	Hold competition/consumer conference (s) under the competition/consumer protection network (s)	Conferences	No. of conferences	1	-	2	-	20.0	PPR C&ER CPD

Strategic Goal 3: Visibility and Organizational Sustainability

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To Enhance Operational Resource Utilization	Monitoring and Evaluation of the Authority's performance	Monitoring and evaluation reports	<ul style="list-style-type: none"> No. of monitoring reports No. of Evaluation reports 	11	11	11	11	7.0	PPR
To enhance institutional management practices, business continuity, and implementation of standards	Implement ISO 22301:2019 Business Continuity Management Standard	Documented business continuity plans Critical processes identified Disaster Recovery Site	<ul style="list-style-type: none"> No. of Audits conducted 	0	6	6	6	16	RQA, ICT, HRA

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To ensure optimal Institutional efficiency and effectiveness	<p>Re-certification to ISO 9001:2015 Quality Management Standard, implementation and monitoring of the requirements of the standard</p> <p>Pursue certification on ISO/IEC 27001:2022 standards to ensure Confidentiality, Integrity and Availability</p>	<p>ISO Certificate</p>	<ul style="list-style-type: none"> No. of audits No. of Management reviews 	2	2	2	2	2	RQA
	<ul style="list-style-type: none"> Implementation of the Career Progression Guidelines Building leadership capacity in the Authority Corporate Succession Management 	<p>CIA</p> <ul style="list-style-type: none"> Improved staff retention Enhanced leadership skills Uninterrupted service delivery 	<ul style="list-style-type: none"> % implementation of ISMS standards % staff retention levels No. of vacancies filled internally No. of staff enrolled in the leadership program Developed Corporate Succession Plan 	80	85	90	10	12	DCS, ICT, MR

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	Implement recommendations of the Workload Analysis Survey	Workload implementation report	% No. of recommendations implemented	25	25	25	25	10	HRA
	Capacity building in the following areas among others; i. Big Data and Digital Economy ii. Artificial Intelligence iii. Platform marketing iv. Buyer Power v. Bid rigging vi. Climate change and sustainability	Trained staff	% of staff trained	-	-	20	20	190	HRA
	Conduct culture audit	Culture change	Culture report	-	-	-	1	4	HRA
	Build Leadership capacity in performance management	Improved performance management	No. of managers/supervisors trained	-	17	17	-	6	

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	Revise the performance management toolkit	Performance management toolkit	Revised Performance toolkit	-	-	-	1	12	HRA
	Enhance staff Club membership and extend the benefit to all staff	Staff members enrolled	No. of staff members enrolled for the Club membership	78	88	92	99	19,115	HRA
	Promote a conducive work environment	Satisfaction index	% of Employee, Work Environment Satisfaction Index	83	-	-	85	6	HRA
	Develop and implement the alternative work arrangement guidelines	Alternative work arrangement Guidelines	Guidelines developed and implemented	1	-	-	-	0.0	HRA
	Review of staff medical benefits	Medical benefits	Reviewed medical cover	-	-	1	-	12	HRA
	Annual Team building	Enhanced Team cohesion	No. of team building activities	1	1	1	1	13	HRA
	Establishment of a post-retirement medical scheme	Post-retirement medical scheme	Post-retirement medical scheme	-	-	1	-	0.0	HRA

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To Leverage technology to enhance service delivery	Review of the HR instruments (HR policies and procedure manual, career progression guidelines, and organization structure)	Reviewed instruments	HR instruments				1	6	HRA
	Upgrade of the Authority's Data Centre	Upgraded Data Center	% uptime of ICT infrastructure	100	100	100	100	25.0	DCS, ICT HODs
	Develop and implement ICT strategy 2021-2024	ICT Strategy	% implementation of ICT strategy	1	-	-	-	0.0	DCS, ICT HODs
	Upgrade the existing system (ERP & CMS) and related portals	Upgraded Systems	No. of upgraded systems	-	-	1	1	35.0	DCS, ICT HODs
	Automate the Risk and Internal Audit functions	Automated systems	No. of systems automated	-	-	-	2	20.0	DCS, ICT, IA, RQA, M&A, E&C, CPD, PPR, MSCM

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target					Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25			
To improve Efficiency and effectiveness in financial management	Procure data mining and data analytics tools	Data mining and data analytics tools	% of sector studies, merger analysis, and KM reports, produced using the tools	-	-	-	100	7.0		
	Enhanced use of technology in competition analysis	Forensic toolkits and analysis software	No. of forensic Laptops No. of forensic imagers Forensic analysis software Forensic Mobile Data Extractors Renewal of forensic licences	-	1	1	0	36.0	DCS, ICT, IA, RQA, M&A, E&C, CPD, PPR, MSCM	
	Perform information system audits	Audit and Penetration test reports	No. of Penetration testing and internal audit report	1	1	1	1	0	IA	
	Perfor mation system penetration testing	Penetration test reports	No. of Penetration testing reports	1	1	1	1	3.0	DCS, ICT	
	Outsourcing of non-core services	S e r v i c e s outsourced	% reduction in cost of operating outsourced service	25	30	35	40	13.5	SCM, HRA	

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target					Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25			
	Identification and disposal of unserviceable fixed assets	Disposal committee reports	% reduction in the fixed assets maintenance costs	1	1	1	1	0.00		
	Engage with development partners to increase the funding pool	Development partners identified	Total amount of resources mobilized from development partners	-	-	20	50	0.00	PPR Finance	
	Develop a Resource Mobilization Policy	RM Policy	No. of policies	0	0	1	0	4	PPR Finance	
	Engage with the National Government for increased funding	Approved budget	Resources mobilized through Exchequer support	306	660	376	381	4.00	Finance	
	Deploy resources cost-effectively in providing services that best meet the needs of our stakeholders/clients	Financial reports	% Implementation of planned activities as per the Strategic Plan	100	100	100	100	0.00	PPR	
	Considering competing demands and prioritizing activities in resource allocation	Budget absorption report	% absorption rate of the allocated financial resources	100	100	100	100	0.00	Finance	

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	Carry out routine audits and audits system to examine the cost-effectiveness of resources contributing to the delivery of planned programmes	Audit reports	No. of Audit reports	-	14	14	14	0.00	IA
	Facilitate statutory reporting and audit	Audit reports	Number of days taken to submit annual financial statements to the OAG	51	60	60	60	0.0	
	Compliance audit of the internal controls system	Audit report	No. of Audit reports	14	14	14	14	0.00	IA
	Collect, account and report projected A-I-A revenue	A-I-A realized	Amount of projected A-I-A Revenue realized	153	190	200	200	0.5	Finance

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
To enhance stakeholder engagement for improved corporate visibility	Production and dissemination of IEC materials in Swahili and English	<ul style="list-style-type: none"> IEC materials produced 	No. of IEC materials produced and disseminated	16,100	12,000	12,000	12,000	14	C&ER
		<ul style="list-style-type: none"> Audiovisuals 	No. of Audio/ Visual content in the database	5	5	5	5	1.5	HODs
		Social media impressions	% increase in impressions	15	20	30	50	10	C&ER
		Sensitization campaigns	No. of campaigns	3	0	1	2	30.0	MCER & HODs
		Sensitize Huduma Centers champions	<ul style="list-style-type: none"> Champions sensitized 	No. of Champions sensitized	0	0	1	1	5.0

Strategic Objective	Key Activities	Expected Output	Output Indicators	Annual Target				Budget (Ksh. Million)	Responsible
				21/22	22/23	23/24	24/25		
	U n d e r t a k e Corporate Social Responsibility (CSR) initiatives in the education, health and environment sectors	Corporate social responsibility conducted	No. of CSR activities conducted	2	2	2	2	4.0	MCER & HODs
	Capacity Building on Media Relations	T r a i n e d journalists and management	<ul style="list-style-type: none"> No. of journalists trained No. of management training sessions held 	1	1	0	1	3.0	MCER
	Conduct Customer Satisfaction Survey and implement recommendations	C u s t o m e r satisfaction report	C u s t o m e r Satisfaction/ Perception Index	0	0	0	0	5.0	
				0	75%	0	0	3.0	MCER

Outcome Performance Matrix

Key Result Areas	Outcome	KPI	Baseline		Mid-term period target	End-term period target
			Value	Year		
KRA 1						
KRA 2						



**COMPETITION
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