

The Egyptian Competition Law does not apply to the "abuse of superior bargaining position". The concept was not part of the draft that was presented to Parliament.

The issue is addressed under article (8) prohibiting person holding a dominant position from imposing as a condition, for the conclusion of a sale or purchase contract or agreement of a product, the acceptance of obligations or products unrelated by their very nature or by commercial custom to the original transaction or agreement.

The example that comes to mind in the Egyptian community for abuse of superior bargaining position is that some public and private schools require parents to pay a construction or renovation fees outside the approved government fee. Each school submits to the government a request for approval of fees. Not all schools receive the same and the government may decide to reduce the amount requested. The schools may not have a dominant position in geographic area, but has superior bargaining position for scarcity of schools in the area and the payment of the extra fees is imposed to accept child in school or keep him the following year.

We would appreciate receiving other countries experiences on this application to consider importance and relevance to the market.