



OFFICE OF THE UNDERSECRETARY  
06 NOV 2024  
Ministry of Trade  
Industry and Co-operatives



Common Market for Eastern  
and Southern Africa

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*please circulate*  
*to staff.*  
*WJH*  
*6/11/24*

### CALL FOR APPLICATIONS FOR THE POSITION OF DIRECTOR LEGAL SERVICES AND COMPLIANCE AT THE COMESA COMPETITION COMMISSION

The COMESA Competition Commission ("the Commission") is a regional body corporate established under Article 6 of the COMESA Competition Regulations ("the Regulations") promulgated under Article 55 of the Treaty establishing the Common Market for Eastern and Southern Africa (COMESA)<sup>1</sup>. The Commission is responsible for promoting competition and enhancing the welfare of consumers in the Common Market. The main functions of the Commission are to monitor markets and investigate anti-competitive business practices, control mergers and other forms of acquisitions in the Common Market and mediate disputes between the Member States concerning anti-competitive conduct. The Commission is located in Lilongwe, Malawi. More information can be obtained from the Commission's website <http://www.comesacompetition.org/>.

The Commission is looking to recruit a Director, Legal Services and Compliance (P4). Suitably qualified nationals of the COMESA Member States are invited to apply to fill this position which is tenable at the Commission's offices in Lilongwe, Malawi.

- JOB TITLE:** Director, Legal Services and Compliance
- REPORTS TO:** Chief Executive Officer
- GRADE:** Professional Level 4 (P4).
- SALARY SCALE:** **COM\$58,731– COM\$ 70,654 per annum**
- DIVISION:** Legal Services and Compliance
- TENURE:** A fixed term of Four (4) years. Extension of contract is subject to availability of funds, performance of the contract holder and approval of successive annual Work Plans by the COMESA Competition Commission.
- NUMBER OF POSTS:** One (1)
- DUTY STATION:** Lilongwe
- TYPE OF CONTRACT:** Commission's fixed term employee under the professional staff category.

<sup>1</sup> COMESA is composed of 21 Member States namely: Burundi, Comoros, Djibouti, Democratic Republic of Congo, Egypt, Eritrea, Eswatini, Ethiopia, Kenya, Libya, Malawi, Madagascar, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tunisia, Uganda, Zambia and Zimbabwe.

OFFICE OF THE PERMANENT  
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MINISTRY OF TRADE  
INDUSTRY & CO-OPERATIVES

## 1. RESPONSIBILITIES

Under the direct supervision of the Chief Executive Officer of the Commission and the general direction of the Board of Commissioners, the Director, Legal Services and Compliance is the legal Counsel for the Commission. The office holder is responsible for giving advice and attending to all legal matters of the Commission including the compliance practices with all the relevant legislation such as the COMESA Competition Regulations and Rules, the COMESA Treaty, relevant domestic legislations of Member States and performing the following specific tasks:

- (a) Engage Member States in ensuring that the COMESA Competition Regulations are given force of law in their territories;
- (b) Draft MOUs between the Commission and National Competition and Consumer Authorities or relevant Government Ministries in the Member States;
- (c) In charge of enforcement actions for all breaches of the COMESA Competition Regulations and Rules with due professional care and skill;
- (d) Ensure that the decisions of the Commission are fully complied with by the Member States;
- (e) Ensure that the rights and defences of parties are respected in proceedings under the Regulations;
- (f) Ensure that decisions of the Commission take due account of the relevant facts;
- (g) Negotiate and assist in drafting undertakings/commitments and ensure the accuracy of undertakings/commitments given by enterprises to the Commission;
- (h) Develop and implement relevant guidelines/procedures/ manuals pertaining to investigation procedures and ethics, search of premises, confidentiality issues, exemptions etc under the Regulations and Rules and train all relevant staff in their enforcement;
- (i) Carry out review of concentration of economic power in the Common Market with regard to possible infringements of the Regulations and Rules;
- (j) Assess/review all exemptions possible under the Regulations pertaining to professional bodies and other economic actors in the Common Market and develop guidelines thereto;
- (k) Ensure compliance by enterprises to the letter and spirit of the law and provide guidance to business on matters of compliance under the Regulations and educate, train and assist firms or other persons to draft competition compliance programs;
- (l) Keep an update on all key developments or best practices at regional and international levels in competition and consumer protection law and recommend appropriate policy and legal review;
- (m) Drafting of legal documents and general notices for publication in the COMESA Gazette;
- (n) Preparation of departmental budgets, programs and a prioritization system/or process in implementation and submit performance reports to the Chief Executive Officer; and
- (o) Undertake other tasks consistent with this job description as may be requested or delegated by the Chief Executive Officer.

## **2. REQUIREMENTS FOR THE POST**

### **2.1. Academic Qualifications**

- (a) Must be a holder of a bachelors degree in law from a reputable and recognized university.
- (b) Master's degree in law from a recognized university, with a strong bias towards international, commercial, contract, competition or consumer law.
- (c) Admitted to practice law in any of the COMESA Member States.

### **2.2. Experience**

- (a) A minimum of ten (10) years relevant experience in law practice, including litigation, legal analysis, research and report writing.
- (b) Working experience at management level is required for this post.
- (c) Working experience in an intergovernmental body will be an added advantage.
- (d) Working experience with a competition or consumer authority will be an added advantage.

## **3. COMPETENCIES AND SKILLS**

- (a) Excellent oral and written communication skills and ability to influence multi stakeholder processes.
- (b) Excellent technical competence in handling legal/policy issues.
- (c) Ability to perform multiple tasks and work under pressure with a wide range of individuals and institutions.
- (d) Maintain confidentiality at the highest level at all times.
- (e) Creative thinking and problem-solving skills.
- (f) Excellent Computer Skills.
- (g) Demonstrable relationship management skills, including proven listening skills and sound business judgment.
- (h) Ability to empower and inspire others to translate vision into results; identifies proactively strategic issues, opportunities and risks; establishes and maintains relationships with a broad range of people to understand needs and gain support for organizational direction; anticipates and resolves conflicts by pursuing mutually agreeable solutions; drives for change and improvement; does not accept the status quo; shows the courage to take unpopular stands.
- (i) Ability to provide leadership and resolve conflicts professionally.
- (j) Takes responsibility for incorporating gender perspectives and ensuring the equal participation of women and men in all areas of work; demonstrates knowledge of strategies and commitment to the goal of gender balance in staffing.
- (k) Knowledge and understanding of the purpose and objectives of the COMESA Treaty and the COMESA Competition Regulations and Rules.
- (l) Knowledge of the operations of the COMESA Competition Commission and the COMESA regional integration agenda is highly recommended.

#### **4. WORKING LANGUAGE REQUIREMENT**

Must be fluent in English and/or French and/or Arabic (speaking and writing). A combination of any two or all of these languages will be an added advantage.

#### **5. ELIGIBILITY FOR APPLICATION**

Applicants must be citizens of a COMESA Member State and must not be more than 55 years of age at the time of submitting the application.

#### **6. SUBMISSION OF APPLICATIONS**

Applications **MUST** be submitted through the Coordinating Ministries of the respective Member States on the prescribed COMESA APPLICATION FORM which can be accessed at the following COMESA website: [COMESA Job Application Form English](#).

Applications submitted directly to the Commission will not be considered and only short-listed candidates will be contacted. Only applicants who are staff members of the COMESA Competition Commission can submit their applications directly to the Commission. Further, applications not submitted on the COMESA Application forms shall not be considered.

Applications must be submitted to COMESA Coordinating Ministries of the respective Member States. The Coordinating Ministries for each Member States can be accessed on the following link of the Commission's Website: [COMESA Coordinating Ministries](#)

Applicants should submit their applications to the COMESA Coordinating Ministries of respective Member States either physically or electronically.

The applications **MUST** reach the Coordinating Ministries by **Thursday, 12 December 2024**. Accordingly, short-listing reports from the Coordinating Ministries attaching all the relevant documents of the successful candidates should reach the address below by **Thursday, 23 January 2025**. Submissions from the Coordinating Ministries to the COMESA Competition Commission can be made physically or via email or both. Submissions without short-listing reports from the Coordinating Ministries shall immediately upon receipt be disqualified.

The Chief Executive Officer  
COMESA Competition Commission  
Kangombe House, 5<sup>th</sup> Floor  
P. O. Box 30742  
Lilongwe 3, MALAWI  
Email: [compcom@comesacompetition.org](mailto:compcom@comesacompetition.org)  
[recruitment@comesacompetition.org](mailto:recruitment@comesacompetition.org)