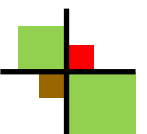




This issue of the Knowledge Hub features Ms. Stella Musau Kavata. Ms. Kavata served at the Authority for a period of 7 years. She started off as an investigation officer in the enforcement and compliance department and at the point of exit, she served as a senior analyst in the mergers and acquisition department. Ms. Kavata also served in the consumer protection department. She holds a Bachelors Degree in Economics & Statistics and a second Bachelors Degree in Law. She holds a Master of Arts in Economics and a Higher Diploma in Law. In this issue, Ms. Kavata shares on her work experiences, lessons learnt and knowledge acquired over the 7 years she served at the Authority.



Stella Musau Kavata

What makes Stella tick? What is your driving force?

I pride myself in being a person of service, I love to help and have enjoyed what I do at the Authority because I see it impacts people. For instance, in the Enforcement department, part of the key objective was to conduct investigations to ensure that markets are working well to the consumers benefit. In the Consumer Protection Department, a client would come with a complaint, and CAK would be their last resort for intervention. The same applies to mergers where clients would seek help from the Authority. What makes me tick is being able to help. I enjoy being helpful wherever I can be, including to colleagues. I have also served in different committees. I have served in the welfare association as a secretary and as a vice chair. I'm also currently serving in the staff retirement benefits scheme as a trustee, hence, service is a big thing, being able to help wherever I can.

Tell us about your journey in CAK, and what lessons you have gained along the way, over the last 7 years.

I picked up my first lesson when I joined the Authority from Mr. Hesbon, and that was that the government does not have ears, it only has eyes. One should ensure that you keep a proper record of the things you do, ensure the instruct

tions you get are in written form, and document everything. It is important to manage time and learn how to juggle different things, which would include your core business and support assignments to other departments or committees. On matters of professionalism, always have clear timelines for things and give substantive feedback. Acknowledging emails, and constantly updating stakeholders, service delivery, professionalism, and time management are the main things that I have learnt. From the various engagements, I realized I have a knack for teaching and disseminating information, and I have been allowed to participate in various stakeholder forums where I made presentations and talked to people, I also realized that I'm very good at report writing, which is a skill I have perfected over time.

What were your assignments on a normal working day?

My assignments in the Mergers department were aligned to the core department activities which is analyzing merger applications, be they exclusion applications of full mergers or COMESA transactions, engaging with stakeholders to follow up for information for merger analysis and updates on transaction progresses. Working on requests for advisory opinions, interacting with stakeholders to disseminate information, sensitization, reviewing guidelines, and other team work discussions.

Which Knowledge gaps did you identify/ encounter during your work processes in each of the stations you have been attached to?

This is specific to mergers, where there is inadequate capacity in defining relevant markets it equally applies to the Enforcement department. There is also a gap in getting relevant market product information. The Authority should focus on having continuous capacity building for officers and getting market specific data, this data may be collected but it is not properly collated or processed within the Authority. There are times where you will find that because of the way mergers are crafted, a lot of information is received. The Consumer Protection Department also gets a lot of information from their stakeholders. However, there is minimal information sharing across departments.

There is need for information to be shared across departments so that its used to aide the delivery of the Authority's mandate. Confidentiality issues may arise but Section 20 of the Act guides on confidentiality, thus allows information to be shared across the Authority. There is need for deeper conversations within the Authority, at the end of the day, it is about the Authority and not the department.



There should be access to data, where reports are paid for to facilitate market data access.

An example is getting data from Euromonitor and capacity building on economic models on how to come up with market definition. Data analytics and how to mine data.

Which information/knowledge resources did you find most relevant during your work processes?

The main resource I used was the Competition Act and the Rules. In the mergers department, the Consolidated Guidelines in assessment of mergers was very useful. I also referenced OECD and ICN information resources. I equally reviewed cases done in the UK, DG—Comp and COMESA. The department manager, Mr. Mutisya and team members also offered great platforms for discussions.

Give two recommendations on how departments within the Authority can maintain or improve working engagements to reduce 'silos'.

There is need to share information, a while back departments would share information for example, enforcement would get information from the consumer department on who are the players in the market and how they are structured. This used to take place but I haven't observed the same as much in the recent past. In joint ventures, they can trigger enforcement and compliance or can trigger the merger regime under mergers, a party

may apply to the mergers team since they may be more aware of the merger element then the mergers team may review and determine it doesn't apply to mergers then they may just give an advisory opinion sometimes it could not be a merger issue but an enforcement issue or restrictive clauses, they tell them it's okay but that JV could have. Departments should constantly talk specially to identify areas where there could be conjunctions where one case could tie on another. Managers can discuss amongst themselves about the cases received to help identify cases which may be forwarded to other departments to avoid instances where a clearance can be given by one department only for the another to give a contrary opinion when the matter is raised again to a different department.

The staff rotations that used to happen were good. An officer knowing another department's operation helps. There is a need for constant information sharing so that all staff know what every other department is working on.

Stella, you held various leadership roles in the Authority during your tour of duty. What are some of the lessons you have gained?

I held positions in the Trustee pension scheme and staff welfare. When dealing with people's money, also share information and be prudent, on how you utilize resources, which decisions to take or not or to refer to the members. One should make decisions knowing that it is going to affect other people

What processes would you propose need to be documented so that others have background, status, awareness?

I haven't identified any, and by being ISO certified, ISMS, BCMs, there is adequate documentation. There is an induction pack for YPs and Interns that is well structured. Tutorials for stakeholders on how to do a merger filing on the portal, QMS procedures are equally available hence I believe all processes are properly documented.

The Authority offered you quite a number of capacity building opportunities to facilitate the delivery of your tasks. Have you documented these lessons? Where can we find them, to support the members who will take up after you?

I got the opportunity to train from several institutions, those that stand out include training at the European University Institute in Italy where I was trained in competition regulation in the digital era and how to regulate competition and define markets within the digital era. I also got to learn about new developments in AI in competition and how to enforce those markets.

I was also trained in basic Intelligence from the National Intelligence Service where the focus was on covert investigations and how to interview people. I use those skills when talking to stakeholders to gather information, in enforcement when carrying out investigations. I propose that all departments should be trained on this.



The COMESA case handlers workshop is equally a good training where participants share experiences from different jurisdictions. Data analytics in merger assessment is a training area that I would recommend. These trainings have been documented in back-to-office reports which have been submitted to the Authority.

The Authority has recruited several young officers (YPs & Interns). What advice would you offer them to excel as you have, not only in their careers, but also in other leadership roles?

Service, ensure that you add value at every station you are assigned. Strive to produce the best work from every assignment given, ask questions, be willing to learn and in any assignment work towards providing a solution and giving excellence.

What two major achievements would you like to talk about as you exit CAK?

I'm happy about the informant reward scheme guidelines, I was majorly involved in the process and I pride in participating in the inauguration of the guidelines. I equally took part in revising fining and settlement guidelines to the competition administrative remedy guidelines into consolidative administrative guidelines.

I also had the opportunity to deal with big matters such as the Kenya National shipping line with COMESA, Access bank and National bank, Spire bank and National bank, and also the revision of the public interest guidelines.

Additional Comments

I extend gratitude to the CAK fraternity, it has been a good period of my career where I have learnt a lot. I have enjoyed the projects, and working with my colleagues. It has been a catapult for my career, so I'm really grateful for support, training and opportunity to work with each member. The fraternity is friendly and warm where people are always willing to help which is commendable. I wish CAK the best and I'm very grateful for the opportunity and I look forward to collaborating in the future.

THE END

