

Competition authorities confirm consent agreement on school uniform procurement

The Competition Tribunal has confirmed as an order, a consent agreement with a Gauteng-based school uniform supplier McCullagh and Bothwell (Hyde Park), effectively terminating all exclusive supply agreements on the procurement of school uniforms. The consent order is a culmination of the Competition Commission's advocacy work and years of investigations following complaints received from parents who were forced to buy school uniforms from exclusive selected suppliers. The order will guarantee parents and learners choice and an opportunity to shop around for competitive prices for school uniforms and other learning materials.



Image source: Getty Images

In terms of the consent agreement, McCullagh and Bothwell has undertaken the following:

- Not to enter into any evergreen supply agreement with any school;
- To amend all its existing supply agreements with schools to remove any exclusivity or clause recognising McCullagh and Bothwell as a “sole stockist” of uniform for a particular school;
- To ensure that all supply agreements have a termination date not exceeding five years; and
- To provide the Commission with a list of schools that have not effected the changes by May 2022.

The Commission will be monitoring compliance by McCullagh & Bothwell. The Commission will also, through its partnership with the School Governing Body Associations, monitor general compliance by all schools in the country to ensure that they adhere to the Guidelines on School Uniform and comply with the principles that promote pro-competitive sourcing of school uniform.

The Commission will also continue to create awareness around anti-competitive practices in the procurement of school

uniform and other learning-related material. The Commission has produced an educational pamphlet for schools, parents and school governing bodies on the importance of competition in the procurement of school uniforms and other learning-related material. The educational pamphlet also provides a guide on the role that schools, parents and school governing bodies can play to help lower the price of school uniform and other learning-related material. The pamphlet, which is available in English, Afrikaans, Sesotho and IsiZulu can be found on the Commission's [website here](#).

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