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Master Thesis Defense

Entitled

UNFAIR COMPETITION AND MONOPOLY IN THE UAE PENAL CODE

By

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Abstract

This study dealt with unfair competition and monopoly in the UAE penal code. The study was divided into an introduction and three sections, as the first section dealt with the nature of competition and monopoly and their types, the second section dealt with the elements of the crime of unfair competition, and the third section dealt with the penalties prescribed for the crimes of competition law and monopoly prevention. The study concluded with the most important findings and recommendations. One of the most important results is that it was noted that the UAE legislator did not regulate some fundamental issues related to competition in its law, such as not prohibiting the exploitation of the state of economic dependence in ways that negatively affect competition, where the regulating such behaviors can contribute to the protection of competition and achieve efficient law enforcement. Moreover, the law does not prohibit destructive prices that are determined by individuals without prior agreement between them. However, the Federal Act has established some safeguards for the protection and implementation of competition legislation, and the Competition Regulatory Commission has been established and given a set of tasks related to the regulation of competition. Also, the UAE legislator has set a firm punitive policy at its time of issuance for those who violate the provisions of the law, as the law is equipped with sanctions that are deterrent without hindering the conduct of economic activity and development. In addition, the law allows for reconciliation under specific conditions and avoids the imposition of restrictive penalties on freedom, in order not to provoke investors' fear of coming to the country. The study concluded with the most important recommendations, as the study recommended legal action to address some issues that are not stipulated in the federal law despite their importance such as destructive prices and this should be done by adding a legal provision explicitly prohibiting this act. Also, a federal prosecution specialized in economic crimes, including the crime of unfair competition and monopoly, should also be established because of its importance and impact on the national economy, In addition, the need to increase penalties in the event of a recidivism crime of monopoly by making it imprisonment instead of a fine.

Keywords: Unfair competition- Monopoly- Restricted Agreements- Exploiting the dominant position- Economic concentration.