Morocco's New Price and Competition Observatory To Monitor, Not Regulate

Client briefing | Antitrust & Merger Control
Morocco | Morocco's New Price and Competition Observatory
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The Moroccan Ministry of Economy and Finance has established a new Observatory for Prices and Competition within its Directorate of Competition, Prices, and Compensation. This move is part of a broader reorganization aimed to improve monitoring of prices, competition, and domestic market supply.

The Observatory strengthens the Ministry's ability to collect and analyze economic data and monitor price fluctuations. It does not create a new competition authority or alter the powers of the Moroccan Competition Council (MCC).

New organizational structure

The Directorate of Competition, Prices and Compensation is now split into four main divisions:

- The Observatory for Prices and Competition
- The Price Regulation and Compensation Division
- The Competition Regulation Division
- The Domestic Market and Strategic Reserves Division

The Price Regulation and Compensation Division handles regulated prices, professional tariffs, price approvals, and subsidized prices. The Competition Regulation Division monitors compliance with competition rules and economic concentrations. It also handles competition-related monitoring and relations with regulatory authorities. The Domestic Market and Strategic Reserves Division monitors domestic market supply and coordinates strategic reserves. The new structure brings price monitoring, competition monitoring and domestic market supply under one Directorate with clearly defined responsibilities.

Role of the Observatory

The Observatory has two services: a Statistics and Data Service and a Price Assessment and Monitoring Service. It collects and analyzes economic information and tracks price developments. This gives the Ministry a more systematic basis for assessing changes in prices and market conditions.

Although its name refers to both prices and competition, the Observatory is not authorized to investigate anti-competitive practices or review economic concentrations. The ministerial order assigns these functions to the Competition Regulation Division. The Observatory is rather a market monitoring and economic analysis body, and not an additional a competition enforcement authority.

Relationship with the Moroccan Competition Council

The reform does not change the MCC's powers. The MCC remains Morocco's sole competition authority and continues to enforce the Moroccan Competition Law independently. The Moroccan merger control regime also remains unchanged. Transactions that meet the applicable notification thresholds remain subject to MCC review. The Ministry and the MCC have distinct roles. The Ministry monitors market and competition developments through its administrative structure. The MCC exercises the decision-making and enforcement powers provided under Moroccan Competition Law.

The ministerial order does not specify how the Observatory will cooperate with the MCC or whether they will share information. How the two bodies interact will have to be developed in practice.

Practical impact

The reform's immediate effect is organizational. The ministerial order reallocates and structures functions within the Ministry. It does not introduce new substantive competition rules or add compliance obligations for businesses. Its practical importance may develop over time. By centralizing statistics, data collection and price assessment within a dedicated Observatory, the Ministry will have a more structured basis for identifying price and market developments. This matters most in sectors where prices are regulated or subsidized, or where the government closely monitors product availability and strategic reserves. Businesses in markets experiencing significant price movements or supply constraints may also face closer administrative scrutiny.

The new structure may also allow the Ministry to consider price developments alongside market supply and competition data, since the Directorate now has dedicated units for each. However, the ministerial order does not specify whether, or how the Observatory can transfer information to the Competition Regulation Division or the MCC for competition law purposes. It remains to be seen how the different functions within the Directorate will interact and whether the Observatory's analysis will feed into competition monitoring, sector inquiries or other regulatory action.

Key takeway

The Observatory does not introduce new substantive competition rules, merger control thresholds, or notification requirements in Morocco. It mainly strengthens the Ministry of Economy and Finance’s ability to collect and analyze market data and track price developments. The Observatory’s role remains distinct from the MCC’s. While the Observatory will focus on statistics, data and price monitoring, the MCC handles competition enforcement and merger control under Moroccan Competition Law. In practice, businesses should expect closer monitoring of pricing trends and market conditions, particularly in sectors subject to regulated prices, subsidies, supply constraints or significant price fluctuations. It will be important to monitor how the Observatory operates in practice and whether its findings inform future competition or regulatory action.

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