



Why the Egyptian Competition Authority Rejected a Settlement Request After Conviction

Client briefing | ECA Rejection of Settlement Request After Conviction
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The Egyptian Competition Authority (ECA) recently issued a decision that reflects its increasingly assertive enforcement approach. On 26 September 2026, the ECA's Board of Directors rejected a settlement request from a food-sector company convicted and fined by the Economic Court for failing to respond to the ECA's requests for information (RFIs) within the set deadlines. The decision confirms that the ECA now treats procedural non-cooperation as an enforcement priority in its own right, and that a conviction for such failure does not automatically lead to a settlement.

The case came against the backdrop of the ECA's stated enforcement priorities, which single out food commodities among the sectors warranting closer scrutiny given their reach across a broad segment of the population. During the examination, the ECA sent the company RFIs more than once. The company failed to provide the requested data within the required period, violating the Competition Law's requirement that any individual must provide the ECA with the data, paper, or document necessary to perform its functions within the period specified by the ECA. The ECA then filed criminal proceedings against the company. The Economic Affairs and Anti-Money Laundering Prosecution Office of the Public Prosecutor's Office conducted the investigation and recommended bringing the case to court. The Economic Court found the company guilty and imposed a fine. After the conviction, the company sought settlement. However, the Board of Directors refused the application because the company had been repeatedly asked for the missing data.

The ECA treats a refusal to provide data as a crime in itself, regardless of whether it finds evidence of anticompetitive activity. It justifies this approach on the basis that a failure to cooperate prevents it from identifying

anticompetitive activities as quickly as possible and from creating deterrence, among other things. Failure to provide the required data can be punished with fines ranging from EGP 20,000 to EGP 500,000.

Settlements under the competition law are voluntary for companies and require the ECA Board's approval. The applicable fine depends on when the settlement is agreed. If a settlement takes place before criminal charges are filed, the maximum settlement amount is the minimum stipulated fine. If it takes place after charges are filed but before judgment, the fine becomes at least three times the minimum stipulated fine but does not exceed half of the maximum.

This decision matters because the ECA regarded the company's non-compliance as an independent ground for refusing a settlement. According to the ECA, the company was asked for the information and did not provide it. The Board used this as grounds to deny the request, even though the company applied for settlement after the Economic Court ruling. Thus, an RFI response failure is more than a procedural misstep that can be remedied later by requesting a settlement. This case shows that such a mistake can cost a company the opportunity to settle if it is not addressed properly.

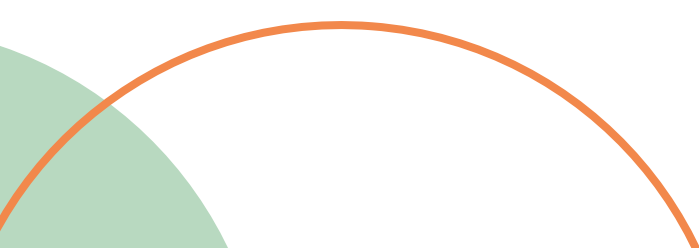
The ECA affirmed that it will not hesitate to turn to the court to stop any attempt to hinder its enforcement of the Competition Law or its handling of monopolistic activities that negatively impact the citizens, markets, and national economy.

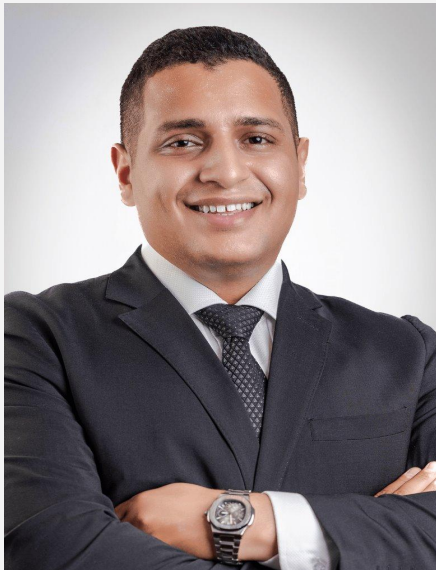
Key takeaway

This decision shows the ECA enforcing the procedural side of the Competition Law as rigorously as the substantive side. It confirms that criminal sanctions remain the consequence for RFI non-compliance under the current regime, and that a settlement application after conviction cannot be assumed to succeed. Companies that receive an RFI from the ECA should treat the

deadline as a binding legal obligation. They should respond fully and on time, and seek an extension before the deadline expires if they genuinely need more time.

That said, the information available comes from the ECA itself. Several details have yet to be disclosed: the identity of the company, the court ruling, the amount of the fine, the dates the RFIs were issued, whether the company had a chance to respond to the Board before the settlement offer was rejected, and whether the court decision was final when the offer was submitted. Other companies in the same situation should not take anything for granted. International firms doing business in Egypt should therefore consider any communication with the ECA, starting with an RFI, as something that requires immediate legal attention.

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