

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE**

The intersection between competition and data privacy – Note by Kazakhstan

13 June 2024

This document reproduces a written contribution from Kazakhstan submitted for Item 8 of the 143rd OECD Competition Committee meeting on 12-14 June 2024.

More documents related to this discussion can be found at
www.oecd.org/competition/intersection-between-competition-and-data-privacy.htm

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1. Introduction

1. The digital economy brings many new opportunities, but it also brings challenges, especially in the areas of competition and data privacy.
2. Companies often collect large amounts of information about users to improve their services, raising concerns about the protection of personal data.
3. Data privacy breaches can undermine consumer confidence and create obstacles to fair competition, especially if they lead to information leaks or misuse of customer data. Therefore, a balanced regulation that not only supports competition but also protects data privacy is needed.

2. Initiatives of the Antimonopoly Agency to strengthen regulation in the Republic of Kazakhstan

4. Taking into account international experience, the Agency has proposed a number of measures to strengthen regulation in the field of digital markets in order to protect consumer rights, as well as to amend and supplement sectoral legislation:
 1. Consumer protection of digital platform services
5. Development of a model public contract: it is proposed to create a standardised contract that will regulate the relationship between digital platforms and their users. This would make the terms and conditions of service provision more transparent and understandable, helping to protect consumer rights.
 2. Mandatory registration of platform operators
6. Registration in Kazakhstan: Every digital platform operating in Kazakhstan must register a legal entity or have an official representative in the country. This will ensure effective interaction between platforms, government authorities and consumers, helping to better protect the interests of the latter.
 3. Restrictions on the use of data
7. Prohibition of using data for anti-competitive purposes: companies should not use personal data to improve their algorithms if this results in higher prices for goods and services. This will prevent unfair competitive practices and protect consumers from unreasonable prices.
8. These measures will help create a fairer and safer digital economy in the country. They will also help to protect consumer rights and maintain fair competition in the market.
9. The Agency, by proposing these changes, aims to make the digital economy more transparent and secure for all participants.