

BEFORE THE COMPETITION TRIBUNAL OF SOUTH AFRICA

CT CASE NO: 134/CR/DEC07

**2nd To 14th Respondents
and
COMPETITION COMMISSION**

**Applicant
Respondent**

In the matter between:

COMPETITION COMMISSION

Applicant

and

SOUTH AFRICAN BREWERIES LIMITED

1st Respondent

AFRICA'S BEER WHOLESALERS (PTY) LTD

2nd Respondent

BOLAND BEER DISTRIBUTORS (PTY) LTD

3rd Respondent

ERMELO BEER WHOLESALERS (PTY) LTD

4th Respondent

GREYTOWN BEER DISTRIBUTORS (PTY) LTD

5th Respondent

MAKHADO BEER WHOLESALERS (PTY) LTD

6th Respondent

MIDLANDS BEER DISTRIBUTORS (PTY) LTD

7th Respondent

MKUZE BEER WHOLESALERS (PTY) LTD

8th Respondent

SOUTHERN CAPE BEER DISTRIBUTORS (PTY) LTD

9th Respondent

STEFQUO (PTY) LTD

10th Respondent

VRYHEID BEER DISTRIBUTORS (PTY) LTD

11th Respondent

MADADENI BEER WHOLESALERS (PTY) LTD

12th Respondent

WESTONARIA BEER DISTRIBUTORS (PTY) LTD

13th Respondent

THOHOYANDOU BEER DISTRIBUTORS (PTY) LTD

14th Respondent

Panel : Norman Manoim (Presiding Member), Yasmin Carrim (Tribunal Member), and Merle Holden (Tribunal Member)

Heard on : 4-5 April 2011

Decided on : 7 April 2011

Order: Dismissal Application

After having heard the parties in relation to the application by the second to fourteenth respondents the following is ordered:

1. The purported referral of the complaints against the second to fourteenth respondents on or about 20 December 2007 under sections 4(1)(b)(ii) and 5(1) of the Competition Act, 89 of 1998 (the "Act") is set aside on the grounds that the Tribunal has no jurisdiction.
2. There is no order as to costs.



Norman Manoim

Presiding Member

Concurring: Yasmin Carrim and Merle Holden