

IN THE COMPETITION TRIBUNAL OF SOUTH AFRICA

CT Case No: IM013May15

In the matter between:

IMERYS SOUTH AFRICA PROPRIETARY LIMITED
ANDALUSITE RESOURCES PROPRIETARY LIMITED
and

First Applicant
Second Applicant

DELTA REFRACTORIES PROPRIETARY LIMITED

First Respondent

HI-TECH REFRACTORY MANUFACTURERS
PROPRIETARY LIMITED

Second Respondent

INTOCAST SA PROPRIETARY LIMITED

Third Respondent

LTM MULONDO HOLDINGS PROPRIETARY LIMITED
MTSA PROPRIETARY LIMITED

Fourth Respondent

Fifth Respondent

REFRALINE PROPRIETARY LIMITED

Sixth Respondent

UNIQUE TRADING AND OUTSOURCING PROPRIETARY
LIMITED

Seventh Respondent

VESUVIUS SOUTH AFRICA PROPRIETARY LIMITED

Eighth Respondent

PFG BUILDING GLASS, A DIVISION OF PG GROUP
PROPRIETARY LIMITED

Ninth Respondent

DEPARTMENT OF MINERAL RESOURCES
COMPETITION COMMISSION OF SOUTH AFRICA

Tenth Respondent
Eleventh Respondent

In re the Intermediate Merger between

Imerys South Africa Proprietary Limited

Primary Acquiring Firm

and

Andalusite Resources Proprietary Limited

Primary Target Firm

Panel : Mondo Mazwai (Presiding Member)
Medi Mokuena (Tribunal Member)
Fiona Tregenna (Tribunal Member)

Heard on : 24 June 2015

Order issued on : 25 June 2015

ORDER: SECTION 45 APPLICATION

Having heard counsel for the Applicants, it is ordered that:

1. The Applicants are granted leave to bring this application as a matter of urgency and any non-compliance by the Applicants with the Rules of the Competition Tribunal as to forms, time periods and service is condoned;
2. The Eleventh Respondent is ordered to allow the Applicants' external legal representatives and experts access to all information submitted by the First Respondent to the Eleventh Respondent under claims of confidentiality in relation to the merger between the Applicants, subject to the Applicants furnishing reasonable undertakings to protect the confidentiality of such information.


Ms Mondo Mazwai

25 June 2015

DATE

Mrs Medi Mokuena and Prof. Fiona Tregenna concurring