



competitiontribunal
south africa

COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: CR209Feb17/EXC236Mar17

In the Exception application between:

TRIGON TRAVEL (PTY) LTD

Excipient (Second Respondent)

and

COMPETITION COMMISSION

In Re:

The Complaint referral between:

COMPETITION COMMISSION

Applicant

and

TOURVEST HOLDINGS (PTY) LTD

First Respondent

TRIGON TRAVEL (PTY) LTD

Second Respondent

Panel : Norman Manoim (Presiding Member)

Enver Daniels (Tribunal Member)

Anton Roskam (Tribunal Member)

Heard on : 12 June 2017

Order issued on : 12 June 2017

ORDER - SECOND RESPONDENT'S EXCEPTION APPLICATION

KINDLY TAKE NOTICE that after having heard the parties in the above matter the Competition Tribunal orders as follows:

1. The second respondent's exception to the Competition Commission's ("the Commission") complaint referral is upheld;
2. The Commission is hereby given an opportunity to supplement its complaint referral by filing a supplementary affidavit within 15 business days from date of this order, failing which the complaint referral, insofar as it relates to the second respondent, will be deemed to have been dismissed;
3. The supplementary affidavit must allege all the facts on which the Commission seeks to rely to draw the inference that the second respondent has engaged in an agreement or alternatively a concerted practice to contravene section 4(1)(b)(i) and/ or section 4(1)(b)(iii) of the Competition Act, 89 of 1998; and
4. There is no order as to costs.



Presiding Member
Mr Norman Manoim

12 June 2017

Date:

Concurring: Mr Enver Daniels and Mr Anton Roskam