

COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: IM238Jan19/CNF275Mar19

In the application for access to confidential information:

KLEIN KAROO INTERNATIONAL (PTY) LTD Applicant

MOSSTRICH (PTY) LTD Second Applicant

**CAPE KAROO (PTY) LTD
(PREVIOUSLY OSTRICH SKINS (PTY) LTD)** Third Applicant

and

EES MILLENERY (PTY) LTD First Respondent

CHARLES BIGGS N.O Second Respondent

THE COMPETITION COMMISSION OF SOUTH AFRICA Third Respondent

AND IN:

KLEIN KAROO INTERNATIONAL (PTY) LTD Applicant

MOSSTRICH (PTY) LTD Second Applicant

**CAPE KAROO (PTY) LTD
(PREVIOUSLY OSTRICH SKINS (PTY) LTD)** Third Respondent

And

LEWITTON INDUSTRIAL CORPORATION CC First Respondent

THE COMPETITION COMMISSION OF SOUTH AFRICA Second Respondent

Case No: IM238Jan19

In re the request for reconsideration of an intermediate merger:

KLEIN KAROO INTERNATIONAL (PTY) LTD Applicant

MOSSTRICH (PTY) LTD Second Applicant

**CAPE KAROO (PTY) LTD
(PREVIOUSLY OSTRICH SKINS (PTY) LTD)** Third Applicant

And

THE COMPETITION COMMISSION OF SOUTH AFRICA First Respondent

Panel	: Y Carrim (Presiding Member)
	: A Ndoni (Tribunal Member)
	: M Mokuena (Tribunal Member)
Heard on	: 24 April 2019
Order issued on	: 24 April 2019

ORDER

The Competition Tribunal hereby orders as follows:

1. The Competition Commission of South Africa ("Commission") is ordered to provide the Applicants' legal representatives and expert economic advisors with access to the full version of the confidential Merger Report under case number 2018Aug0024, within 5 days of this order.
2. The Commission is ordered to provide the Applicants' legal representatives and expert economic advisers with access to the submissions made by EES Millenery (Pty) Ltd and Lewitton Industrial Corporation CC to the Commission, within 5 days of this order.
3. The Commission does not wish to rely on the information provided by Charles Biggs *N.O* to the Commission during the proceedings of the intermediate merger reconsideration. The Applicants accordingly withdraw their application against Charles Biggs *N.O*.
4. There is no order as to costs.



Ms Yasmin Carrim

24 April 2019

Date

Ms Andiswa Ndoni and Mrs Medi Mokuena concurring.