

### **COMPETITION TRIBUNAL OF SOUTH AFRICA**

			Case No.: LM146Jan20
In the matter betv	veen:		
Thebe SPV (Pty)	Ltd		Primary Acquiring Firm
And			
Schoonbee Nation Building (Pty) Ltd			Primary Target Firm
Panel	:	E Daniels (Presiding M	ember)
	:	AW Wessels (Tribunal	Panel Member)
	:	Y Carrim (Tribunal Pan	el Member)
Heard on	:	04 March 2020	
Decided on	:	04 March 2020	
		ORDER	

Further to the recommendation of the Competition Commission in terms of section 14A(1)(b) of the Competition Act, 1998 ("the Act") the Competition Tribunal orders that-

- 1. the merger between the abovementioned parties be approved in terms of section 16(2)(a) of the Act; and
- 2. a Merger Clearance Certificate be issued in terms of Competition Tribunal Rule 35(5)(a).

**Presiding Member** Mr Enver Daniels

04 March 2020

**Date** 

Concurring: Mr Andreas W Wessels and Ms Yasmin Carrim



## Notice CT 10

#### **About this Notice**

This notice is issued in terms of section 16 of the Competition Act.

You may appeal against this decision to the Competition Appeal Court within 20 business days.

# Contacting the Tribunal

The Competition Tribunal Private Bag X24
Sunnyside
Pretoria 0132
Republic of South Africa
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## **Merger Clearance Certificate**

Date : 04 March 2020

To : Lawtons Africa Attorneys

Case Number: LM146Jan20

Thebe SPV (Pty) Ltd and Schoonbee Nation Building (Pty) Ltd

You applied to the Competition Commission on <u>19 December 2019</u> for merger approval in accordance with Chapter 3 of the Competition Act.

Your merger was referred to the Competition Tribunal in terms of section 14A of the Act, or was the subject of a Request for consideration by the Tribunal in terms of section 16(1) of the Act.

After reviewing all relevant information, and the recommendation or decision of the Competition Commission, the Competition Tribunal approves the merger in terms of section 16(2) of the Act, for the reasons set out in the Reasons for Decision.

This approval is subject to:

x no conditions.

the conditions listed on the attached sheet.

The Competition Tribunal has the authority in terms of section 16(3) of the Competition Act to revoke this approval if

- a) it was granted on the basis of incorrect information for which a party to the merger was responsible.
- b) the approval was obtained by deceit.
- c) a firm concerned has breached an obligation attached to this approval.

The Registrar, Competition Tribunal

