



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: LM196Mar23/INT136Nov23

In the intervention application of:

NATIONAL UNION OF METALWORKERS OF SOUTH AFRICA (NUMSA)

Applicant

And

VITOL EMERALD BIDCO (PTY) LTD

First Respondent

ENGEN LIMITED (PTY) LTD

Second Respondent

COMPETITION COMMISSION OF SOUTH AFRICA

Third Respondent

THE DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

Fourth Respondent

ASTRON ENERGY (PTY) LTD

Fifth Respondent

SASOL LIMITED

Sixth Respondent

CHEMICAL, ENERGY, PAPER PRINTING, WOOD AND ALLIED WORKERS UNION

Seventh Respondent

In re the large merger between:

VITOL EMERALD BIDCO (PTY) LTD

Primary Acquiring Firm

And

ENGEN LIMITED (PTY) LTD

Primary Target Firm

Panel: M Mazwai (Presiding Member)
AW Wessels (Tribunal Member)
L Mncube (Tribunal Member)

Heard on: 11 January 2024

Order Issued on: 15 January 2024

ORDER

Having read the papers of record and heard counsel for the parties, the Competition Tribunal ("Tribunal") orders as follows:

1. NUMSA is granted leave to intervene in the merger proceedings between the First and Second Respondents under case number LM196Mar23, to make oral and written submissions on the following two considerations:
 - 1.1. Employment; and
 - 1.2. Employment Equity Ownership.
2. The merging parties are ordered to pay the costs of NUMSA's application.



Presiding Member
Ms Mondo Mazwai

15 January 2024

Date

Concurring: Prof. Liberty Mncube and Mr Andreas Wessels