

competitiontribunal
south africa

fax form

to	Jean Meijer / Gomolemo Kekesi Bowman Gilfillan Inc	fax	011 669 9001
	Legal Services Competition Commission		44283
ref	53/AM/Jul11	date	22 August 2011
from	Abigail Mashigo	pages	3 (including this page)
re	Order		

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Attached please find the order for suspension in the above matter.

Regards

Abigail Mashigo

CC: Xolela Nokele - 44583

COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: 53/AM/JUL11

In the matter between:

Kansai Paint co. Ltd

Applicant

and

The Competition Commission of South Africa

First Respondent

Freeworld Coatings Limited

Second Respondent

Ernst & Young Advisory Services Limited

Third Respondent

Panel : N Manoim (Presiding Member), T Madima (Tribunal Member) and Y Carrim (Tribunal Member)

Heard on : 19 August 2011


Decided on : 19 August 2011

ORDER

After having heard the parties' submissions in relation to the Applicant's application for suspension of the divestiture condition imposed by the Competition Commission in its approval of the merger between Kansai Paint co. Ltd and Freeworld Coatings Limited on 18 April 2011 ("the divestiture condition"), the Tribunal hereby makes the following order:

1. The Divestiture condition is provisionally suspended as of 19 August 2011, pending the Tribunal's ruling in respect to its consideration of the merger in terms of section 16(2) of the Competition Act.

2. Kansai is entitled to apply to the Tribunal for an extension of the divestiture period in the event that the Tribunal upholds the divestiture condition.



Presiding Member
N Manaim

Concurring: Y Carrim and T Madima

* * * Communication Result Report (22. Aug. 2011 10:51) * * *

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Date/Time: 22. Aug. 2011 10:23

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* * * Communication Result Report (22. Aug. 2011 11:43) * * *

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