



competitiontribunal
SOUTH AFRICA

COMPETITION TRIBUNAL COVID-19 DIRECTIVE DURING THE NATIONAL LOCKDOWN PERIOD – ISSUED ON 26 MARCH 2020

On 23 March 2020, President Ramaphosa announced a 21-day national lockdown to curb the spread of the CoronaVirus-19, starting at midnight today ending on 16 April 2020.

The Tribunal has issued the following Directive which will apply during the lockdown period.

Hearings

Mergers

- Unopposed extension applications for large mergers must be filed electronically and will be granted in chambers.
- Phase 1 mergers (**unopposed, non-complex mergers as classified by the Commission**) will be heard in chambers by the Panel via teleconference call.
- The Panel may, if required, request additional information from the Commission or merging parties to be submitted electronically.
- Parties will not be required to be present for the teleconference by the Panel.
- Parties will be notified of the Panel's decision and Merger Clearance Certificates will be issued within the stipulated time periods.
- Phase 2 mergers (**classified as complex but unopposed by the Commission**) will be heard in a similar manner to Phase 1 mergers.
- In Phase 2 mergers, Parties may be required to make themselves available

for a hearing via teleconference.

- Phase 3 (**very complex mergers that are opposed, as classified by the Commission**) will not be set down during the lockdown period.

Complaints

- Complaint referrals already enrolled will be postponed sine die.
- Pre-hearings and hearings relating to **interlocutory proceedings** will also be postponed sine die.
- No new matters will be set down.
- Priority complaint referrals emanating from the special investigation by the Commission, if any, relating to COVID-19 will be heard by arrangement with the Parties.

Consent orders/settlement agreements

- No matters will be set down during the lock-down period.

Interim relief and urgent applications

- Urgent matters, if any, will be set down and heard by arrangement with the Parties.

Registry

- Filing must be made electronically via email to ctsa@comptrib.co.za, registry@comptrib.co.za.
- Mimecast, Dropbox or WeTransfer may be used for large size files.
- For urgent matters the Registrar may be contacted on TebogoM@comptrib.co.za or on mobile number 074 766 4965.



Ms Mondo Mazwai
Tribunal Chair

Date: 26 March 2020