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**OUTCOME OF HEARINGS BEFORE THE TRIBUNAL ON WEDNESDAY, 18 NOVEMBER**

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| Type of matter | Parties involved | Competition Commission’s recommendation to Tribunal |
| Settlement agreement | Competition Commission and Dura Soltanche Bachy (Pty) Ltd | Confirm settlement agreement |
| Consent agreement | Competition Commission and Basil Read Holdings Ltd | Confirm conduct |
| Large merger | OMPE GP IV (Pty) Ltd, Acting in its Capacity as Ultimate General Partner of OMPE Fund IV Partnership and Alderbalm Trading (Pty) Ltd | Approved without conditions |
| Large merger | EOH Abantu (Pty) Ltd and Grid Control Technologies (Pty) Ltd, Forensic Data Analysts (Pty) Ltd, Investigative Software Solutions (Pty) Ltd | Approved without conditions |
| Large merger | Arrowhead Properties Ltd and Redefine Properties Ltd in Respect of the Property Letting Enterprise Known as Cleary Park | Approved without conditions |
| Large merger | Barloworld Logistics Africa (Pty) Ltd and KLL Group (Pty) Ltd | Approved without conditions |

The Competition Tribunal has confirmed and approved the consent agreement as agreed to and proposed by **Basil Read** and the Competition Commission. Basil Read was the first company to come forward with evidence of cover price fixing in connection with the rehabilitation of sections of the P65/2 road to N1. The two other companies involved have since been liquidated. The Competition Commission has given Basil Read immunity for this project.

The Tribunal confirmed the settlement agreement between the Competition Tribunal and **Dura Soletanche-Bachy** that will see it pay almost R1-million compensation for taking part in collusive behaviour, which saw companies in the sector dividing up projects. In this case 11 projects were involved, including the Gautrain Rapid Rail Link project.

The Competition Tribunal has approval the merger between **Barloworld Logistics Africa**, part of JSE-listed Barloworld Limited, and **KLL Group**. There was some concern over the apparent overlap between KLL and Barloworld’s subcontracting and distribution of food products services to KLL. It was found, however, that the services were of relatively low value relative to the overall revenue of KLL. KLL is also seen to service another market.

The merger between **Arrowhead Properties** and a property letting enterprise known as Cleary Park, owned by **Redefine Properties,** was approved by the Tribunal. The merger involved a small regional shopping centre in the Eastern Cape. The Competition Commission argued that the merger would not affect competition area with the closest retail venue over 20km away.

The Tribunal has approved the merger of **OMPE GP IV**, which is ultimately owned by Old Mutual, and that of **Alderbalm Trading**, (**New Holdco**), a newly established firm. Old Mutual is an international long-term savings, banking and investment group, while New Holdco, which owns the MoreGroup and its subsidiaries, is involved in the retail of golf and cycling equipment, accessories and the Centurion Golf Driving Range. There was seen to be no competition concerns.

The merger of **EOH Abantu** and **Grid Control Technologies (GCT), Forensic Data Analyst (FDA) and Investigative Software Solutions (ISS)** was also approved by the Tribunal. EOH Holdings provides consulting technology and outsourcing services, while GCT, FDA and ISS offer software solutions that largely assist with various types of forensic research.

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