



**IN THE COMPETITION TRIBUNAL OF SOUTH AFRICA
HELD AT PRETORIA**

CT CASE NO: CR107Mar11/JOI119Nov11

In the matter between:

THE COMPETITION COMMISSION

APPLICANT

and

ESOR AFRICA (PTY) LTD

FIRST RESPONDENT

ESOR CONSTRUCTION PROPRIETARY LIMITED

(formerly Franki Africa Proprietary Limited)

SECOND RESPONDENT

In re:

THE COMPETITION COMMISSION

APPLICANT

and

ESORFRANKI LIMITED

FIRST RESPONDENT

RODIO GEOTECHNICS (PTY) LTD

SECOND RESPONDENT

DURA SOLTANCHE BACHY (PTY) LTD

THIRD RESPONDENT

GEOMECH AFRICA (PTY) LTD

FOURTH RESPONDENT

DIABOR (PTY) LTD

FIFTH RESPONDENT

GRINAKER LTA

SIXTH RESPONDENT


(an operating group of Aveng (Africa) Ltd)

Panel	:	A Wessels (Presiding Member)
		M Mokuena (Tribunal Member)
		A Roskam (Tribunal Member)
Heard on	:	11 July 2017
Decided on	:	11 July 2017

ORDER

After considering the papers filed in respect of the Rule 45 application, and having regard to the relief sought by the Applicant, the Competition Tribunal ("**Tribunal**") orders that –

1. Esor Africa Proprietary Limited is hereby joined as the respondent under Tribunal case number CR107Mar11;
2. Esor Construction Proprietary Limited (formerly Franki Africa Proprietary Limited) is hereby joined as the respondent under Tribunal case number CR107Mar11; and
3. The Competition Commission is hereby granted leave to amend its Notice of Motion dated 02 March 2011 and to supplement its founding affidavit in the main Complaint Referral for the purposes of joining Esor Africa Proprietary Limited and Esor Construction Proprietary Limited (formerly Franki Africa Proprietary Limited) as respondents. The parties record that the joinder does not in any way preclude the respondents from raising any defences afforded to them in law.



Presiding Member
Mr A Wessels

11 July 2017
Date

Concurring: Ms M Mokuena and Mr A Roskam