



**COMPETITION TRIBUNAL
REPUBLIC OF SOUTH AFRICA**

Case No: LM124Oct16/CNF156Aug17

In the matter between:

Mediclinic Southern Africa Proprietary Limited

First Applicant

Matlosana Medical Health Services
Proprietary Limited

Second Applicant

And

National Hospital Network

First Respondent

Lenmed Health Proprietary Limited

Second Respondent

Competition Commission of South Africa

Third Respondent

In re: the large merger between:

Mediclinic Southern Africa Proprietary Limited

Acquiring Firm

And

Matlosana Medical Health Services Proprietary Limited

Target Firm

Panel : Y Carrim (Presiding Member)
I Valodia (Tribunal Member)
F Tregenna (Tribunal Member)

Decided on : 11 September 2017

ORDER

Noting that –


1. First and Second Respondents have made submissions to the Third Respondent ("the Commission") in its investigation of the proposed merger between First and Second Applicant;

2. First and Second Respondents have consented to the Commission making their submissions available to the independent advisors of First and Second Applicant on a confidential basis; and
3. The independent advisors of First and Second Applicant (as listed below in clause 4) have furnished confidentiality undertakings.

The Tribunal Orders as follows:

4. The Commission must provide copies of First and Second Respondents' submissions to the following individuals within 5 business days of date hereof:
 - 4.1. John Butler (Advocate for the merging parties);
 - 4.2. Jerome Wilson (Advocate for MMHS);
 - 4.3. Susan Meyer (Attorney from Cliffe Dekker Hofmery Inc for the merging parties. ("CDH"));
 - 4.4. André de Lange (CDH);
 - 4.5. Megan Quenet-Meintjes (CDH);
 - 4.6. Nazeera Mia (CDH);
 - 4.7. Nicola Theron (Econex external economic advisors for the merging parties);
 - 4.8. Paula Armstrong (Econex);
 - 4.9. Helenya Fourie (Econex);
 - 4.10. Barry Childs (Insight external actuaries for the merging parties);
 - 4.11. Piet van der Merwe (VDM Attorneys, attorneys for MMHS);
 - 4.12. Andrea Opperman (VDM Attorneys);
 - 4.13. J.D. Symmington (Pallidus Capital the transaction advisor for MMHS).

5. There is no order as to costs.



Presiding Member
Ms Yasmin Carrim

11 September 2017
Date

Concurring: Prof. Imraan Valodia and Prof. Fiona Tregenna