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**OUTCOME OF CASES ON TRIBUNAL ROLL FOR WEDNESDAY, 24 AUGUST 2016**

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| Type of matter | Parties involved | Competition Commission’s recommendation to Tribunal |
| Large merger | Bonitas Medical Fund And Liberty Medical Scheme | Approved |
| Large merger | Zico Capital Two (Pty) Ltd And Goldrush Group (Pty) Ltd | Approved |
| Large merger | Fruit and Veg City (Pty) Ltd And The Butchery Business Owned by Various Glen Aire Close Corporations | Approved |
| Large merger | AFGRI Equipment (Pty) Ltd And AGRICO (Pty) Ltd | Approved |
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**Bonitas and target company Liberty Medical Scheme**

The Tribunal has approved that the large merger between **Bonitas Medical Fund** and **Liberty Medical Scheme** without conditions. Liberty is the target company, and post-merger the name of the amalgamated scheme shall continue under the name Bonitas.

Bonitas and Liberty are active in the medical schemes industry and operate as open medical schemes, which means there are no restrictions on membership based on employment or profession and they are open to the general public.

The Commission had found some overlap of the merging parties’ activities overlap in relation to the administration and managed care services, but the services are carried out contractually by third parties, not by the merging parties themselves. It also felt that the merging parties would continue to face competition from other medical aid schemes.

**Newly established Zico Capital and Goldrush**

The large merger between **Zico Capital** and **Goldrush** has been approved by the Tribunal without conditions.

Zico Capital is a newly formed entity and does not provide any products or services. The target company, Goldrush controls two firms and providing regulated gaming services and products. These include electronic betting terminals, limited payout machines, sports betting and online betting.

The Commission had recommended the merger as it felt it was unlikely to substantially prevent or lessen competition in any market as there is no overlap between the activities of the merging firms. The merger is also unlikely to give rise to any job losses.

**Fruit and Veg City and Glen Aire Butchery Businesses**

The Tribunal has approved the large merger between **Fruit and Veg City** Pty (Ltd) and target company **Glen Aire Butchery Businesses**. Most Glen Aire Butchery Businesses will be wholly-owned subsidiaries of Fruit and Veg City post-merger.

Fruit and Veg City is a wholly-owned subsidiary Fruit and Veg City Holdings Ltd and that in turn is a wholly-owned subsidiary of Food Lovers Holdings Ltd. Fruit and Veg City is engaged in the wholesale, distribution and retail of fresh produce, groceries, beverages and other food-related and ancillary products to end-customers.

The primary target firms are Glen Aire Butchery Businesses, within the Glen Aire Group. Glen Aire Butchery Businesses are involved in the sale of meat and chicken products to retail customers.

**AFGRI Equipment and AGRICO**

The Commission has recommended that **AFGRI Equipment** acquisition of the agricultural equipment business of **AGRICO** be approved without conditions.

AFGRI Equipment is a John Deere dealership and its main business is to sell John Deere branded agricultural equipment and accessories such as tractors, combine harvesters and balers. The Target business, AGRICO is a retail distributor of John Deere products and operates agricultural machinery dealerships that sell products such as tractors, combine harvester, sprayers, balers and harrow disks.

The Commission recommended the transaction on the grounds that it will not substantially lessen or prevent competition in the market for the retail distribution of agricultural equipment and the provision of after-sale services as there are other products, other than John Deere competing in this market.

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