



CT CASE NO:

CC CASE NO: 2009Sep4641

In the matter between:

THE COMPETITION COMMISSION

Applicant

and

G LIVIERO & SON BUILDERS (PTY) LTD

Respondent

ADDENDUM TO THE CONSENT AGREEMENT ENTERED INTO BETWEEN THE COMPETITION COMMISSION AND G LIVIERO & SON BUILDERS (PTY) LTD IN TERMS OF SECTION 58(1)(b) OF THE COMPETITION ACT, NO. 89 OF 1998, AS AMENDED, IN RESPECT OF A CONTRAVENTION OF SECTION 4(1)(b)(iii) OF THE COMPETITION ACT

1. Introduction

This is an addendum to the Consent Agreement concluded between the Competition Commission ("Commission") and G Liviero & Son Building (Pty) Ltd ("G Liviero") (collectively referred to as "the parties") on 24 November 2014 in respect of a contravention of section 4(1)(b)(iii) of the Competition Act no. 89 of 1998, as amended ("the Act").

2. Recordal

- 2.1. On 9 December 2014, the Commission filed an application to the Competition Tribunal ("the Tribunal") for an order confirming the Consent Agreement referred to above.
- 2.2. Subsequent to the filing of the consent agreement, the Commission noted the following:
- 2.2.1. The definition of "Concor" was omitted from Clause 1 of the consent agreement.
- 2.2.2. The *Sunning Hill Shopping Centre Project* is still the subject of further investigation by the Commission. This project should therefore not be included in this consent agreement and the definition of "Edilcon" should also be deleted.
- 2.3. In light of the above, the parties have agreed to amend the consent agreement as set out below.

3. Clause 1

The parties agree that:

- 3.1. the following definition be added:

"Concor" means Concor Limited, a subsidiary of Murray & Roberts

3.2. the following definition be deleted:

"Edilcon" means Edilcon Construction (Pty) Ltd

4. Clause 4.1

4.1. The parties agree that the whole of clause 4.1 be deleted.

For G Liviero and Son

Dated and signed at PRETORIA on the 13 day of FEBRUARY 2015



Name: NEIL CLOETE

Designation: DIRECTOR, LIVIERO GROUP

For the Commission

Dated and signed at PRETORIA on the 19 day of FEBRUARY 2015



TEMBINKOSI BONAKELE
COMMISSIONER