

## COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: LM174Jan23

In the matter between:

Growthpoint Student Accommodation Holdings (RF)  
Ltd

**Primary Acquiring Firm**

And

Feenstra Group Developments (Pty) Ltd in respect  
of the immovable property and letting enterprise  
known as Brooklyn Studios

**Primary Target Firm**

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Panel: M Mazwai (Presiding Member)  
AW Wessels (Tribunal Member)  
J Wilson (Tribunal Member)

Heard on: 16 February 2023  
Last submission on: 20 February 2023  
Decided on: 03 March 2023

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### ORDER

Further to the recommendation of the Competition Commission in terms of section 14A(1)(b) of the Competition Act, 1998 ("the Act") the Competition Tribunal orders that–

1. the merger between the abovementioned parties be approved in terms of section 16(2)(a) of the Act; and
2. a Merger Clearance Certificate be issued in terms of Competition Tribunal Rule 35(5)(a).

  
\_\_\_\_\_  
Presiding Member  
Ms Mondo Mazwai

3 March 2023

\_\_\_\_\_  
Date

Concurring: Mr Andreas Wessels and Mr Jerome Wilson



**competitiontribunal**  
SOUTH AFRICA

## NOTICE OF TO

### About this Notice

This notice is issued in terms of section 16 of the Competition Act.

You may appeal against this decision to the Competition Appeal Court within 20 business days.

### Contacting the Tribunal

The Competition Tribunal  
Private Bag X24  
Sunnyside  
Pretoria 0132  
Republic of South Africa  
tel: 27 12 394 3300  
fax: 27 12 394 0169  
e-mail: [ctsa@comptrib.co.za](mailto:ctsa@comptrib.co.za)

# Merger Clearance Certificate

**Date** : 03 March 2022

**To** : Adams & Adams

Case Number: LM174Jan23

Growthpoint Student Accommodation Holdings (RF) Ltd and Feenstra Group Developments (Pty) Ltd in respect of the immovable property and letting enterprise known as Brooklyn Studios

You applied to the Competition Commission on **22 December 2022** for merger approval in accordance with Chapter 3 of the Competition Act.

Your merger was referred to the Competition Tribunal in terms of section 14A of the Act, or was the subject of a Request for consideration by the Tribunal in terms of section 16(1) of the Act.

After reviewing all relevant information, and the recommendation or decision of the Competition Commission, the Competition Tribunal approves the merger in terms of section 16(2) of the Act, for the reasons set out in the Reasons for Decision.

This approval is subject to:

no conditions.

the conditions listed on the attached sheet.

The Competition Tribunal has the authority in terms of section 16(3) of the Competition Act to revoke this approval if

- a) it was granted on the basis of incorrect information for which a party to the merger was responsible.
- b) the approval was obtained by deceit.
- c) a firm concerned has breached an obligation attached to this approval.

**The Registrar, Competition Tribunal**