### COMPETITION TRIBUNAL REPUBLIC OF SOUTH AFRICA

Case no.: 24/LM/Mar05

In the large merger between:		
BHP Billiton Ltd		
and		
WMC Resources Ltd		
	Ardor	

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

- 1. the merger between BHP Billiton Ltd and WMC Resources Ltd be approved in terms of section 16(2)(a); and
- 2. a Merger Clearance Certificate be issued in terms of Competition Tribunal rule 35(5)(a).

26 April 2005

Date

Concurring: N Manoim and Y Carrim



## competitiontribunal

#### **Notice CT 10**

#### **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 X28 Lynnwood Ridge Pretoria 0040 Republic of South Africa tel: 27 12 394 3300

tel: 27 12 394 3300 fax: 27 12 394 0169 e-mall: ctsa@comptrib.co.za

#### **Merger Clearance Certificate**

Date	<b>1</b>
To:	Cliffe Dekker
(Name	e and file number of merger:)
and WMC	Billiton Ltd  Resources Ltd  no.: 24/LM/Mar05

You applied to the Competition Commission on 22-Mar-2005 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:

26\_Apr\_2005

✓	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	7	Competition Tribunal:
At .	1	4)_
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