



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: IM193Dec15

In the matter between:

ROCHE MOLECULAR SYSTEMS, INC.

First Applicant

KAPA BIOSYSTEMS, INC.

Second Applicant

And

THE COMPETITION COMMISSION OF SOUTH AFRICA

Respondent

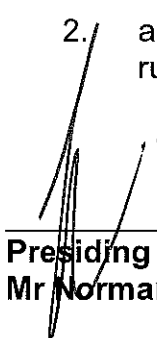
Panel : N Manoim (Presiding Member)
E Daniels (Tribunal Member)
A Ndoni (Tribunal Member)

Heard on : 08 March 2017
Decided on : 08 March 2017

ORDER

The Competition Tribunal, having noted the settlement reached by the parties on this matter, orders the following -

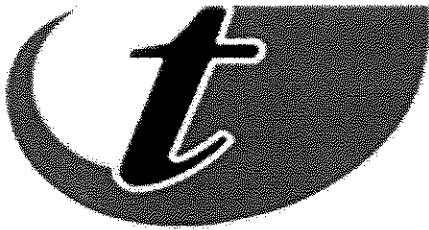
1. the merger between the abovementioned parties be approved in terms of section 16(2)(a); and
2. a Merger Clearance Certificate be issued in terms of Competition Tribunal rule 34(a).



Presiding Member
Mr Norman Manoim

08 March 2017
Date

Concurring: Mr Enver Daniels and Ms Andiswa Ndoni



competitiontribunal
south africa

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 X24
Sunnyside
Pretoria 0132
Republic of South Africa
tel: 27 12 394 3300
fax: 27 12 394 0169
e-mail: ctsa@comptrib.co.za

Merger Clearance Certificate

Date: 8 March 2017

To: Herbert Smith Freehills SA LLP

Case Number: IM193Dec15

Roche Molecular systems Inc and Kapa Biosystems Inc

You applied to the Competition Commission on 31 August 2015 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: