

BEFORE THE COMPETITION TRIBUNAL OF SOUTH AFRICA

CT CASE NO: 91/CR/Dec09

In the matter between:

1TIME AIRLINE (PTY) LIMITED

Complainant/Respondent

and

**LANSERIA INTERNATIONAL AIRPORT
(PTY) LIMITED**1st Respondent**COMAIR LIMITED t/a KULULA.COM**2nd Respondent/Applicant

Panel : Norman Manoim (Presiding Member), Yasmin Carrim (Tribunal Member), and Andreas Wessels (Tribunal Member)

Heard on : 04 May 2011

Decided on : 05 May 2011

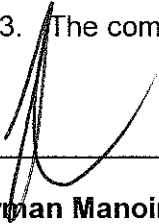
Order: In the Application to compel further and better discovery

Following the hearing in this application, it is ordered that:

1. The complainant ('the respondent in this application') must provide the following particulars to the second respondent ('the applicant in this application'):
 - 1.1 The annual income statements and balance sheets from January 2005 to date;
 - 1.2 All internal management accounts detailing route profitability for each relevant city-pair route (Johannesburg – Cape Town and Johannesburg – Durban) ("relevant city-pair routes") since January 2006;
 - 1.3 The Complainant's tariff classes (seat buckets) and prices for each of the tariff classes on the relevant city-pair routes, for the past five years.
 - 1.4 The initial allocation of seat numbers to each of the tariff classes for different demand periods in the week in respect of the relevant city-pair routes, for the past five years.

2. The documents in sub-paragraphs 1.1 to 1.4 above must be made available subject to the complainant receiving appropriate confidentiality undertakings from the respondents.

3. The complainant is to pay the costs of this application.



Norman Manoim

Presiding Member

Concurring: Yasmin Carrim and Andreas Wessels

Tebogo Mputle

From: Tebogo Mputle
Sent: Thursday, May 05, 2011 12:23 PM
To: 'James@Schindlers.co.za'; 'Sher@schindlers.co.za'; 'carel@mlv.co.za'; 'Martin Versfeld'; 'lital.avivi@webberwentzel.com'
Cc: Thabani Ngilande; Lerato Motaung
Subject: 1TIME AIRLINE / LANSERIA INTERNATIONAL AIRPORT / COMAIR LIMITED - 91/CR/Dec09
Attachments: 20110505121854496.tif

Dear all

Please see attached order in the discovery application in the above matter and kindly confirm receipt.

Kind Regards

Tebogo Mputle
Registry Administrator
competition tribunal south africa
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