

Rationale of the Transaction

[4] Trate has a loan obligation to Jeke and with the sale of its shareholding in Jeke it obtains cash with which to repay its obligation. The acquiring firm has submitted in its filing that as an investment firm it, from time to time, it finances investment opportunities with the issuance of preference shares to third party investors. The terms relating to the issuance of the said shares is an obligation imposed on the investors to declare dividends to the preference shareholders. The dividends in question can only be paid from distributable reserves.

Parties' Activities

[5] Titan is an investment entity. Through its various subsidiaries it has investment in property, hotel management, farming, events organising, property leasing, wine making, general trading, game farming other general investment, share speculation, retail and mining. Jeke is a dormant firm and does not sell any products or render any services in or into South Africa.

Public Interest Issues

[6] The transaction will have no effect on employment and no other public interest issues arise.

Conclusion

[7]. Based on the above the transaction will not result in a substantial lessening or prevention of competition in the identified markets and is accordingly approved unconditionally.

D. Lewis

Tribunal Member

N Manoim and M Mokuena concurring.

Tribunal Researcher : J Ngobeni

For the merging parties : Coreen Fouche (Jan. S De Villiers Attorneys)

09 December 2006

Date

Advisers)

For the Commission

: Skhumbuzo Maphumulo

Mergers and Acquisitions