****

**OUTCOME OF TRIBUNAL HEARING FOR WEDNESDAY, 19 OCTOBER 2016**

|  |  |  |
| --- | --- | --- |
| Type of matter | Parties involved | Competition Commission’s recommendation to Tribunal |
| Consent agreement | Competition Commission and Aveng (Africa) (Pty) Ltd | Confirmation of consent agreement |

**Tribunal approves consent agreement that will give Aveng immunity from an administrative penalty**

The Competition Tribunal has confirmed a consent agreement between Aveng and the Competition Commission which will give Aveng immunity from an administrative penalty.

The matter had been delayed for the Commission to make changes to the consent agreement to include some companies which had not been listed in one of the contraventions listed in the agreement submitted to the Tribunal.

Aveng was the first company to apply for immunity when the Commission launched its Fast Track project on 1 February 2011, and it concluded an agreement with the Commission for the projects listed below. The Fast Track process by the Commission gave companies in the construction industry an opportunity to settle with the Commission on favourable terms.

In return for conditional immunity Aveng disclosed its participation in collusive tendering in a number of projects between 2004 and 2007. The Commission has confirmed that Aveng has complied with the requirements set out in the leniency policy.

The projects are: the development of land for the Goedgevonden crushing project; BKM Processing Plant Project; BKM Export Rail Line Project; Tambothi Project; Pany Cove block of flats in Mosselbay; Komati Chimney Project; rehabilitation of N2 Gamtoos to Van Staden Bridge; rehabilitation of national road Colesberg to Springfonteing; a project at South Deep Mine; Hartebeesfontein Water Works Project and Transnet Railway Maintenance Tenders.

The Tribunal confirmed the agreement on condition that Aveng continued to cooperate with the Commission.

Issued by:

Chantelle Benjamin

Communications: Competition Tribunal

Tel (012)394 1383

Cell: +27 (0) 73 007 5603

Twitter: @comptrib

E-Mail: [chantelleb@comptrib.co.za](chantelleb@comptrib.co.za%20)

On Behalf Of:

Lerato Motaung

Registrar: Competition Tribunal

Tel: (012) 394 3355

Cell: +27 (0) 82 556 3221

E-Mail: [LeratoM@comptrib.co.za](mailto:LeratoM@comptrib.co.za)