



## COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: CR233Feb16

In the matter between:

The Competition Commission

**Applicant**

and

Concor (Pty) Ltd  
Murray and Roberts Ltd  
Raubex (Pty) Ltd  
WBHO Construction (Pty) Ltd  
Basil Read Holdings (Pty) Ltd  
Stefanutti Stocks Holdings Ltd  
Aveng (Africa) Ltd

**First Respondent**  
**Second Respondent**  
**Third Respondent**  
**Fourth Respondent**  
**Fifth Respondent**  
**Sixth Respondent**  
**Seventh Respondent**

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Panel : Norman Manoim (Presiding Member)  
Imraan Valodia (Tribunal Member)  
Mondo Mazwai (Tribunal Member)

Heard on : 19 October 2016

Decided on : 01 February 2017

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### ORDER

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The Competition Tribunal makes the following order:

1. It is declared that Concor (Pty) Ltd has contravened section 4(1)(b)(iii) of the Competition Act, 89 of 1998 by agreeing with its competitors to tender collusively for the following projects:

- 1.1 The Upgrading of National Road 12 Beefmaster Bloemhof tender  
(*NRA N.012 – 120 – 2006/1*);
- 1.2 The Rehabilitation of the Ermelo to Amersfoort route tender  
(*NRA N.011 – 067 – 2003/9*);
- 1.3 Upgrading of the National Road Tsitsikamma to Witelbos tender  
(*NRA – N.002 – 090 – 2000/1C – C0*);
- 1.4 The Tati Activox Project;  
(*H324250 – CC002 & CC004*); and
- 1.5 The Ngwezi Phase I Civil Works Project.



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**Presiding Member**  
**Mr Norman Manoim**

**01 February 2017**  
**Date**

**Concurring:** Prof. I Valodia and Ms Mondo Mazwai