



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: IM094Jul17

In the matter between:

GREIF INTERNATIONAL HOLDING B.V.

First Applicant

RHEEM SOUTH AFRICA (PTY) LTD

Second Applicant

And

COMPETITION COMMISSION

Respondent

In re the Intermediate Merger between:

GREIF INTERNATIONAL HOLDING B.V.

Primary Acquiring Firm

And

RHEEM SOUTH AFRICA (PTY) LTD

Primary Target Firm

Panel : N Manoim (Presiding Member)
E Daniels (Tribunal Member)
I Valodia (Tribunal Member)

Heard on : 07 February 2018 to 20 February 2018;
18 April 2018 to 20 April 2018;
05 October 2018;
23 January 2019

Decided on : 31 January 2019

ORDER

Further to the merging parties consideration application in terms of section 16(1)(a) of the Competition Act 89 of 1998 ("the Act") the Competition Tribunal orders that –

1. the implementation of the merger between the abovementioned parties be prohibited in terms of section 16(2)(c) of the Act.
2. a certificate to prohibit the implementation of the merger be issued in terms of Competition Tribunal Rule 34(a).



Presiding Member
Mr Norman Manoim

31 January 2019
Date

Concurring: Mr Enver Daniels and Prof. Imraan Valodia



competitiontribunal

south africa

Notice CT 11

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.
- A firm that proceeds to implement a merger that has been prohibited is subject to an administrative fine in terms of Section 59 of the Competition Act, or order for divestiture in terms of section 60.

Contacting the Tribunal

The Competition Tribunal
Private Bag X24
Sunnyside
Pretoria 0132
Republic of South Africa
tel: 27 12 394 3800
fax: 27 12 394 0169
e-mail: ctsa@comptrib.co.za

Prohibition of Merger

Date: 31 January 2019

To: Bowmans

(Name and file number of merger:)

Greif International Holding B.V. and Rheem South Africa (Pty) Ltd
IM094Jul17

You applied to the Competition Commission on 17-Mar-2017
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 prohibits the implementation of this merger in terms of section 16 (2) of the Act, for the reasons set out in the Reasons for Decision.

The registrar, Competition Tribunal: