



## COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: IM193Dec15

In the matter between:

ROCHE MOLECULAR SYSTEMS, INC.

**First Applicant**

KAPA BIOSYSTEMS, INC.

**Second Applicant**

And

THE COMPETITION COMMISSION OF SOUTH AFRICA

**Respondent**

---

Panel : N Manoim (Presiding Member)  
E Daniels (Tribunal Member)  
A Ndoni (Tribunal Member)

Heard on : 08 March 2017  
Decided on : 08 March 2017

---

### ORDER

---

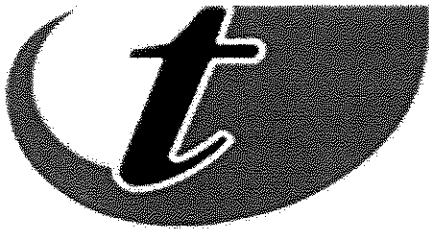
The Competition Tribunal, having noted the settlement reached by the parties on this matter, orders the following -

1. the merger between the abovementioned parties be approved in terms of section 16(2)(a); and
2. a Merger Clearance Certificate be issued in terms of Competition Tribunal rule 34(a).

  
\_\_\_\_\_  
**Presiding Member**  
**Mr Norman Manoim**

**08 March 2017**  
**Date**

**Concurring: Mr Enver Daniels and Ms Andiswa Ndoni**



**competitiontribunal**  
*south africa*

**Notice CT 10**

**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.

**Contacting  
the Tribunal**

The Competition Tribunal  
Private Bag X24  
Sunnyside  
Pretoria 0132  
Republic of South Africa  
tel: 27 12 394 3300  
fax: 27 12 394 0169  
e-mail: ctsa@comptrib.co.za

**Merger Clearance Certificate**

Date: 8 March 2017

To: Herbert Smith Freehills SA LLP

Case Number: IM193Dec15

Roche Molecular systems Inc and Kapa Biosystems Inc

You applied to the Competition Commission on 31 August 2015 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 approves the merger in terms of section 16(2) of the Act, for the reasons set out in the Reasons for Decision.

This approval is subject to:

no conditions.

the conditions listed on the attached sheet.

The Competition Tribunal has the authority in terms of section 16(3) of the Competition Act to revoke this approval if

- a) it was granted on the basis of incorrect information for which a party to the merger was responsible.
- b) the approval was obtained by deceit.
- c) a firm concerned has breached an obligation attached to this approval.

The registrar, Competition Tribunal: