

### **COMPETITION TRIBUNAL OF SOUTH AFRICA**

Case No.: LM039May19

**Primary Acquiring Firm** 

In the matter between:

FFS Calpet (RF) (Pty) Ltd

And

Calulo Marine (Pty) Ltd

**Primary Target Firms** 

Panel	:	E Daniels (Presiding Member)
	:	A Wessels (Tribunal Panel Member)
	:	I Valodia (Tribunal Panel Member)
Heard on	:	07 August 2019
Decided on	:	07 August 2019

### ORDER

Further to the recommendation of the Competition Commission in terms of section 14A(1)(b) of the Competition Act, 1998 ("the Act") the Competition Tribunal orders that-

- 1. the merger between the abovementioned parties approved in terms of section 16(2)(a) of the Act; and
- 2. a Merger Clearance Certificate be issued in terms of Competition Tribunal Rule 35(5)(a).

Jenn

07 August 2019

Date

Enver Daniels Presiding Member

Concurring: Mr Andreas Wessels and Prof. Imraan Valodia



competitiontribunal



### **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 : 07 August 2019

To : Werksmans Attorneys

Case Number: LM039May19

FFS Calpet (RF) (Pty) Ltd And Calulo Marine(Pty) Ltd

You applied to the Competition Commission on <u>23 May 2019</u> 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:

X

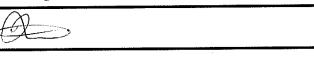
no conditions.

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



This form is prescribed by the Minister of Trade and Industry in terms of section 27 (2) of the Competition Act 1998 (Act No. 89 of 1998).