



**COMPETITION TRIBUNAL
REPUBLIC OF SOUTH AFRICA**

Case No: LM124Oct16/CNF156Aug17

In the matter between:

Mediclinic Southern Africa Proprietary Limited **First Applicant**

Matlosana Medical Health Services
Proprietary Limited **Second Applicant**

And

National Hospital Network **First Respondent**

Lenmed Health Proprietary Limited **Second Respondent**

Competition Commission of South Africa **Third Respondent**

In re: the large merger between:

Mediclinic Southern Africa Proprietary Limited **Acquiring Firm**

And

Matlosana Medical Health Services Proprietary Limited **Target Firm**

Panel : Y Carrim (Presiding Member)
I Valodia (Tribunal Member)
F Tregenna (Tribunal Member)

Decided on : 11 September 2017

ORDER

Noting that –


1. First and Second Respondents have made submissions to the Third Respondent (“the Commission”) in its investigation of the proposed merger between First and Second Applicant;

2. First and Second Respondents have consented to the Commission making their submissions available to the independent advisors of First and Second Applicant on a confidential basis; and
3. The independent advisors of First and Second Applicant (as listed below in clause 4) have furnished confidentiality undertakings.

The Tribunal Orders as follows:

4. The Commission must provide copies of First and Second Respondents' submissions to the following individuals within 5 business days of date hereof:
 - 4.1. John Butler (Advocate for the merging parties);
 - 4.2. Jerome Wilson (Advocate for MMHS);
 - 4.3. Susan Meyer (Attorney from Cliffe Dekker Hofmery Inc for the merging parties. ("CDH"));
 - 4.4. André de Lange (CDH);
 - 4.5. Megan Quenet-Meintjes (CDH);
 - 4.6. Nazeera Mia (CDH);
 - 4.7. Nicola Theron (Econex external economic advisors for the merging parties);
 - 4.8. Paula Armstrong (Econex);
 - 4.9. Helenya Fourie (Econex);
 - 4.10. Barry Childs (Insight external actuaries for the merging parties);
 - 4.11. Piet van der Merwe (VDMA Attorneys, attorneys for MMHS);
 - 4.12. Andrea Opperman (VDMA Attorneys);
 - 4.13. J.D. Symmington (Pallidus Capital the transaction advisor for MMHS).

5. There is no order as to costs.



Presiding Member
Ms Yasmin Carrim

11 September 2017
Date

Concurring: Prof. Imraan Valodia and Prof. Fiona Tregenna