

## **COMPETITION TRIBUNAL OF SOUTH AFRICA**

In the matter	r betw	veen:	Case No.: LM265Mar19	
Old Mutual L Ltd	_ife A	ssurance Company (South Africa)	Primary Acquiring Firm	
And	and			
	-	dent Power Producer 3 (RF) (Pty) ependent Power Producer 1 (RF)	Primary Target Firms	
Panel	:	N Manoim (Presiding Member) E Daniels (Tribunal Member) M Mokuena (Tribunal Member)		
Heard on	:	2 May 2019		
Decided on	:	2 May 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 be approved in terms of section 16(2)(a); and
- 2. a Merger Clearance Certificate be issued in terms of Competition Tribunal rule 35(5)(a).

Presiding Member Mr Norman Manoim

<u>2 May 2019</u> Date

Concurring: Mr Enver Daniels and Mrs Medi Mokuena



# competitiontribunal SOUTH AFRICA



#### 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.

## Merger Clearance Certificate

Date: 2 May 2019

To: Webber Wentzel Attorneys

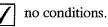
(Name and file number of merger:) LM265Mar19 Old Mutual Life And AE-AMD Independent Power Producer 3 (RF) (Pty) Ltd and AE-AMD Independent Power Producer 1 (RF) (Pty) Ltd

You applied to the Competition Commission on 25 February 2019 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:



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.

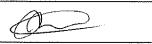
c) a firm concerned has breached an obligation attached to this approval.

The registrar, Competition Tribunal:



Contacting

the **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).