

**UPCOMING COMPETITION TRIBUNAL HEARING**

*(Following is a guideline for journalists. The information can be used but please do not quote Nandi Mokoena)*

1. **N17 Toll Operators admits to collusion in construction**

On Wednesday the Competition Commission and N17 Toll Operators (Pty) Ltd will request the Competition Tribunal to confirm the settlement agreement they have reached, as an order of the Tribunal. In the agreement N17 Toll Operators admits that it contravened the Competition Act by engaging in collusive tendering, also known as bid rigging. N17 Toll Operators also agrees to pay a penalty of R424 121.00, which represents 2% of its annual turnover for the 2013 financial year.

The settlement follows an investigation by the Commission into the conduct of 25 firms that were implicated in its fast-track construction settlement process but that did not come forward at that time to confess their participation in widespread collusion in the construction sector. N17 Toll Operators was one of the 25 firms.

The Commission’s investigation found that in 2001 N17 Toll Operators colluded with Murray & Roberts, Group Five and Concor in relation to the tolling and maintenance of the N1 North, the N1 South and the N17. The collusion resulted in N17 Toll Operators winning the tolling and maintenance contract on the N17 highway while Group 5 won the tolling and maintenance contract for the N1 North and N1 South. Group 5 paid Murray & Roberts and Concor a loser’s fee, in line with their agreement. The client for the project was SANRAL and the project lasted till November 2013.

1. **SA Vet Council comes before the Tribunal**

On Wednesday the Competition Commission and the South African Veterinary Council (SAVC) will ask the Competition Tribunal to confirm their settlement agreement as an order of the Tribunal. In this agreement the SAVC admits that it contravened the Competition Act by prohibiting its members from discounting on the veterinary services they offered. Moreover from 2004 to 2013 the SAVC published a tariff guideline annually, setting out the minimum and maximum fees its members were permitted to charge for veterinary services. As part of the settlement, SAVC has agreed to reverse all sanctions it imposed on its members, from 2004 to 2013, for charging a discounted fee and to amend its rules. It will pay an administrative penalty of R1.00.

The Tribunal will hear this settlement on Wednesday and decide whether to confirm it, refuse to confirm it or request that changes be made to it.

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