



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: LM196Mar23/INT136Nov23

In the intervention application of:

NATIONAL UNION OF METALWORKERS OF SOUTH AFRICA (NUMSA) **Applicant**

And

VITOL EMERALD BIDCO (PTY) LTD **First Respondent**

ENGEN LIMITED (PTY) LTD **Second Respondent**

COMPETITION COMMISSION OF SOUTH AFRICA **Third Respondent**

THE DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION **Fourth Respondent**

ASTRON ENERGY (PTY) LTD **Fifth Respondent**

SASOL LIMITED **Sixth Respondent**

CHEMICAL, ENERGY, PAPER PRINTING, WOOD AND ALLIED WORKERS UNION **Seventh Respondent**

In re the large merger between:

VITOL EMERALD BIDCO (PTY) LTD **Primary Acquiring Firm**

And

ENGEN LIMITED (PTY) LTD **Primary Target Firm**

Panel: M Mazwai (Presiding Member)
AW Wessels (Tribunal Member)
L Mncube (Tribunal Member)

Heard on: 11 January 2024

Order Issued on: 15 January 2024

ORDER

Having read the papers of record and heard counsel for the parties, the Competition Tribunal ("Tribunal") orders as follows:

1. NUMSA is granted leave to intervene in the merger proceedings between the First and Second Respondents under case number LM196Mar23, to make oral and written submissions on the following two considerations:
 - 1.1. Employment; and
 - 1.2. Employment Equity Ownership.

2. The merging parties are ordered to pay the costs of NUMSA's application.



**Presiding Member
Ms Mondo Mazwai**

15 January 2024

Date

Concurring: Prof. Liberty Mncube and Mr Andreas Wessels