

COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: LM030Jun23

In the matter between:

Abu Dhabi National Oil Company (ADNOC) P.J.S.C

Primary Acquiring Firm

And

OMV Aktiengesellschaft

Primary Target Firm

Panel: L Mncube (Presiding Member)
F Tregenna (Tribunal Member)
G Budlender (Tribunal Member)

Heard on: 15 August 2023

Decided on: 16 August 2023

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) of the Act; and
2. a Merger Clearance Certificate be issued in terms of Competition Tribunal Rule 35(5)(a).

Presiding Member
Professor Liberty Mncube

16 August 2023

Date

Concurring: Professor Fiona Tregenna and Adv. Geoff Budlender SC.



competitiontribunal
SOUTH AFRICA

Merger Clearance Certificate

Date : 16 August 2023

To : Edward Nathan Sonnenbergs Attorneys

Case Number: LM030Jun23

Abu Dhabi National Oil Company (ADNOC) P.J.S.C And OMV Aktiengesellschaft

Notice CT 10

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.

You applied to the Competition Commission on **06 July 2023** 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:

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.

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

The Registrar, Competition Tribunal