



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No: IR095Oct21

In the matter between:

**MAKARENGE ELECTRICAL INDUSTRIES (PTY)
LTD T/A WILEC**

Applicant

and

ALLBRO (PTY) LTD

First Respondent

COMPETITION COMMISSION OF SOUTH AFRICA

Second Respondent

Panel:	Mondo Mazwai (Presiding Member) Andiswa Ndoni (Tribunal Member) Liberty Mncube (Tribunal Member)
Heard on:	28 January 2022
Order issued on:	03 February 2022

ORDER

Having heard the parties, the Competition Tribunal issues the following order in terms of section 49C of the Competition Act 89 of 1998, as amended (“the Act”) in the following terms:

1. The First Respondent is prohibited from threatening transformer bushings customers, actual and potential, of the Applicant, including Actom (Pty) Ltd and Revive Electrical Transformers (Pty) Ltd, that by dealing with the Applicant they are engaging in unlawful conduct.
2. The First Respondent shall not engage in any conduct that directly or indirectly undermines the Applicant's relationships with transformer bushings customers, actual and potential, of the Applicant.
3. Prayers 1 and 2 above shall operate for 6 months from the date of this order or until the conclusion of a hearing into the prohibited practice, whichever is the sooner.
4. The costs of this application are reserved for determination by the Tribunal pending the outcome of a referral in terms of section 50(1) by the Second Respondent, or in terms of section 51(1) by the Applicant, as the case may be. In the event that no referral to the Tribunal is made, each party shall bear its own costs.



Ms Mondo Mazwai

03 February 2022

Date

Ms Andiswa Ndoni and Professor Liberty Mncube concurring