



**COMPETITION TRIBUNAL
REPUBLIC OF SOUTH AFRICA**

Case No: CR092Jan07/VAR268Jan18

In the matter between:

The Competition Commission

Applicant

And

ArcelorMittal South Africa Limited

Respondent

Panel : Y Carrim (Presiding Member)
AW Wessels (Tribunal Member)
M Mokuena (Tribunal Member)

Heard on : 14 February 2018

Decided on : 14 February 2018

Variation of Settlement Agreement

The Tribunal hereby confirms the variation, attached hereto as Annexure "A", to the settlement agreement between the Competition Commission and ArcelorMittal Ltd which was confirmed by this Tribunal on 16 November 2016.

**Presiding Member
Ms Yasmin Carrim**

14 February 2018
Date

Concurring: Mr Andreas Wessels and Mrs Medi Mokuena

"ANNEXURE A"

IN THE COMPETITION TRIBUNAL OF SOUTH AFRICA

CT CASE NO: CR092JAN07SA090AUG16

In the matter between

COMPETITION COMMISSION OF SOUTH AFRICA



Applicant

and

2018 -01- 15

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ARCELORMITTAL SOUTH AFRICA LIMITED

Respondent

SECOND ADDENDUM TO THE SETTLEMENT AGREEMENT BETWEEN THE COMPETITION COMMISSION AND ARCELORMITTAL SOUTH AFRICA LIMITED IN TERMS OF THE COMPETITION ACT NO. 89 OF 1998, AS AMENDED

The Competition Commission and ArcelorMittal South Africa Limited hereby agree that an application be made to the Competition Tribunal ("Tribunal") in terms of clause 12.2 of the settlement agreement which was made an order of the Tribunal on 16 November 2016 under case number CR092JAN07SA090AUG16 for confirmation of this second addendum.

Clause 12.2 of the settlement agreement states that:

"In the event of the Commission and AMSA agreeing upon the waiver, relaxation or modification of this Settlement Agreement and the remedies provided herein, the Commission and AMSA shall apply to the Tribunal for confirmation by it of such waiver, relaxation, or modification."

The Competition Commission and ArcelorMittal South Africa Limited agree on the waiver, relaxation or modification of the settlement agreement on the terms set out below:

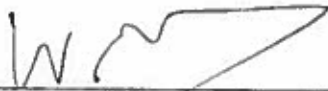
Payment of the first instalment

The first instalment of R300 000 000 (three hundred million rand) shall be divided into 3 (three) sub-instalments of not less than R100 000 000 (one hundred million rand) each.

AMSA will pay the first sub-instalment on 30 November 2017, the second sub-instalment will be paid on 1 April 2018 and the third sub-instalment will be paid on 1 July 2018.

For avoidance of doubt, it is recorded that the date of payments and remaining annual instalments to be paid will remain unchanged.

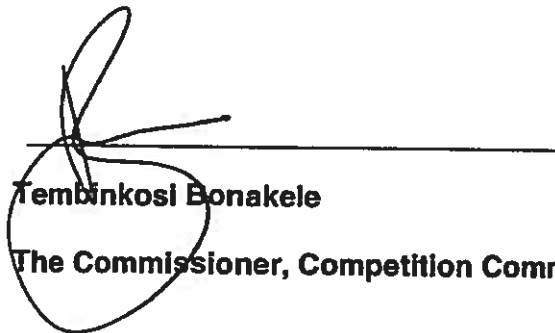
Signed at Vanderbijlpark on this the 6th day of December 2017.



Willem Abraham de Klerk

Chief Executive Officer, ArcelorMittal South Africa Limited

Signed at Pretoria on this the 19th day of December 2017.



Tembinkosi Bonakele

The Commissioner, Competition Commission