



IN THE COMPETITION TRIBUNAL OF SOUTH AFRICA

Case no.: IR165Nov20

In the matter between:

Govchat Proprietary Limited

First Applicant

Hashtag Letstalk Proprietary Limited

Second Applicant

and

Facebook Inc.

First Respondent

Whatsapp Inc.

Second Respondent

Facebook South Africa Proprietary Limited

Third Respondent

Panel: Y Carrim (Presiding Member)
AW Wessels (Panel Member)
I Valodia (Panel Member)

Heard on: 13 and 18 January 2021

Date of last submission: 20 January 2021

Decided on: 21 January 2021

ORDER FOR INTERIM ARRANGEMENT

Further to the hearing and the parties' failure to reach agreement in respect of the arrangement among them for the period between the hearing held on 18 January 2021 and the date on which the Competition Tribunal delivers its decision in the interim relief application in case number **IR165Nov20** ("the interim period ") the Competition Tribunal orders that:

1. During the interim period—
 - 1.1 the respondents shall not off-board WhatsApp Business Account #2521776064777765 that First Applicant established with InfoBip Africa (Pty) Ltd, an authorized WhatsApp Business Solution Provider, in the name of Second Applicant (the “**WABA**”) from the WhatsApp platform;
 - 1.2 the respondents shall not engage in any conduct that directly or indirectly undermines the applicants’ relationships with its clients for purposes of achieving the same outcome as off-boarding the applicants;
 - 1.3 the applicants shall not on-board any new clients or users to the WABA;
and
 - 1.4 in relation to existing clients or users on the WABA, the applicants shall not launch, adopt or sell any new use-cases.

**Presiding Member
Ms Yasmin Carrim**

21 January 2021
Date

Concurring: Mr Andreas Wessels and Prof Imraan Valodia