

Case No.: CR209Feb17/EXC236Mar17

**Excipient (Second Respondent)** 

Applicant

**First Respondent** 

Second Respondent

In the Exception application between:

TRIGON TRAVEL (PTY) LTD and COMPETITION COMMISSION

In Re:

The Complaint referral between:

COMPETITION COMMISSION and TOURVEST HOLDINGS (PTY) LTD

**TRIGON TRAVEL (PTY) LTD** 

:	Norman Manoim (Presiding Member)	
	Enver Daniels (Tribunal Member)	
	Anton Roskam (Tribunal Member)	
:	12 June 2017	
:	12 June 2017	
	:	Enver Daniels (Tribunal Member)

## **ORDER - SECOND RESPONDENT'S EXCEPTION APPLICATION**

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**KINDLY TAKE NOTICE** that after having heard the parties in the above matter the Competition Tribunal orders as follows:

- 1. The second respondent's exception to the Competition Commission's ("the Commission") complaint referral is upheld;
- The Commission is hereby given an opportunity to supplement its complaint referral by filing a supplementary affidavit within 15 business days from date of this order, failing which the complaint referral, insofar as it relates to the second respondent, will be deemed to have been dismissed;
- 3. The supplementary affidavit must allege all the facts on which the Commission seeks to rely to draw the inference that the second respondent has engaged in an agreement or alternatively a concerted practice to contravene section 4(1)(b)(i) and/ or section 4(1)(b)(iii) of the Competition Act, 89 of 1998; and
- 4. There is no order as to costs.

Presiding Member

<u>12 June 2017</u> Date:

Mr Norman Manoim

**Concurring: Mr Enver Daniels and Mr Anton Roskam**