



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: IM100Jul17/CNF158Sep17

In the matter between:

Timrite Proprietary Limited
The Mining Bag Division of Tufbag Proprietary Limited

First Applicant
Second Applicant

and

Quickstich Proprietary Limited
The Competition Commission of South Africa
Spirotech International Proprietary Limited
Harmony Gold Mining Company Limited
Minova Africa Proprietary Limited
Brits Bag Manufacturers Proprietary Limited
Polystar Proprietary Limited
Sibanye Gold Limited
Impala Platinum Limited

First Respondent
Second Respondent
Third Respondent
Fourth Respondent
Fifth Respondent
Sixth Respondent
Seventh Respondent
Eighth Respondent
Ninth Respondent

Panel : Norman Manoim (Presiding Member)
Andreas Wessels (Tribunal Member)
Andiswa Ndoni (Tribunal Member)

Heard on : 26 October 2017

Decided on : 26 October 2017

ORDER

The Competition Tribunal orders as follows:

1. The Second Respondent should grant access in terms of section 45(1) of the Competition Act No. 89 of 1998 (as amended), to all information submitted to the Second Respondent by the First Respondent. Such

information shall be provided only to the applicant's legal representatives and expert economists subject to appropriate confidentiality undertakings.

2. The Applicants are granted leave to supplement their pleadings if they intend proceeding with an application requesting access to be widened to persons other than the applicants legal representatives and economic experts.



Presiding Member
Mr N Manoim

Concurring: Mr Andreas Wessels and Ms Andiswa Ndoni concurring