

COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: LM268Mar19 In the matter between: Kempster Sedgwick (Pty) Ltd **Primary Acquiring Firm** And The Honda, Citroen and Peugeot Motor Dealership **Primary Target Firm** located in Umhlanga Ridge and operated by Mekor Umhlanga Ridge (Pty) Ltd Panel : Norman Manoim (Presiding Member) : Yasmin Carrim (Tribunal Panel Member) : I Valodia (Tribunal Panel Member) Heard on : 29 May 2019 Decided on : 29 May 2019 **ORDER** Further to the recommendation of the Competition Commission in terms of section 14A(1)(b) of the Competition Act, 1998 ("the Act") the Competition Tribunal orders that-1. the merger between the abovementioned parties approved in terms of section 16(2)(a) of the Act; and

2. a Merger Clearance Certificate be issued in terms of Competition Tribunal Rule

Presiding Member Date
Norman Mangim

Concurring: Ms Yasmin Carrim and Prof. Imraan Valodia

35(5)(a).



Notice CT 10

About this Notice

This notice is issued in terms of section 16 of the Competition Act.

You may appeal against this decision to the Competition Appeal Court within 20 business days.

Contacting the Tribunal

The Competition Tribunal Private Bag X24
Sunnyside
Pretoria 0132
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Merger Clearance Certificate

Date : 29 May 2019

To : Wylie Attorneys

Case Number: LM268Mar19

Kempster Sedgwick (Pty) Ltd And The Honda, Citroen, Peugeot Motors Dealership located in Umhlanga Ridge and operated by Mekor Umhlanga Ridge (Pty) Ltd

You applied to the Competition Commission on <u>07 March 2019</u> for merger approval in accordance with Chapter 3 of the Competition Act.

Your merger was referred to the Competition Tribunal in terms of section 14A of the Act, or was the subject of a Request for consideration by the Tribunal in terms of section 16(1) of the Act.

After reviewing all relevant information, and the recommendation or decision of the Competition Commission, the Competition Tribunal approves the merger in terms of section 16(2) of the Act, for the reasons set out in the Reasons for Decision.

This approval is subject to:

x no conditions.

the conditions listed on the attached sheet.

The Competition Tribunal has the authority in terms of section 16(3) of the Competition Act to revoke this approval if

- a) it was granted on the basis of incorrect information for which a party to the merger was responsible.
- b) the approval was obtained by deceit.
- c) a firm concerned has breached an obligation attached to this approval.

The Registrar, Competition Tribunal

