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Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

THE NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NO. 118

Ms N V Mente-Nkuna (EFF) to ask the Minister of Trade, Industry and Competition:

What (a) is the status of his department's appeal of the order by the Competition Tribunal that blocked off Vodacom's R13,2 billion deal to buy a stake in Remgro's fibre businesses, (b) is the current status of the costs of the specified legal action and (c) is the envisioned and/or preferred outcome of his department in the matter? NW137E

REPLY:

- (a) In terms of section 17(1) of the Competition Act, an appeal of the Competition Tribunal (CT) decision must be made within 20 business days after the notice of decision by the CT. The Minister of Trade, Industry and Competition participated in the merger proceedings on public interest grounds in line with merger provisions of the Competition Act, which led to the merging parties committing to substantial public interest conditions that will boost investments and growth of fibre and mobile connectivity in South Africa. This is in line with South Africa's priorities for industrialisation and investment to foster economic growth and create jobs. Minister Tau is awaiting the publication of the CT's reasons for prohibition. Once the Tribunal's reasons are made available, the Minister will assess and advise whether he will proceed or withdraw the appeal.
- (b) The cost for formally filing the appeal amounted to R105 578.05 (one hundred and five thousand, five hundred and seventy-eight Rand and five cent).
- (c) Once reasons for the Tribunal's decision becomes available, Minister will consider the Tribunal's reasons for the prohibition against the significant positive interest outcomes offered by the merging parties, after which Minister could proceed with the appeal or withdraw the appeal.

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