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DEPARTMENT OF TRADE AND INDUSTRY

THE COMPETITION ACT, 1998 (ACT 89 OF 1998)

RULES FOR THE CONDUCT OF PROCEEDINGS IN THE COMPETITION COMMISSION

In terms of section 21(4) of the Competition Act, 1998 (Act 89 of 1998), The Minister of Trade and Industry, in consultation with the Competition Commission, has made the following regulations relating to the functions of the Competition Commission to come into operation at the time that Chapters 2, 3 and 5 of the Act come into operation.

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COMPETITION COMMISSION RULES

REGULATING THE FUNCTIONS OF THE COMPETITION COMMISSION

Part 1 – General Provisions

Division A - Interpretation

1. Short title

These Regulations may be cited as the *Competition Commission Rules*.

2. Interpretation

- (1) A word or expression that is defined in the Act, or in a chapter of the Act, bears the same meaning in these Rules as in the Act.
- (2) In these Rules,
 - (a) a reference to a section by number refers to the corresponding section of the Act;
 - (b) a reference to a Rule by number refers to the corresponding item of these Rules; and
 - (c) a reference to a sub-rule or paragraph by number refers to the corresponding item of the Rule in which the reference appears.
- (3) In these Rules unless the context indicates otherwise,
 - (a) “Act” means the *Competition Act*, 1998 (Act No.89 of 1998)
 - (b) “application” means a request for an exemption submitted in terms of section 10, or in terms of item 1 of Schedule 1 of the Act;

- (c) "certified copy", means a copy of a document certified by a Commissioner of Oaths;
- (d) "Commission" means the body established by section 19;
- (e) "Commissioner" means the office holder appointed in terms of section 22;
- (f) "complaint" means either
 - (i) a matter initiated by the Commissioner in terms of section 44; or
 - (ii) a matter that has been submitted to the Commission in terms of section 44, and accepted by the Commission in terms of Rule 17;
- (g) "Court" means the Competition Appeal Court established by section 36;
- (h) "deliver" means to serve and file;
- (i) "file", when used as a verb, means to deposit with the Commission;
- (j) "Judge President" means the Judge President of the Court;
- (k) "Merger Notice" means a notification required in terms of section 13;
- (l) "public holiday" means a public holiday referred to in section 1 of the Public Holidays Act, 1994 (Act 36 of 1994);
- (m) "Rule" includes any footnote to a Rule, and any Table included within or referred to in a Rule;
- (n) "restricted information" means either
 - (i) information in the possession of the Commission in respect of which a claim has been made asserting that it is confidential information; or
 - (ii) other information in the possession of the Commission that is restricted in terms of Rules 12 - 14;

- (o) "serve" means to serve in accordance with section 76 or Rule 6(1)(b), and "service" has a corresponding meaning; and
- (p) "Tribunal", depending on the context, means either –
 - (i) the body established by section 26;
 - (ii) a panel of the Tribunal convened in terms of section 31(1); or
 - (iii) the registrar of the Tribunal.

Division B – Commission Office Functions**3. Office hours and address of Commission**

(1) The offices of the Commission are open to the public every Monday to Friday, excluding public holidays, from 08h30 to 13:00 and from 13h30 to 15h30.

(2) Despite sub-paragraph (1) –

(a) in exceptional circumstances the Commission may accept documents for filing on any day and at any time; and

(b) the Commission must accept documents for filing as directed by either the Tribunal or a member of the Tribunal assigned by its chairperson.

(3) Subject to Rule 6 and 7, any communication to the Commission, or to a member of the staff of the Commission, may be –

(a) Delivered by hand at:

The Competition Commission

Glenfield Office Park

Cnr. Glenwood Road and Oberon Steet

Faerie Glen, Pretoria

Republic of South Africa

(b) Addressed by post to:

The Competition Commission

Private Bag X23

Lynnwood Ridge Pretoria 0040

Republic of South Africa

- (c) Communicated by telephone on 27 012 482 9000
- (d) Transmitted by Fax on 27 012 482 9001; or
- (e) Transmitted by electronic mail to ccsa@compcom.co.za.

4. Time limits

- (1) When a particular number of days is prescribed for doing an act, the number of days must be calculated by excluding the first day and including the last day.
- (2) When the time for doing an act expires on a public holiday, a Saturday or a Sunday, the act may be done on the next day that is not a public holiday, a Saturday, or a Sunday.¹
- (3) When a particular number of business days is prescribed for doing an act, the provisions of sub-rule (1) apply, but public holidays, Saturdays and Sundays must not be included in the calculation of the time limit.
- (4) On good cause shown, the Commissioner may condone late performance of an act in respect of which these Rules prescribe a time limit, other than a time limit that is binding on the Commission itself.

5. Commissioner's functions

The Commissioner, in writing, may assign any function or power to a member of the staff of the Commission, either generally or in connection with a particular matter.

¹ Note that time periods for days in the Act are calculated in accordance with the Interpretation Act, which would not exclude Saturdays from the expiry period as does rule 4(2).

Part 2 – Delivery of Documents**6. Delivery of documents**

- (1) A notice or document –
 - (a) that is required to be delivered may be filed or served as provided for in section 76; or
 - (b) in any way permitted in accordance with Table CCR 1.
- (2) Subject to sub-rule (4), a document delivered by a method listed in the second column of Table CCR 1 will be deemed to have been delivered to the intended recipient on the date and at the time shown opposite that method, in the third column of that Table.
- (3) If, in a particular matter, it proves impossible to deliver a document in any manner provided for in these Rules, the person concerned may apply to the Tribunal for an order of substituted service.
- (4) Subject to Rule 3(2) if the date and time for the delivery of a document referred to in Table CCR 1 is outside of the office hours of the Commission as set out in Rule 3(1), that document will be deemed to have been delivered on the next business day.
- (5) A document that is delivered by fax must include a cover page, and a document that is transmitted by electronic mail must accompany a cover message, in either case setting out –
 - (a) The name, address, and telephone number of the sender;
 - (b) The name of the person to whom it is addressed, and the name of that person's representative, if it is being sent to the representative of a person;
 - (c) The date and time of the transmission;

- (d) The total number of pages sent, including the cover page; and
 - (e) The name and telephone number of the person to contact if the transmission appears to be incomplete or otherwise unsuccessful.
- (6) Despite sub-rules (1) through (5), if, in terms of Rule 8, a filing fee is required in respect of a document that has been filed, that document will be deemed to have been filed –
- (a) on the date and at the time indicated in Table CCR 1, or determined by sub-rule (3), if applicable, provided that the filing fee is paid to the Commission within 5 days of that time; or
 - (b) when the filing fee is received by the Commission, if later.

7. Filing documents

- (1) The Commission must assign distinctive case numbers to each –
- (a) Complaint;
 - (b) Application; and
 - (c) Merger Notice.
- (2) A party required to provide a copy of a Merger Notice to any person in terms of section 13(2) must –
- (a) first obtain a case number for that Merger Notice from the Commission; and
 - (b) note the case number on the Merger Notice before delivering it in terms of section 13(2).
- (3) The Commission may combine two or more complaints under a common investigation if they concern substantially the same conduct by the same firm.
- (4) The Commission must ensure that every document subsequently filed in respect of the same proceedings is marked with the same case number.

- (5) The Commission may refuse to accept a document subsequently filed in respect of the same proceedings that is not properly marked with the assigned case number.

8. Fees

- (1) The Commission may not charge a fee to any person for filing a complaint.
- (2) Subject to sub-rule (3) the fee for filing an application with the Commission is -
 - (a) for a single exemption -
 - (i) a filing fee of R 5000; plus
 - (ii) an annual fee, payable in advance, equal to R 500 times the number of years for which the exemption is granted; or
 - (b) for a category exemption -
 - (i) a filing fee of R 100 000; plus
 - (ii) an annual fee, payable in advance, equal to R1 000 times the number of years for which the exemption is granted; or
 - (c) for an exemption in terms of Schedule 1 of the Act, a filing fee of R 100 000.
- (3) If an application is refused in terms of Rule 21(4)(a)(i), or Rule 23(3) or an advice is given in terms of Rule 21(4)b, the Commission must refund to the applicant the annual fee paid in respect of that application.
- (4) The fee for an advisory opinion other than one contemplated in terms of section 10(2)(a) is R 2 500.
- (5) The fee for filing a Merger Notice is -
 - (a) R 5 000, if the combined figure is valued at or above R 50 million, but less than R 100 million; or

- (b) R 125 000, if the combined figure is valued at or above R 100 million, but less than R 1 billion; or
 - (c) R 250 000, if the combined figure is valued at or above R 1 billion, but less than R 3,5 billion; or
 - (d) R 500 000, if the combined figure is valued at or above R 3,5 billion.
- (6) For the purpose of sub-rule (5) –
- (a) "*combined figure*" means the greater of–
 - (i) the combined annual turnover in the Republic of the acquirer and the target;
 - (ii) the combined assets in the Republic of the acquirer and the target;
 - (iii) the annual turnover in the Republic of the acquirer plus the assets in the Republic of the target; or
 - (iv) the assets in the Republic of the acquirer plus the annual turnover in the Republic of the target; and
 - (b) annual turnover and assets must be calculated in accordance with the Notice published by the Minister of Trade and Industry in terms of section 11 of the Act.
- (7) For the purpose of sub-rule (6) –
- (a) "*acquirer*" means the total of all the firms that are acquiring firms in respect of that merger, as defined in Rule 25(1); and
 - (b) "*target*" means the total of all the firms that are target firms in respect of that merger, as defined in Rule 25(1).
- (8) Notwithstanding sub-rules (5) – (7), no fee is payable for filing a Merger Notice for a merger notified in terms of item 4B of Schedule 3 of the Act.

- (9) The Commission may charge a fee of R1-00 per A4-size page or part thereof to any person wishing to copy a record in the possession of the Commission and R2-00 each for the Commission's certificate on certified copies of documents.

9. Form of notices and applications

- (1) Whenever a notice or application is required in terms of a section of the Act, or an item of these Rules, shown in column 1 of Table CCR 2, for a purpose listed in column 2 of that Table, the document must be substantially in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.
- (2) Whenever these Rules require a document to be in a form whose number is prefixed by the letters "CT", that document must be substantially in the corresponding form prescribed in the Competition Tribunal Rules.

10. Form of Certificates and Notices of Referral

- (1) Whenever the Commission is required to issue a Certificate, Notice or Receipt in terms of a section of the Act, or an item of these Rules, shown in column 1 of Table CCR 3, for a purpose listed in column 2 of that Table, the document must be substantially in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.
- (2) Whenever the Commission is required, either in terms of the Act or these Rules, to publish a notice in the Gazette, that notice must contain at least the following information:
 - (a) The name of any firm, or other person directly affected by the notice.
 - (b) The file number assigned by the Commission to the relevant matter.
 - (c) The provision of the Act or Rules in terms of which the notice is required.

- (d) A brief and concise description of the nature of the relevant matter.
- (e) If the notice invites submissions, the last date on which submissions may be received.
- (f) If the notice reports a decision –
 - (i) a brief and concise description of the nature of the relevant decision;
 - (ii) a statement indicating whether reasons for the decision have been published, and if so, how a copy of those reasons may be obtained; and
 - (iii) a statement of any right of review of, or appeal from, that decision, including the period during which a review or appeal may be lodged.
- (g) The name, address, and contact numbers of the person in the Commission responsible for publishing the notice.

11. Form of Annual Report

- (1) The Annual Report to be submitted by the Commission in terms of section 41 must be divided into the following Parts:
 - (a) **Statement of Progress**, being the statement required by section 41(1)(d).
 - (b) **The Proceedings of the Commission**, being a summary report of the Commission's work in relation to complaints, exemptions, mergers, and compliance.
 - (c) **The Administrative Activities of the Commission**, being a summary report concerning the Commission's management, staff, infrastructure, Rules and related matters.
 - (d) **The Commission's Finances**, including the items required by section 41(1)(a) and (b).

(2) In addition to the matters required in terms of section 41, each Annual Report must include a report on the following matters:

- (a) The Commission's public awareness programs.
- (b) Relationships between the Commission and other regulatory Authorities.
- (c) Relationships between the Commission and foreign agencies.
- (d) Research activities undertaken by the Commission and any proposals for law reform published by the Commission.

Part 3 - Access to Commission Records**12. Restricted information**

- (1) A complaint, and any information received by the Commission during its investigation of the complaint, is restricted information.
- (2) An application and any information received by the Commission during its consideration of the application, or revocation of an exemption granted to the applicant, is restricted information only to the extent provided for in Rule 13.
- (3) A Statement of Merger Information and any information annexed to it, or received by the Commission during its investigation of that merger, is restricted information.

13. Right of informants to claim confidentiality or request restricted access

- (1) Any person, when submitting information to the Commission, may identify information that the person claims to be confidential information, but must support that claim at the same time with a written statement in Form CC 7 explaining why the information is confidential.
- (2) If a person makes a claim in terms of sub-rule (1), the Commission may –
 - (a) agree to be bound by that claim without determining whether or not the information is confidential information; but
 - (b) at any time may refer the claim to the Tribunal to determine whether the information is confidential information, by Notice of Motion in terms of Rule 42 of the *Competition Tribunal Rules*, and the Tribunal may –
 - (i) determine whether the information is confidential information; and

- (ii) if it determines that it is, make any appropriate order concerning access to that confidential information.
- (3) Information that is the subject of a claim in terms of this sub-rule (1) is restricted information –
 - (a) from the time that the claim is made, until the Tribunal has determined whether it is confidential information; and
 - (b) from that time on is restricted only to the extent that the Tribunal has accepted the claim.
- (4) If a person has requested in terms of Rule 15(2) that the Commission treat their identity as restricted information –
 - (a) The Commission must accept that request; and
 - (b) That information is restricted unless the person subsequently waives the request in writing.

14. Access to information

- (1) Any person, upon payment of the prescribed fee, may inspect or copy any record of the Commission's proceedings in terms of Chapters 2, 3, or 6 of the Act, –
 - (a) if it is not restricted information; or
 - (b) if it is restricted information, to the extent permitted, and subject to any conditions imposed, by
 - (i) this Rule; or
 - (ii) an order of the Tribunal, or the Court
- (2) In a particular complaint the Commission may release otherwise restricted information, other than confidential information, relating to a possible agreement of

terms of an appropriate order, or the consent of a complainant for an order to include an award of damages, to –

(a) The respondent; or

(b) Any person who has filed Form CT 3 in respect of that complaint.

(3) In addition to the provisions of sub-rule (1) and (2), the Commission may release restricted information to, or permit access to it by, only the following persons:

(a) the person who provided that information to the Commission;

(b) the firm to whom the confidential information belongs;

(c) a person who requires it for a purpose mentioned in section 69(2)(a) or (b);

(d) a person mentioned in section 69(2)(c);

(e) the Minister, if the information concerns a merger; or

(f) any other person, with the written consent of the firm to whom the information belongs.

(4) When the Commission submits a Complaint Referral to the Tribunal, makes a recommendation to the Tribunal in respect of a large merger, or supplies any other information to the Tribunal or the Minister, the Commission must identify to the Tribunal or the Minister any information included in its submission –

(a) in respect of which a claim has been made in terms of Rule 13(1), that has not yet been determined by the Tribunal; or

(b) that has been finally determined to be confidential information.

(5) When making any decision in terms of the Act or these Rules, the Commission –

(a) may take confidential information into account in making its decision, but

(b) if the Commission's reasons for the decision would reveal any confidential information, the Commission must provide a copy of the proposed reasons to

the party concerned after publishing its decision in the matter, but at least ten days before publishing those reasons.

- (6) A party may apply to the Tribunal within the time period contemplated in sub-rule (5)(b) after receiving a copy of proposed reasons in terms of sub-rule (5)(b), subject to its Rules, for an appropriate order to protect the confidentiality of the relevant information.
- (7) A party concerned may appeal against a decision of the Tribunal in terms of sub-rule (6) to the Court, subject to its Rules.
- (8) If a party applies to the Tribunal in terms of sub-rule (6), the Commission must not publish the proposed reasons until the Tribunal, or the Court, if applicable, has made an order in the matter.

Part 4 – Complaint Procedures**15. Information concerning alleged prohibited practices**

- (1) A person may provide information concerning an alleged prohibited practice to the Commission in any manner and at any time, whether or not a complaint has been initiated concerning those allegations.
- (2) A person who provides information in terms of sub-rule (1) may request that the Commission treat their identity as restricted information; but that person may be a complainant in the relevant matter only if they subsequently waive the request in writing.

16. Complaints initiated by Commissioner

The Commissioner may initiate a complaint at any time, if –

- (a) it concerns a matter that is within the jurisdiction of the Act; and
- (b) it concerns a matter that constitutes a permitted complaint in terms of section 67.

17. Submissions by persons other than Commissioner

- (1) A person other than the Commissioner, by filing a completed Form CC 1, may submit a matter to the Commission, if
 - (a) the matter concerns a practice that meets both of the tests set out in Rule 16 (a) and (b);
 - (b) the submission is not frivolous; and

- (c) the Commissioner has not initiated or accepted a complaint in respect of that practice.
- (2) Upon receiving a submission in terms of sub-rule (1), the Commission must either –
 - (a) accept the submission as a complaint in terms of section 44; or
 - (b) notify the person who made the submission that the Commission has rejected the submission as a complaint, and provide a brief written explanation for that decision.
- (3) If the Commission has rejected a submission in terms of sub-rule (1) (a), (b) or (c), the person who made that submission may request, within 10 days after receiving a notice from the Commission in terms of sub-rule (2)(b), a review of the Commission's decision by the Competition Tribunal, subject to its Rules.
- (4) If, following a review in terms of sub-rule (3), the Tribunal determines that any submission satisfies sub-rule (1), the Commission must accept it as a complaint in terms of section 44.
- (5) A person whose submission in terms of sub-rule (1) has been accepted as a complaint may withdraw that complaint at any time before the Commission has referred the matter to the Tribunal, but –
 - (a) in respect of that matter, that person may not subsequently assert any right of a complainant in terms of section 53; and
 - (b) the Commission may continue to investigate that matter as if the Commissioner had initiated the complaint as of the date that the complaint was originally accepted.

18. Declaration of material interest

- (1) When filing a complaint in terms of Rule 17 or at any time after a complaint has been initiated, or accepted, as the case may be –

- (a) a person may file a Declaration of Material Interest in Form CC 2 in respect of that complaint if –
 - (i) the relevant practice has affected or is affecting a material interest of that person; and
 - (ii) the declaration is not frivolous; and
 - (b) the Commission may publish a notice disclosing an alleged prohibited practice and inviting a declaration in terms of paragraph (a) in respect of that matter from any person who believes that the alleged practice has affected or is affecting a material interest of that person.
- (2) Rules 17 (2) – (5), read with the changes required by context, apply to a Declaration made in terms of this Rule.
- (3) In respect of a particular complaint, a person who has filed a Declaration of Material Interest that has been accepted in terms of this Rule -
- (a) is a complainant in that matter for the purposes of section 63; and
 - (b) is a claimant in that matter for the purposes of –
 - (i) Rules 19 and 20; and
 - (ii) Rules 24(3), 26, 27 and 28 of the *Competition Tribunal Rules*.

19. Resolution of complaint

- (1) The Commission must notify the registrar of the Competition Tribunal that a complaint has been initiated or accepted by the Commission on the earliest of the following dates, as applicable in a particular case:
- (a) The date on which the Commissioner initiates the complaint.
 - (b) The date on which the Commission accepts a submission in terms of Rule 17(2)(a).

- (c) The date on which the Tribunal determines in terms of Rule 17(4) that a submission satisfies Rule 17(1).
- (d) The date on which the Commission publishes a notice in terms of Rule 18(1)(b).
- (2) Subject to sub-rule (3), the Commission must either refer a complaint to the Tribunal in Form CT 1(1), or issue a Notice of Non-referral in Form CC 8, no more than one year after the date on which the complaint was initiated or accepted, as the case may be, as reported to the Tribunal in terms of sub-rule (1).
- (3) In a particular case -
 - (a) the Commission, and all claimants recognised at the time, may agree to extend the period allowed in sub-rule (2);
 - (b) on application by the Commission, the Tribunal may extend the period allowed in sub-rule (2).
- (4) If the Commission has not referred a complaint to the Tribunal, or issued a Notice of Non-referral, within the time allowed by sub-rule (2), or sub-rule (3) if different, the Commission will be deemed to have issued a Notice of Non-referral on the expiry of the relevant time period.
- (5) Upon issuing a Notice of Non-referral in terms of sub-rule (2), the Commission must deliver a copy of the notice to each claimant recognised at the time.

20. Consent orders

- (1) If, at any time before issuing a Notice of Non-referral in Form CC 8, or referring a complaint to the Tribunal in Form CT 1(1), it appears to the Commission that the respondent may be prepared to agree terms of a proposed order, the Commission -
 - (a) must notify each claimant recognised at the time, in writing, that a consent order may be recommended to the Tribunal; and

- (b) invite each claimant to inform the Commission in writing within 7 days after receiving that notice –
 - (i) whether that claimant is prepared to accept damages under such an order; and
 - (ii) if so, the amount of damages claimed.
- (2) If the Commission and the respondent agree the terms of an appropriate order, the Commission must –
 - (a) refer the complaint to the Tribunal in Form CT 1(1) to be proceeded with in terms of section 63;
 - (b) attach to the referral –
 - (i) a draft order in the terms agreed between the Commission and the respondent, including, if applicable, the amount of damages agreed between the respondent and any claimant who has –
 - (aa) agreed the amount of their damages with the respondent; and
 - (bb) agreed to have an award for their damages included in the order; and
 - (ii) Form CT 3 completed by each claimant referred to in sub-paragraph (i), as applicable; and
 - (c) deliver a copy of the referral and draft order to the respondent and each claimant recognised at the time.

Part 5 – Exemption Procedures**21. Procedures relating to exemption applications (Section 10)**

- (1) Upon receiving an application in terms of section 10, the Commission must publish a notice of the application in the Gazette.
- (2) The provisions of section 10(6)(b) apply to a notice published in terms of sub-rule (1).
- (3) The Commission may request further information from any person who submits a representation in response to a notice published in terms of sub-rule (1).
- (4) After considering the application and any submissions or other information received in relation to the application, the Commission must –
 - (a) If the subject matter of the application appears to constitute a prohibited practice in terms of the Act -
 - (i) either grant an exemption in terms of section 10(2)(b) by issuing an Exemption Certificate in Form CC 10(1) to the applicant, or refuse to grant an exemption in terms of section 10(2)(c) by issuing a Notice of Refusal to Grant Exemption in Form CC 11(1); and
 - (ii) give written reasons for its decision; and
 - (iii) publish a notice of that decision in the Gazette, setting out the section of the Act in terms of which the exemption was granted; or
 - (b) If the subject matter of the application appears not to constitute a prohibited practice in terms of the Act, advise the applicant in Form CC 9(1) as provided by section 10(2)(a).

- (5) If the Commission issues advice to an applicant in terms of section 10(2)(a) and sub-rule (4)(b) in respect of a particular practice, subject to sub-rule (6), -
 - (a) the Commission may withdraw that advice at any time, by giving the applicant at least 90 days notice of its intention to do so in Form CC 9(2);
 - (b) upon withdrawing its advice to the applicant at any time -
 - (i) the Commission must reconsider the application for an exemption in terms of sub-rule 4(a); and
 - (ii) the applicant must repay any annual fee in respect of that application that has been refunded in terms of Rule 8(3);
 - (c) the Commission must not initiate or accept a complaint against the applicant in respect of the particular practice -
 - (iii) without first withdrawing its advice in terms of paragraph (a); or
 - (iv) for anything done by the applicant between the time the advice was given by the Commission and the date of withdrawing the advice.
- (6) If the Commission issues advice to an applicant in terms of section 10(2)(a) and sub-rule (4)(b) in respect of a particular practice, and the Commission subsequently determines to revoke that advice in terms of section 10(5)(a) - -
 - (a) The provisions of sub-rule (5) do not apply;
 - (b) the Commission must give the applicant at least 5 business days notice of its intention to do so in Form CC 9(3); and
 - (c) The party who receives a notice of proposed revocation of advice in terms of paragraph (b) may apply to the Tribunal, within 5 business days after receiving that notice subject to its Rules, for an appropriate order.
- (7) If the Commission acts either in terms of sub-rule (5) or (6), it must provide the applicant with the reasons for its action.

22. Procedures related to revoking exemption certificates (Section 10)

- (1) If the Commission is contemplating revoking an exemption granted in terms of section 10(2)(b), the Commission must -
 - (a) advise the firm concerned, in writing, of the intention to do so; and
 - (b) publish a notice of the proposed revocation in the Gazette.
- (2) The Commission may request further information from any person who submits a representation in response to a notice published in terms of sub-rule (1)(b).
- (3) After considering any submissions or other information received in relation to the proposed revocation, the Commission must -
 - (a) either revoke the exemption by issuing to the firm concerned a Notice of Revocation in Form CC 12(1), or confirm the exemption as previously granted, in writing to that applicant;
 - (b) give written reasons for its decision; and
 - (c) publish a notice of that decision in the Gazette.

23. Procedures relating to exemption applications (Schedule 1)

- (1) Upon receiving an application in terms of Schedule 1, the Commission must publish a notice of the application in the Gazette.
- (2) The Commission may request further information from the applicant or any person who submits a representation in response to a notice published in terms of sub-rule (1).

- (3) After considering the application and any submissions or other information received in relation to the application, and consulting with the responsible Minister or member of the Executive Council, the Commission must
 - (a) either grant an exemption in terms of Schedule 1 by issuing an Exemption Certificate in Form CC 10(2) to the applicant, or reject the application by issuing to the applicant a Notice of Rejection of Application in Form CC 11(2);
 - (b) give written reasons for its decision; and
 - (c) publish a notice of that decision in the Gazette.

24. Procedures related to revoking exemption certificates (Schedule 1)

- (1) If the Commission is contemplating revoking an exemption granted in terms of Schedule 1, the Commission must
 - (a) advise the professional association concerned, in writing, of the intention to do so; and
 - (b) publish a notice of the proposed revocation in the Gazette.
- (2) The Commission may request further information from the professional association, or any person who submits a representation in response to a notice published in terms of sub-rule (1)(b).
- (3) After considering any submissions or other information received in relation to the proposed revocation, and consulting with the responsible Minister or member of the Executive Council, the Commission must –
 - (a) either revoke the exemption by issuing to the professional association concerned a Notice of Revocation of Exemption in Form CC 12(2), or confirm the exemption as previously granted to the association, in writing;
 - (b) give written reasons for its decision; and

(c) publish a notice of that decision in the Gazette.

Part 6 - Merger Procedures**25. Merger Parties and Participants**

(1) In this Part, in respect of any particular merger –

- (a) “acquiring firm” means –
 - (i) any firm that, as a result of a transaction in any circumstances set out in section 12, would acquire or establish control over ~~or~~ all significant interests in all or part of the business of another firm or person; and
 - (ii) any other firm that has control over, or significant interest in, all or part of the business of a firm described in sub-paragraph (i); and
 - (iii) any other firm that is controlled by, or a significant interest in which is held by, a firm described in either sub-paragraph (i) or (ii); and
- (b) “party to a merger” means an acquiring firm, or a target firm;
- (c) “primary acquiring firm” means a firm that meets the definition set out in sub-paragraph (a)(i);
- (d) “primary target firm” means the firm that satisfies the definition in sub-paragraph (e)(i); and
- (e) “target firm” means –
 - (i) a firm that, as a result of a transaction in any circumstances set out in section 12, either –
 - (aa) would become controlled by, or a significant interest in which would be held by, another firm; or

- (bb) would transfer control of, or a significant interest in, part of its business to another firm; and
 - (ii) any other firm that is controlled by, or a significant interest in which is held by, a business described in sub-paragraph (i).
- (2) The following persons may participate in proceedings before the Commission in respect of any merger:
 - (a) The party to the merger who files the Merger Notice.
 - (b) Any other party to the merger who indicates an intention to participate when filing a Statement of Merger Information.
 - (c) Any person who was entitled to receive a notice in terms of section 13(2), and who, within 7 days of receiving that notice, filed a Notice of Intention to Participate in Form CC 5(1).
 - (d) The Minister, if a Notice of Minister's Intention to Participate in Form CC 5(2) has been filed in respect of that merger.
 - (e) Any other person whom the Tribunal has ordered to be recognised as a participant.

26. Merger filing requirements

- (1) In respect of a particular merger, the primary acquiring firm and the primary target firm must satisfy the notice requirements of section 13(1) and (2) as follows:
 - (a) The Merger Notice required by section 13(1) may be filed by either the primary acquiring firm or the primary target firm.
 - (b) Within 3 days after filing the Merger Notice, the party who filed it must file proof of delivery of a copy of the Merger Notice to –
 - (i) each other party to the merger; and

- (ii) to any person in respect of that party who is entitled to a copy in terms of section 13(2).
- (c) Within 5 days after receiving a copy of a Merger Notice the primary acquiring or primary target firm that did not file the notice, must file –
 - (i) Proof of delivery of a copy of the Merger Notice to any person in respect of that party who is entitled to a copy in terms of section 13(2); and
 - (ii) a Statement of Merger Information in Form CC 4(2), including either –
 - (aa) the firm's consent to be represented in the merger proceedings by the party who filed the Merger Notice; or
 - (bb) a statement that the firm intends to participate in the merger proceedings.
- (2) In respect of a particular merger, a party not referred to in sub-rule (1) must satisfy the notice requirements of section 13(1) and (2) as follows:
 - (a) Within 5 days after receiving a copy of the Merger Notice, each party must file a Statement of Merger Information in Form CC 4(3), including either –
 - (i) the firm's consent to be represented in the merger proceedings by the party who filed the Merger Notice; or
 - (ii) a statement that the firm intends to participate in the merger proceedings.
- (3) After receiving a copy of a Merger Notice –
 - (a) A party to that merger who complies with the requirements of sub-rule (1) or (2) as applicable will be deemed to have notified the Commission of that merger, unless the Merger Notice is subsequently withdrawn without substitution, or rejected; and

- (b) A party to that merger who fails to file a required document in terms of sub-rule, (1) or (2) as applicable, within the time allowed by that sub-rule is deemed to have consented to be represented in the merger proceedings by the party that filed the merger notice.
- (4) A party who has consented, or is deemed to have consented, to be represented in the merger proceedings is bound by the Merger Notice and Statement of Merger Information submitted to the Commission by the party who filed the Merger Notice, as if those documents had been prepared and filed by the consenting party.
- (5) When filing its Statement of Merger Information, an acquiring firm, or a target firm, may file with it –
 - (a) any other document that it is required to file in terms of this Rule; or
 - (b) any document on behalf of another firm that is also an acquiring firm, or target firm, as the case may be.
- (6) In addition to the provisions of sub-rule (5)(b), when filing its Statement of Merger Information, a firm may file with it any document on behalf of another firm with the consent of that firm.
- (7) A Merger Notice must be in Form CC 4(1), and must have attached to it a completed Statement of Merger Information in respect of the party filing the notice, in Form CC 4(2).
- (8) Upon receiving a Merger Notice, the Commission must determine whether the merger is within the jurisdiction of the Act, and –
 - (a) if it is,
 - (i) send a copy of the Merger Notice and Statement of Merger Information to the Minister;
 - (ii) if it is a large merger, send a copy of the Merger Notice to the Tribunal; and
 - (iii) publish a notice of the merger in the Gazette; or

- (b) if it is not, -
 - (i) return the Merger Notice to the party that submitted it, with a letter indicating that the merger is not subject to review in terms of the Act; and
 - (ii) send a copy of that letter to -
 - (aa) every other party to the merger identified in the Merger Notice; and
 - (bb) each person identified in the Merger Notice as being entitled to receive a copy of the Merger Notice in terms of section 13(2).
- (9) If, in respect of a particular merger, the Commission issues a letter in terms of sub-rule (8)(b), no party to that merger is required to file or serve any further documents concerning that merger.
- (10) A merger proceeding begins when a party to the merger files a Merger Notice in the appropriate form.

27. Initial review of merger notices

- (1) Within 5 days after receiving a Merger Notice and Statement of Merger Information, or a Statement of Merger Information, the Commission, by issuing Form CC 13 to the relevant firm, may -
 - (a) advise the firm -
 - (i) that the Notice or Statement was materially incomplete or inaccurate; or
 - (ii) that the firm has failed to deliver a copy of the Merger Notice or other document to another person, as required; and
 - (b) require the firm to provide
 - (i) additional information to complete or correct the document; or

- (ii) proof of delivery of the relevant document in the prescribed form.
- (2) If, within 5 days after receiving a notice in terms of sub-rule (1), the firm concerned has not complied with any requirement of the Commission in terms of that notice -
 - (a) the Commission -
 - (i) may reject that Notice, or Statement of Merger Information, as the case may be, as of the date it was received by the Commission; and
 - (ii) if it does so, must notify all other participants in those merger proceedings, and the Tribunal if it is a large merger, that the Notice or Statement of Merger Information has been rejected; and
 - (b) for all purposes of the Act and these Rules, that firm will be deemed not to have notified the Commission of the merger.

28. Withdrawal of merger notices

- (1) At any time before the Commission has disposed of a Merger Notice in terms of section 14, a party to the merger may withdraw its Merger Notice and Statement of Merger Information, or its Statement of Merger Information, if filed alone, by filing a Withdrawal Notice in Form CC 6.
- (2) If a firm that has withdrawn its documents in terms of sub-rule (1) files a substitute document within 3 days after withdrawing -
 - (a) The firm must deliver a copy of the substitute document to any person who, in terms of section 13 or these Rules, was entitled to a copy of the original document;
 - (b) No additional fee is payable for filing that substitute document; and
 - (c) The period within which the Commission must dispose of the matter in terms of section 14 will continue uninterrupted as if the original document had not been withdrawn.

- (3) Rule 26(3)(b), read with the changes required by context, applies to a firm that has withdrawn a document without filing a substitute document within 3 days after withdrawing its original document.

29. Effect of rejection or withdrawal of notice

- (1) The Commission must notify in writing all other participants in the proceedings, and the Tribunal if it is a large merger, if a document has been rejected or withdrawn and not substituted.
- (2) Upon the rejection, or withdrawal without substitution, of a document, if no Statement of Merger Information remains filed in respect of that merger –
 - (a) the Merger Notice in respect of the relevant merger is deemed to have been rejected as of the date of the rejection or withdrawal;
 - (b) each party to the merger is, for all purposes of the Act, in the same position as if they had never notified the Commission of that merger, unless the proposed merger has been abandoned; and
 - (c) the Commission may further consider that merger only if a party to the merger subsequently files a new Merger Notice with respect to it; and
 - (d) if a new Merger Notice is subsequently filed in respect of that merger, the Commission must proceed to consider that merger on the basis of that notice without reference to the notice that has been withdrawn or rejected.

30. Participation by Minister in Commission merger proceedings

- (1) If the Minister decides to participate in any intermediate merger proceedings before the Commission, the Minister must file a Minister's Notice of Intention to Participate in Form CC 5(2) within 10 days after receiving a copy of the Merger Notice from the Commission.

- (2) Upon receipt of a Minister's Notice of Intention to Participate in terms of sub-rule (1), the Commission -
 - (a) is deemed to have issued an extension certificate for 60 days in terms of section 14(1)(a);
 - (b) must deliver a copy of the Minister's Notice of Intention to Participate to every other participant; and
 - (c) must deliver to the Minister a copy of all documents filed in connection with the merger, up to the day on which the Minister's Notice of Intention to Participate was filed.
- (3) The Commission must deliver to the Minister any document that is filed in connection with a merger after the Minister's Notice of Intention to Participate was filed.
- (4) The Minister may file a concise statement of the public interest grounds on which the Minister relies in respect of a particular intermediate merger, and a statement of the decision, if any that the Minister prefers, at any time between -
 - (a) The date on which the Minister filed a Notice of Intention to Participate; and
 - (b) 10 days after receiving advice from the Commission in terms of sub-rule (5), if applicable.
- (5) If, in respect of a particular merger the Minister has filed a Notice of Intention to Participate, but has not yet filed a statement in terms of sub-rule (4), the Commission must advise the Minister in writing at the time that it is prepared to make a decision in terms of section 14.
- (6) Upon receiving a concise statement from the Minister in terms of sub-rule (4), the Commission must serve a copy of the statement on each other participant in those proceedings, and each participant may file a written response to the statement within 5 days after it has been served on them.

31. Additional information

- (1) At any time before disposing of a Merger Notice, the Commission may require any party to the merger to provide additional information in respect of the merger.
- (2) Any person, whether or not a party to the merger or a participant in a merger proceeding, may voluntarily file any document, affidavit, statement of the person's views with respect to the merger, or other relevant information.

32. Merger investigations

- (1) Upon receipt of a Merger Notice, the Commission may direct an inspector to investigate the merger, and may designate one or more persons to assist the inspector.
- (2) The inspector may question any person with knowledge relevant to the merger investigation, and sections 24(4) and 45 (3), (4), and (5), read with changes required by context, apply in respect of any person questioned by the inspector.

33. Intermediate mergers

- (1) If the Commission extends, or is deemed to have extended, the time period for considering an intermediate merger, it must serve a copy of the Extension Certificate in Form CC 14 on each participant in the proceedings within 30 days after receiving the Merger Notice.
- (2) If the Commission is deemed to have approved a merger in terms of section 14(2), the Commission must –
 - (a) issue a Clearance Certificate, in Form CC 15, to the Participant who filed the Merger Notice; and
 - (b) publish a notice of that approval in the Gazette.
- (3) After completing its investigation and considering an intermediate merger in terms of section 16, the Commission must –

- (a) issue a Clearance Certificate in Form CC 15 or a Notice of Prohibition in Form CC 16 to the participant who filed the Merger Notice;
- (b) at the same time make available to each participant a copy of its reasons for decision; and
- (c) publish a notice of its decision in the Gazette.

34. Breach of merger approval conditions or obligations

- (1) If a firm appears to have breached an obligation that was part of an approval or conditional approval of its merger, the Commission must deliver to that firm a Notice of Apparent Breach in Form CC 19, before taking any action –
 - (a) in terms of section 14 (5) to revoke that approval or conditional approval; or
 - (b) in terms of section 61 or 62.
- (2) Within 10 days after receiving a Notice of Apparent Breach, a firm referred to in sub-rule (1) may –
 - (a) submit to the Commission a plan to remedy the breach; or
 - (b) request the Competition Tribunal to review the Notice of Apparent Breach on the grounds that the firm has substantially complied with its obligations with respect to the approval or conditional approval of the merger.
- (3) If a firm submits a plan to the Commission in terms of sub-rule (2)(a), the Commission may either-
 - (a) accept the proposed plan; or
 - (b) reject the proposed plan, and invite the firm to consult with the Commission concerning the apparent breach, with the aim of establishing a plan satisfactory to the commission by which all of the firm's obligations with respect to the approval or conditional approval may be satisfied.

- (4) If the Commission accepts a proposed plan, in terms of either sub-rule (3)(a) or (b), the Commission must monitor the firm's compliance with the plan.
- (5) The Commission may act in terms of section 14(5) to revoke the approval or conditional approval of a merger referred to in sub-rule (1), or in terms of section 61 or 62, only if –
 - (a) the firm concerned does not respond to the Notice of Apparent Breach within 10 days after receiving it, in the manner anticipated in sub-rule (2);
 - (b) the firm concerned does not agree to meet, or fails to meet as agreed, with the Commission, as required by sub-rule (3)(b);
 - (c) the firm and the Commission are unable to agree a plan as contemplated in sub-rule (3)(b);
 - (d) the firm acts in a manner calculated to frustrate the Commission's efforts to monitor compliance with a plan, as required by sub-rule (4)(a); or
 - (e) the firm fails to employ its best efforts to substantially comply with a plan established in terms of sub-rule (3).

35. Revocation of approval of intermediate merger

- (1) If the Commission is contemplating revoking its own decision to approve or conditionally approve a merger in terms of section 14(5), the Commission must –
 - (a) if the proposed revocation is based on section 14(5)(c), comply with Rule 34 before taking any further steps in terms of this Rule; and
 - (b) in any case –
 - (i) advise any firm concerned, in writing, of the intention to do so; and
 - (ii) publish a notice of the proposed revocation in the Gazette.

- (2) The Commission may request further information from any person who submits a representation in response to a notice published in terms of sub-rule (1)(b).
- (3) After considering any submissions or other information received in relation to the proposed revocation, the Commission must –
 - (a) either confirm the approval or conditional approval, as the case may be, in writing, or revoke it by issuing a Notice of Revocation of Merger Decision in Form CC 18 to the primary acquiring firm concerned;
 - (b) publish a notice of that decision in the Gazette; and
 - (c) report its decision in writing to each participant in the merger proceedings.
- (4) Within 10 days after receiving a Notice of Revocation of Merger Decision in terms of sub-rule (3), the firm concerned may request the Competition Tribunal to review the notice on the grounds that there is no factual basis in terms of section 14(5) for the approval or conditional approval to be revoked.
- (5) If no review is applied for in terms of sub-rule (4), or if the Competition Tribunal upholds the Notice of Revocation of Merger Decision, the effect of that notice is –
 - (a) the Certificate of approval or conditional approval in respect of the relevant merger is deemed to have been rejected as of the date of that Certificate;
 - (b) each party to the merger is, for all purposes of the Act, in the same position as if they had never notified the Commission of that merger; and
 - (c) the Commission may further consider that merger only if a party to the merger subsequently files a new Merger Notice with respect to it; and
 - (d) if a new Merger Notice is subsequently filed in respect of that merger, the Commission must consider that merger on the basis of that new notice without reference to any previous notice filed in respect of it.

36. Large mergers

- (1) Upon receiving notice of a large merger the Commission must refer the merger to the Tribunal in terms of section 14(3).
- (2) The Commission must submit a recommendation in Form CC 17 in respect of a large merger, with reasons for that recommendation, to the Tribunal and the Minister within -
 - (a) 60 days after receiving the Merger Notice; or
 - (b) a longer period established by the Tribunal for that merger in Form CT 9, but the Tribunal must not grant an extension of more than 20 days at a time.
- (3) The Commission must deliver to each participant in the proceedings a copy of its referral, and its recommendation and reasons.

COMPETITION COMMISSION RULES

REGULATING THE FUNCTIONS OF THE COMPETITION COMMISSION

Annexure 1 - Tables

Table CCR 1 – Methods and times for delivery of Documents

Nature of Person	Method of Delivery	Date and Time of Deemed delivery
ANY PERSON	By faxing the notice or a certified copy of the document to the person, if the person has a fax number; or	On the date and at the time recorded by the fax receiver, unless there is conclusive evidence that it was delivered on a different date or at a different time.
	By sending the notice or a copy of the document by electronic mail, if the person has an address for receiving electronic mail; or	On the date and at the time recorded by the computer used by the sender, unless there is conclusive evidence that it was delivered on a different date or at a different time.
	By sending the notice or a certified copy of the document by registered post to the person's last-known address; or	On the 7 th day following the day on which the notice or document was posted as recorded by a post office, unless there is conclusive evidence that it was delivered on a different day.

	If the person is a participant in any proceedings of the Commission, and is represented by a representative, by delivering the notice, or handing a certified copy of the document to that representative; or	On the date and at the time recorded on a receipt for the delivery.
	By any other means authorised by the Tribunal; or	In accordance with the order of the Tribunal.
	By any other method allowed for that person in terms of the following rows of this Table.	As provided for that method of delivery.
ANY NATURAL PERSON	By handing the notice or a certified copy of the document to the person, or to any representative authorised in writing to accept service on behalf of the person; or	On the date and at the time recorded on a receipt for the delivery.
	By leaving the notice or a certified copy of the document at the person's place of residence or business with any other person who is apparently at least 16 years old and in charge of the premises at the time; or	On the date and at the time recorded on a receipt for the delivery.
	By leaving the notice or a certified copy of the document at the person's place of employment with any person who is apparently at least 16 years old and apparently in authority.	On the date and at the time recorded on a receipt for the delivery.

THE COMMISSION	By entering the required information in an electronic representation of that form on the Internet Web site, if any, maintained by the Commission, if the document is a prescribed form; or	On the date and at the time recorded by the Commission's computer system, as verified by fax reply to the sender of the information.
	By transmitting the document as a separate file attached to an electronic mail message addressed to the Commission; or	On the date and at the time recorded by the Commission's computer system, unless, within 1 business day after that date, the Commission advises the sender that the file is unreadable.
	By sending a computer disk containing the document in electronic form, by registered post addressed to the Commission; or	On the date and at the time of delivery of the registered post to the Commission, as recorded by the post office, unless, within 1 business day after that date, the Commission advises the sender that the disk is unreadable.
	By handing the document, or a computer disk containing the document in electronic form, to the Commissioner, or a responsible employee who is apparently in charge of the Commission's office.	On the date and at the time noted in a receipt issued by the Commissioner, unless, the document is on a computer disk, and, within 1 business day after that date, the Commission advises the sender that the disk is unreadable.
A COMPANY OR SIMILAR BODY CORPORATE	By handing the notice or a certified copy of the document to a responsible employee of the company or body corporate at its registered office or its principal place of business within the Republic; or	On the date and at the time recorded on a receipt for the delivery.

	If there is no employee willing to accept service, by affixing the notice or a certified copy of the document to the main door of the office or place of business.	On the date and at the time sworn to by affidavit of the person who affixed the document, unless there is conclusive evidence that the document was affixed on a different date or at a different time.
A TRADE UNION	By handing the notice or a certified copy of the document to a responsible employee who is apparently in charge of the main office of the union or for the purposes of section 13(2), if there is a union office within the magisterial district of the firm required to notify its employees in terms of these Rules, at that office.	On the date and at the time recorded on a receipt for the delivery.
	If there is no person willing to accept service, by affixing a certified copy of the notice or document to the main door of that office.	On the date and at the time sworn to by affidavit of the person who affixed the document, unless there is conclusive evidence that the document was affixed on a different date or at a different time.
EMPLOYEES OF FIRM	By fixing the notice or certified copy of the document, in a prominent place in the workplace where it can be easily read by employees.	On the date and at the time sworn to by affidavit of the person who affixed the document, unless there is conclusive evidence that the document was affixed on a different date or at a different time.
A PARTNERSHIP, FIRM OR ASSOCIATION	By handing the notice or a certified copy of the document to a person who is apparently in charge of the premises and apparently at least 16 years of age, at the place of business of the partnership, firm or association; or	On the date and at the time recorded on a receipt for the delivery.

	If the partnership, firm or association has no place of business, by handing the notice or a certified copy of the document to a partner, the owner of the firm, or the chairman or secretary of the managing or other controlling body of the association, as the case may be.	On the date and at the time recorded on a receipt for the delivery.
A MUNICIPALITY	By handing the notice or a certified copy of the document to the town clerk, assistant town clerk or any person acting on behalf of that person.	On the date and at the time recorded on a receipt for the delivery.
A STATUTORY BODY OTHER THAN THE COMMISSION	By handing the notice or a certified copy of the document to the secretary or similar officer or member of the board or committee of that body, or any person acting on behalf of that body.	On the date and at the time recorded on a receipt for the delivery.
THE STATE OR A PROVINCE	By handing the notice or a certified copy of the document to a responsible employee in any office of the State Attorney.	On the date and at the time recorded on a receipt for the delivery.

(1)

Table CCR 2 – Notices and Applications

Section #	Purpose of notice or Application	Form #	Conditions
44	Complaint	CC 1	
Rule 17	Declaration of material interest	CC 2	
10	Application for Exemption from Chapter 2	CC 3 (1)	Payment of a filing fee.
10	Application for Exemption for Professional Association Rules	CC 3 (2)	Payment of a filing fee.
13	Merger Notice	CC 4 (1)	Payment of a filing fee calculated in accordance with Rule 8(5). Must have Form CC 4(2) (Statement of Merger Information) attached.
13	Statement of Merger Information	CC 4 (2)	Must be filed by the Primary firms involved in the merger.
13	Statement of Merger Information	CC 4 (3)	Must be filed by parties other than the Primary firms.
Rule 26	Notice of Intention to Participate [13(2)]	CC 5 (1)	
18	Notice of Minister's Intention to Participate	CC 5(2)	

Rule 25	Withdrawal Notice	CC 6	
Rule 13	Claim that information is confidential	CC 7	Must be filed with the information to which it relates.

Table CCR 3 – Certificates and Notices of Referral

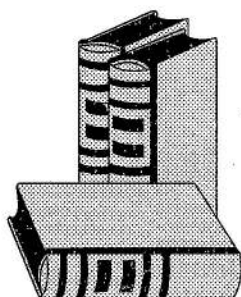
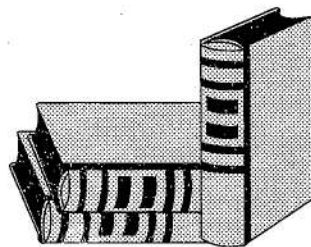
Section #	Purpose of Certificate or Notice	Form #	Conditions
50	Notice of Non-referral of Complaint	CC 8	
10	Notice of Advice Concerning a Prohibited Practice	CC 9 (1)	
Rule 21(5)	Withdrawal of Advice	CC 9 (2)	
Rule 21(6)	Revocation of Advice	CC 9 (3)	
10	Exemption Certificate (Chapter 2)	CC 10 (1)	
Schedule 1	Exemption Certificate (Schedule 1)	CC 10 (2)	
10	Notice of refusal to grant exemption (Chapter 2)	CC 11 (1)	
Schedule 1	Rejection of Application (Schedule 1)	CC 11 (2)	
10	Notice of Revocation (of Chapter 2 Exemption Certificate)	CC 12 (1)	
Schedule 1	Notice of Revocation (of Schedule 1 Exemption Certificate)	CC 12 (2)	
Rule 27	Notice of incomplete or inaccurate Merger Notice	CC 13	

14 (1)	Extension Certificate	CC 14	
14 (1)	Merger Clearance Certificate	CC 15	May be used either with or without conditions.
14(1)	Notice of Prohibition of Merger	CC 16	
14(3)	Referral of Large Merger to Minister and Tribunal, with recommendation	CC 17	
14(5)	Notice of Revocation of Merger Decision	CC 18	
Rule 34	Notice of Apparent Breach	CC 19	
45 (4)	Commission Summons	CC 20	
49(4)	Receipt for items removed during search	CC 21	Must be distinctively numbered and produced in duplicate.
24(3)	Appointment of Inspector	CC 22	May be supplemented by a card in a smaller size.

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