

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Vol. 410

PRETORIA, 20 AUGUST
AUGUSTUS 1999

No. 20387

GENERAL NOTICE

NOTICE 1941 OF 1999

DEPARTMENT OF TRADE AND INDUSTRY

COMPETITION COMMISSION RULES

These forms apply to the rules of the Competition Tribunal and are published in terms of section 21 (4) (a) and section 78 of The Competition Act, 1998 (Act No. 89 of 1998).

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Form CT1(1)

About this Form

- This form is issued in terms of section 50 of the Competition Act.
- This form is to be used only for a referral by the Competition Commission.
- Unless this is a consent proceeding, the respondent may answer this referral within 20 business days after being served with this referral.
- If the answer raises only a point of law, it must set out the question of law to be resolved. Any other answer must be in affidavit form, setting out in numbered paragraphs:
 - (a) a concise statement of the grounds on which the Complaint is opposed;
 - (b) the material facts or points on which the respondent relies;
 - (c) an admission or denial of each ground and of each material fact relevant to each ground set out in the Complaint Referral.
- An allegation of fact set out in the Complaint Referral that is not specifically denied or admitted in an answer will be deemed to have been admitted.
- Please see Competition Tribunal Rules 16 through 20.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Referral of Complaint by Commission

Date: _____

To: the Registrar of the Competition Tribunal, and:

(Name of respondent and [if applicable] other participants :)

Concerning:

(Complaint name and Commission file number:)

From: the Competition Commission

The Competition Commission alleges that the Respondent contravened the provisions of the Competition Act, section _____ during the period from _____ until _____ by engaging in the following prohibited conduct:

(Concise statement of the alleged prohibited practice:)

- ☐ This referral is to proceed as a consent proceeding.
- ☐ This referral is to proceed as a contested proceeding. Attached is an affidavit setting out the particulars of this complaint, and a statement of the material facts relevant to it, as required by Competition Tribunal Rule 17(2).

Name and Title of person authorised to sign on behalf of the Competition Commission:

Authorised Signature:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT1 (2)

About this Form

- This form is issued in terms of section 50 of the Competition Act.
- Within 3 days of filing this notice, you must serve a copy of it on the respondent and any other person who has previously filed a Complaint Referral in the matter.
- Unless this is a consent proceeding, the respondent may answer this referral within 20 business days after being served this referral.
- If the answer raises only a point of law, it must set out the question of law to be resolved. Any answer must be in affidavit form, setting out in numbered paragraphs:
 - (a) a concise statement of the grounds on which the Complaint is opposed;
 - (b) the material facts or points on which the respondent;
 - (c) an admission or denial of each ground and of each material fact relevant to each ground set out in the Complaint Referral.
- An allegation of fact set out in the Complaint Referral that is not specifically denied or admitted in an answer will be deemed to have been admitted.
- Please see Competition Tribunal Rules 16 through 20.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Referral of Complaint by Complainant

Date: _____

From: (Name and address of person filing referral:)

To: the Registrar of the Competition Tribunal, and:

(Name of respondent and [if applicable] other participants :)

Concerning:

(Complaint name and Commission file number:)

The Competition Commission initiated or accepted a complaint against the above named respondent on: _____

Upon completing its investigation, the Competition Commission issued a Certificate of Non-Referral on _____

In terms of section 51(1) of the Competition Act, the Party named above alleges that the Respondent contravened the provisions of the Competition Act, section _____ during the period from _____ until _____ by engaging in the following prohibited conduct:

(Concise statement of the alleged prohibited practice:)

☐

This referral is to proceed as a consent proceeding.

☐

This referral is to proceed as a contested proceeding. Attached is a detailed statement of the particulars of this complaint, and a statement of the material facts relevant to it, as required by Competition Tribunal Rule 17(2).

Name and Title of person authorised to sign:

Authorised Signature: _____

Date: _____

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Form CT 2

About this Form

- This Form is issued in terms of Competition Tribunal Rule 26.
- This Form must be signed by the respondent and the Competition Commission and attached to a referral to the Competition Tribunal, together with a draft order and any Form CT 3 that has been completed in relation to this matter.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Consent to Order

Date: _____

To: the Competition Tribunal

From:

(Name of respondent firm filing this Consent:)

Concerning:

(Name and Commission file number of complaint:)

The Competition Commission initiated or accepted a complaint against the above named respondent on: _____

The Competition Commission and the respondent have agreed terms of an appropriate order in this matter and each consent to the Competition Tribunal making an order in terms of section 63 of the Act, as attached.

Name and Title of person authorised to sign on behalf of respondent:

Authorised Signature:

Date:

Name and Title of person authorised to sign on behalf of the Competition Commission:

Authorised Signature:

Date:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Form CT 3

About this Form

- This Form is issued in terms of Competition Commission Rule 20.
- This Form must be attached to a referral to the Competition Tribunal, together with a draft order and Form CT 2 in relation to this matter.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Consent to Include Damages in Consent Order

Date: _____

To: The Competition Commission and
the Competition Tribunal

From:

(Name of claimant:)

Concerning:

(Name and file number of complaint:)

Statement of Claimant:

The claimant has suffered material damages as a result of the conduct that is the subject matter of this complaint, and agrees to having compensation for those damages, payable on the terms set out in the attached sheet, and in the amount of R_____, included in a consent order made by the Competition Tribunal in terms of section 63 of the Competition Act.

The claimant understands that if compensation is awarded in a consent order as contemplated, any right of the claimant to civil damages arising out of the same conduct may be limited or precluded in terms of section 63(3) of the Competition Act.

Name and Title of person authorised to sign:

Authorised Signature:

Date:

For Office
Use Only:

Tribunal file number:

Date filed:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Form CT 4

About this Form

- This form is issued in terms of Tribunal Rule 33.
- This notice may be filed with the Tribunal at any time within 15 days after the decision of the Commission.
- The party filing this notice must attach a summary of the factual and legal basis upon which the request is based.
- The party filing this notice must serve a copy of it on the Commission and on every other participant in the merger proceedings before the Commission.
- Please refer to Competition Tribunal Rules 33 through 35.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Request for Consideration of Intermediate Merger

To: The registrar, Competition Tribunal and the Competition Commission:

From:

(Name of party to the merger filing this request:)

Concerning:

(Name and file number of merger:)

On _____, the Competition Commission

☐

prohibited

☐

conditionally approved

the above referenced merger.

For the reasons set out on the attached sheet, we request that the Competition Tribunal consider the merger in terms of section 15(1) of the Act, and substitute the following decision in place of the decision of the Commission.

State concisely the decision you seek:

Name and Title of person authorised to sign:

Authorised Signature:

Date:

For Office
Use Only:

Tribunal file number:

Date filed:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Form CT 5

About this Form

- This form is issued in terms of the Competition Tribunal Rules, to be used in any case in which the Rules require a Notice to be filed with the Tribunal, but do not stipulate the a particular form of Notice.
- Please indicate in the space provided the nature of the matter of which you are giving notice, including specific reference to the relevant section of the Act or Tribunal Rule.

Notice

Date: _____

To: The registrar, Competition Tribunal:

From:

(Name of party giving notice:)

Concerning:

(Name and file number:)

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

For Office
Use Only:

Tribunal file number:

Date filed:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Form CT 6

About this Form

- This Form is issued in terms of the Competition Tribunal Rules.
- Please indicate in the space provided the nature of your motion, including specific reference to the relevant section of the Act or Tribunal Rule.
- If this Notice of Motion concerns a matter being brought in terms of Division E of Part 4 of the Competition Tribunal Rules, it must comply with the requirements of Competition Tribunal Rule 42(3).

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Notice of Motion

Date: _____ File # _____

To: the registrar of the Competition Tribunal
From:

(Name of participant filing this notice:)

Concerning the matter between:

_____ (Applicant)

and

_____ (Respondent)

Take notice that the _____
intends to apply to the Tribunal for the following order:

Name and Title of person authorised to sign:

Authorised Signature:

Date:

For Office
Use Only

Tribunal file number:

Date filed:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 7

About this Form

- This form is issued in terms of the Competition Tribunal Rules, to be used for filing an appeal in terms of Tribunal Rule 38.
- Please attach to this notice a typed document, which must comply with the requirements of Competition Tribunal Rule 38(4), setting out thereasons for your appeal.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Notice of Appeal

Date: _____

To: The registrar, Competition Tribunal

From:

Concerning:

(Name and Commission file number:)

(Date of Commission decision being appealed:)

Take notice that we appeal from the decision of the Competition Commission, to the Competition Tribunal in terms of

☐ section _____ of the Competition Act.

☐ Competition Tribunal Rule _____.

Our reasons for appeal, and the facts and contentions on which we rely, are set out on the attached sheet.

Name and Title of person authorised to sign:

Authorised Signature:

Date:

For Office
Use Only:

Tribunal file number:

Date filed:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 8

About this Form

- This form is issued in terms of Competition Tribunal Rule 51.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Notice of Withdrawal

Date: _____

To: the registrar, Competition Tribunal

From: _____

(Name of initiating party:)

Concerning the matter between:

_____ (Applicant)

and

_____ (Respondent)

Take Notice that the initiating party withdraws

☐ all of the initiating document in this matter.

☐ that part of the initiating document in this matter that is noted on the attached sheet.

☐ The _____ consents to pay costs as set out in the attached sheet.

Name and Title of person authorised to sign:

Authorised Signature: _____

Date: _____

For Office
Use Only:

Tribunal file number: _____

Date filed: _____

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 9

About this Notice

- This notice is issued in terms of Competition Commission Rule 36.

Extension Certificate

Date: _____

To all participants in:

(Name and file number of merger:)

The Competition Commission received notice of the merger referred to above on _____.

In terms of Competition Commission Rule 36(2), the Competition Tribunal extends until _____ the period within which the Competition Commission must refer the above referenced merger to the Tribunal with a recommendation.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

The registrar, Competition Tribunal:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 10

About this Notice

- This notice is issued in terms of section 15 of the Competition Act.
- You may appeal against this decision to the Competition Appeal Court within 30 days.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Merger Clearance Certificate

Date: _____

To:

(Name and file number of merger:)

You applied to the Competition Commission on _____
for merger approval in accordance with Chapter 3 of the Competition Act.

Your merger was referred to the Competition Tribunal in terms of section 14 (3) of the Act, or was the subject of a Request for Consideration by the Tribunal in terms of section 15(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 15(2) of the Act, for the reasons set out in the Reasons for Decision.

This approval is subject to:

☐

no conditions.

☐

the conditions listed on the attached sheet.

The Competition Tribunal has the authority in terms of section 15(3) of the Competition Act to revoke this approval if

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

The registrar, Competition Tribunal:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 11

About this Notice

- This notice is issued in terms of section 15 of the Competition Act.
- You may appeal against this decision to the Competition Appeal Court within 30 days.
- A firm that proceeds to implement a merger that has been prohibited is subject to an administrative fine in terms of Section 61 of the Competition Act.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Prohibition of Merger

Date: _____

To:

(Name and file number of merger:)

You applied to the Competition Commission on _____
for merger approval in accordance with Chapter 3 of the Competition Act.

Your merger was referred to the Competition Tribunal in terms of section 14 (3) of the Act, or was the subject of a Request for Consideration by the Tribunal in terms of section 15(1) of the Act.

After reviewing all relevant information, and the recommendation or decision of the Competition Commission, the Competition Tribunal prohibits this merger in terms of section 15 (2) of the Act, for the reasons set out in the Reasons for Decision.

The registrar, Competition Tribunal:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 12

About this Notice

- This notice is issued in terms of section 37 of the Competition Act.
- You may apply to the Competition Appeal Court within 30 days to review this decision.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Revocation of Merger Decision

Date: _____

To:

(Name and file number of merger:)

You applied to the Competition Commission on _____
for merger approval in terms of Chapter 3 of the Competition Act.

Your merger was referred to the Competition Tribunal in terms of section 14 (3) of the Act, or was the subject of a Request for Consideration by the Tribunal in terms of section 15(1) of the Act.

After reviewing all relevant information, and the recommendation or decision of the Competition Commission, the Competition Tribunal approved your merger.

In terms of section 15(3) of the Competition Act, the Competition Tribunal advises that the approval granted on _____ is
revoked with effect from _____
for the reasons set out in the attached Reasons for Decision.

The registrar, Competition Tribunal:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 13

About this Notice

- This notice is issued in terms of section 54 of the Competition Act. Please also see Tribunal Rule 48.
- It is an offence in terms of the Act for a person who has been summoned to fail to attend without sufficient excuse.
- It is an offence in terms of the Act for a person who has been summoned and attends as required, to refuse to be sworn in or make an affirmation or to fail to produce any item if it is in possession or under the control of that person.
- It is an offence in terms of the Act for a person who has been summoned and attends as required, to fail to answer any question fully or to give false evidence, knowing or believing it is to be false.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Tribunal Summons

To:

Concerning:

(Name and file number:)

A proceeding concerning this matter has been commenced before the Competition Tribunal.

You are required to appear at

and give evidence before the Competition Tribunal
on _____
at _____ o'clock, in the morning/afternoon.

You are also required to bring with you:

(a) the documents or items listed on the attached _____ sheet(s); and

(b) any other documents or items in your possession or under your control that relate to this matter.

Issued on _____, by _____,
the member of the Tribunal presiding over this matter,
in terms of section 49 of the Competition Act.

The registrar, Competition Tribunal:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 14

About this Notice

- This notice is issued in terms the Competition Tribunal Rules.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Notice of Hearing

Date: _____

From: the registrar of the Competition Tribunal

To: participants in the following matter:

(Name and file number:)

Take notice that the hearing of this matter will commence

at _____

on _____,

at _____ o'clock in the morning/afternoon.

The registrar, Competition Tribunal:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 15

About this Notice

- This notice is issued in terms of Competition Tribunal Rules.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Notice of Set - Down

Date: _____

From: the registrar of the Competition Tribunal

To: participants in the following matter:

(Name and file number of merger:)

The hearing of this matter commenced on _____
and was postponed on _____.

Take notice that the hearing will resume at

_____ on _____,

at _____ o'clock in the morning/afternoon.

The registrar, Competition Tribunal:

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT1 (3)

Referral of Complaint by Complainant

About this Form

- This form is issued in terms of Competition Tribunal Rule 15(1)(c).
- Within 3 days of filing this notice, you must serve a copy of it on the respondent.
- Unless this is a consent proceeding, the respondent may answer this referral within 20 business days after being served this referral.
- If the answer raises only a point of law, it must set out the question of law to be resolved. Any answer must be in affidavit form, setting out in numbered paragraphs:
 - (a) a concise statement of the grounds on which the Complaint is opposed;
 - (b) the material facts or points on which the respondent;
 - (c) an admission or denial of each ground and of each material fact relevant to each ground set out in the Complaint Referral.
- An allegation of fact set out in the Complaint Referral that is not specifically denied or admitted in an answer will be deemed to have been admitted.
- Please see Competition Tribunal Rules 16 through 20.

Contacting the Tribunal

The Competition Tribunal
Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

Date: _____

From: _____

(Name and address of person filing referral:)

To: the registrar of the Competition Tribunal, and:

(Name of respondent and [if applicable] other participants :)

(In the matter of:)

The complainant is a party to the above referenced matter in the _____ court, case number _____, in the matter between _____ and _____.
On _____, the Court referred that matter to the Tribunal in terms of section 65(2)(b) of the Competition Act.

In terms of section 51(1) of the Competition Act, the complainant alleges that the Respondent contravened the provisions of the Competition Act, section _____ during the period from _____ until _____ by engaging in the following prohibited conduct:

(Concise statement of the alleged prohibited practice:)

☐ This referral is to proceed as a consent proceeding.

☐ This referral is to proceed as a contested proceeding. Attached is a detailed statement of the particulars of this complaint, and a statement of the material facts relevant to it, as required by Competition Tribunal Rule 17(2).

Name and Title of person authorised to sign:

Authorised Signature: _____

Date: _____

COMPETITION TRIBUNAL

REPUBLIC OF SOUTH AFRICA

Notice CT 16

Certificate of Decision

About this Notice

- This notice is issued in terms of section 65(6)(b) of the Competition Act 1998.

- Section 65(7) of the Competition Act states:

"A certificate ... is conclusive proof of its contents and is binding on a civil court."

Date: _____

From: Chairperson, the Competition Tribunal

To: Registrar/Clerk of the court of _____

(In the matter of:)

Upon hearing a complaint referred to it, in terms of the Competition Act 1998, the Competition Tribunal, on _____, found the practice described below to be a prohibited practice in terms of section _____ of that Act.

(Name of party engaging in the prohibited practice:)

(Section of the Act in terms of which the Tribunal made its finding:)

(Nature of prohibited practice:)

Contacting the Tribunal

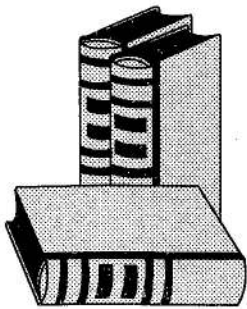
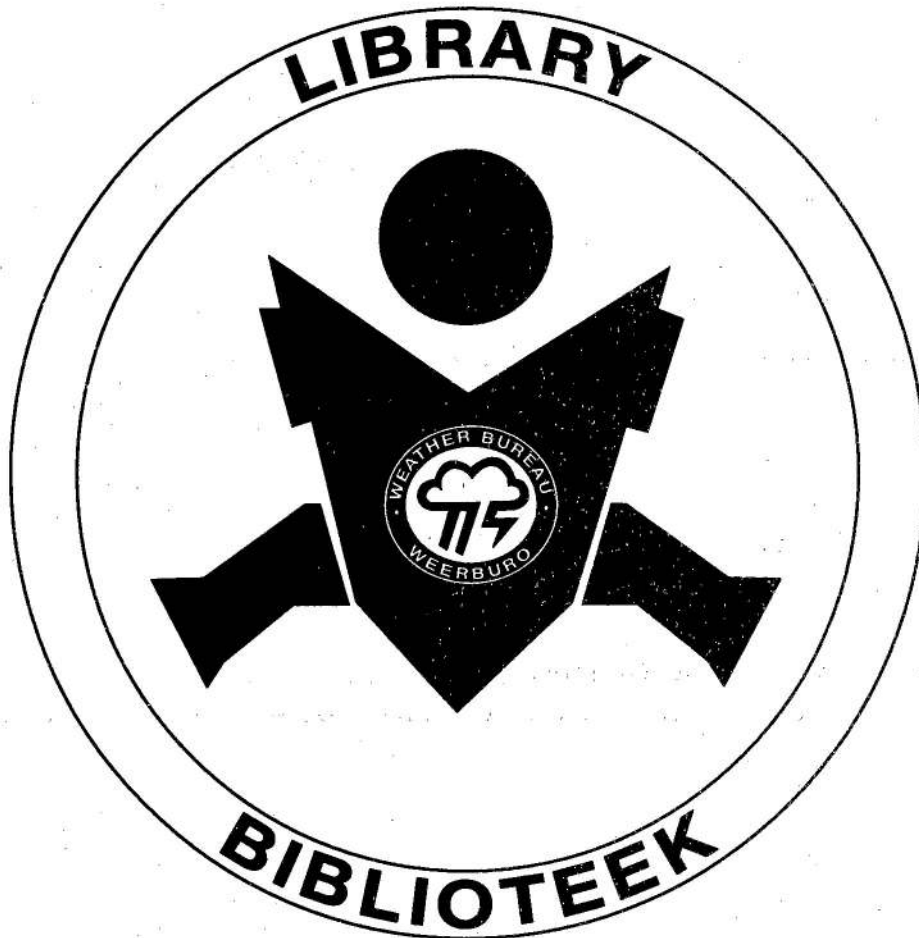
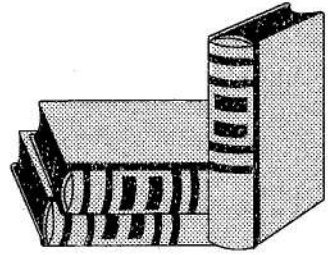
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Private Bag X23
Lynnwood Ridge
Pretoria 0040
Republic of South Africa
tel: 27 012 482 xxxx
fax: 27 012 482 xxxx
e-mail: ctsa@comptrib.co.za

The chairperson, Competition Tribunal:

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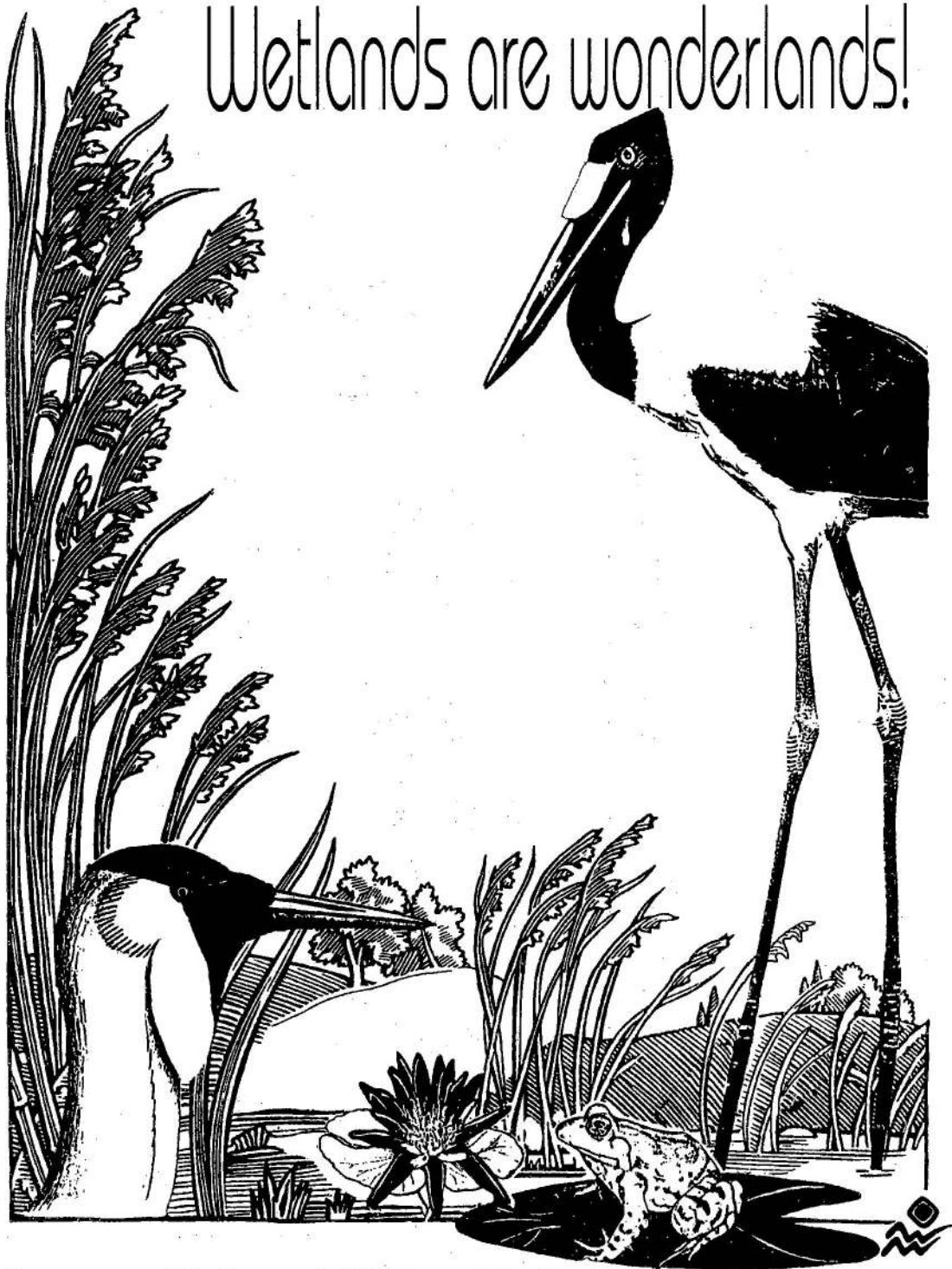
Where is the largest amount of meteorological information in the whole of South Africa available?



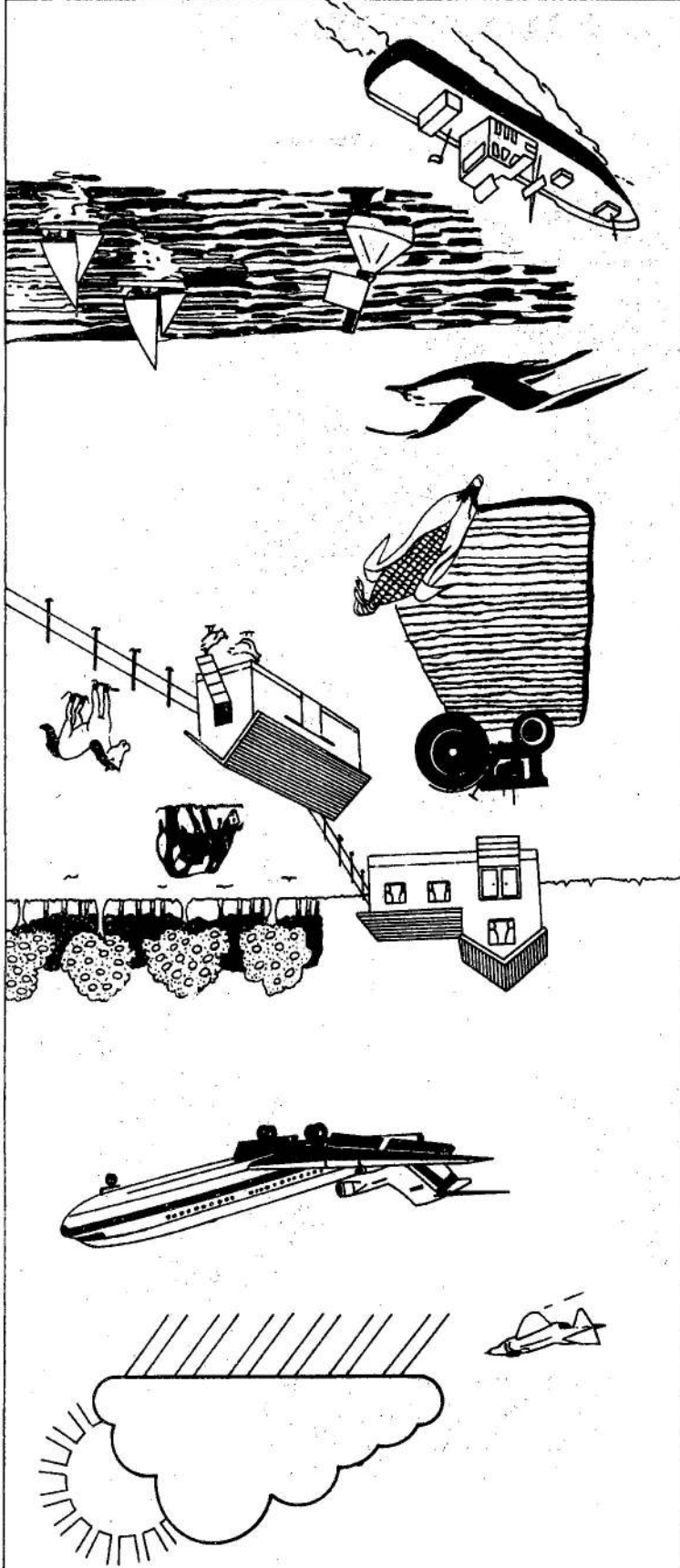
Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme

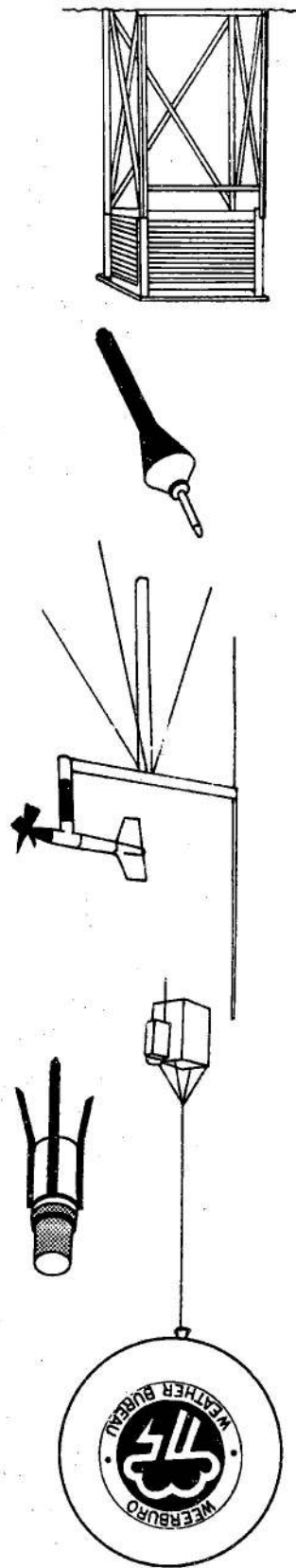
Wetlands are wonderlands!



Department of Environmental Affairs and Tourism



WETLANDS • REHABILITATION • SERVICES • ENVIRONMENTAL



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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515
Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaat Sak X85, Pretoria, 0001
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