

COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: IM196Mar22

In the matter between:

Corruseal Group (Pty) Ltd First Applicant

Neopak Holdings (Pty) Ltd Second Applicant

And

The Competition Commission of South Africa Respondent

Mpact Operations (Pty) Ltd First Intervenor

APL Cartons (Pty) Ltd Second Intervenor

In re the intermediate merger between:

Corruseal Group (Pty) Ltd Primary Acquiring Firm

And

Neopak Holdings (Pty) Ltd Primary Target Firm

Panel:	AW Wessels (Presiding Member) M Mazwai (Tribunal Member) L Mncube (Tribunal Member)
Heard on:	07-11, 14, 16-18, 30 November 2022; 13-14 December 2022; and 02 February 2023
Last submission on:	08 February 2023
Decided on:	22 February 2023

ORDER

Further to the merging parties' consideration application in terms of section 16(1)(a) of the Competition Act, 1998 ("the Act") the Competition Tribunal orders that–

1. the merger between the abovementioned parties be prohibited in terms of section 16(2)(c) of the Act; and
2. a certificate to prohibit the merger be issued in terms of Competition Tribunal Rule 34(a).



**Presiding Member
Mr Andreas Wessels**

22 February 2023
Date

Concurring: Ms Mondo Mazwai and Prof Liberty Mncube



Notice CT 11

About this Notice

Prohibition of Merger

Date: 22 February 2023

To: Cliffe Dekker Hofmeyr Inc and Webber Wentzel

Case Number: IM196Mar22

Corruseal Group (Pty) Ltd and Neopak Holdings (Pty) Ltd
And Competition Commission

You applied to the Competition Commission on _08 April
2022_____ 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 prohibits the implementation of this merger in terms of section 16 (2) of the Act for the reasons set out in the Reasons for Decision.

Contacting the Tribunal

The Competition Tribunal
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The registrar, Competition Tribunal:

Tebogo Mputle