



competition commission
south africa

Media Statement

For Immediate Release

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BOAT OPERATORS CHARGED FOR COLLUDING IN ROBBERN ISLAND MUSEUM TENDER

Five vessel owners who ferry passengers between the Robben Island Museum and the V&A Waterfront in Cape Town have been referred to the Competition Tribunal for prosecution on charges of price fixing and collusive tendering.

This follows an investigation by the Competition Commission, after it received a complaint from the Robben Island Museum against the five respondents. The respondents are all vessels owners who provide chartering services to the Museum's clients from the V&A Waterfront to Robben Island and vice versa.

They are: Thembekile Maritime Services (Pty) Ltd (Thembekile); Silverbuckle Trade 21 CC t/a Yacoob Yatch (Silverbuckle); Nauticat Charters (Pty) Ltd (Nauticat Charters); Ferry Charters (Pty) Ltd (Ferry Charters); and Tigger 2 Charters (Pty) Ltd (Tigger 2 Charters).

The Commission's investigation found that around 22 September 2015, the respondents met at the Cape Town Fish Market Coffee Shop (the coffee shop meeting) where they discussed and agreed to increase the prices they would charge the Museum when responding to a tender it issued. The tender was for bidders to be listed on the Museum's database as a preferred service providers for a 12 month period.

The Commission's investigation also found that subsequent to the agreement reached at the coffee shop meeting:

- Thembekile and Nauticat Charters increased their prices to R18 000 per trip for 140 passengers. Ferry Charters did not alter their prices as it was already charging R18 000 per trip for 140 passengers and this resulted in all three quoting the same price of R18 000 for per trip for 140 passengers; and
- Silverbuckle and Tigger 2 Charters also increased their prices as agreed during the coffee shop meeting, but not to the same extent as that of the other respondents as their vessels are smaller.

This conduct constitutes price fixing and collusive tendering in contravention of the Competition Act and the Commission has referred the complaint to the Tribunal for adjudication.

The Commission is seeking an order from the Tribunal declaring that the five respondents have contravened the Competition Act and that they are liable to pay an administrative penalty equal to 10% of their annual turnover.

[ENDS]

Issued by:

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