

## **PRESS STATEMENT**

19 MAY 2009

### ***Sasol penalty increased; internal investigations confirm Competition Commission findings***

On the eve of the hearing taking place tomorrow (20 May 2009) at the Competition Tribunal, Sasol Chemical Industries Limited ("Sasol") has now admitted fully that it has contravened Section 4(1)(b) of the Competition Act and has identified additional related conduct that goes to the heart of the Commission's collusion case in the Nutri-Flo referral. This includes meetings of Sasol Nitro, Omnia and Kynoch (now Yara) to fix prices and agree discounts.

The Commission's approach to settlement is to incentivise timeous and full disclosure of conduct as part of cooperation. This conduct has been revealed by Sasol extremely late in the day. As a result, Sasol has agreed to pay a higher penalty, from 6% to 8% of turnover of the Sasol Nitro Division. The amount they will pay has consequently increased from R188 010 000 to R250 680 000.

"The Competition Commission hopes to encourage early and substantive cooperation," said Commissioner Shan Ramburuth. "While it is commendable that Sasol's ongoing internal review has uncovered conduct substantiating our findings, this conduct should have been uncovered when the Commission initiated its investigation five years ago and certainly prior to the settlement agreement signed earlier this month."

ENDS

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