



Competition Commission  
Attention: Ms Louise du Plessis

**Email address: [louised@compcom.co.za](mailto:louised@compcom.co.za)**

**(Page 1 of 2 including this page)**

90 Rivonia Road, Sandton  
Johannesburg, 2196

PO Box 61771, Marshalltown  
Johannesburg, 2107, South Africa

Docex 26 Johannesburg

**T** +27 11 530 5000

**F** +27 11 530 5111

**[www.webberwentzel.com](http://www.webberwentzel.com)**

Your reference

Our reference

Date

RH Wilson  
3002070

27 October 2016

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Dear Sir or Madam

## **GROCERY RETAIL SECTOR MARKET INQUIRY: RESPONSE TO A SUBMISSION FROM A STAKEHOLDER**

1. As you know, we act for Woolworths Proprietary Limited ("**Woolworths**").
2. We refer to the non-confidential versions of the submissions made by various stakeholders to the Panel of the Inquiry ("**Panel**") which were published on the Competition Commission's website on 30 September 2016. Woolworths appreciates the opportunity extended to it by the Panel to respond to other stakeholders' submissions.
3. Woolworths' response is limited to a broad allegation made in the submission labelled "Private Citizen 2", in which an unidentified stakeholder alleges that the retail sector has not shown any interest in complying with the Consumer Goods and Services Industry Code of Conduct ("**the Code**"), which was signed into Law on 1 May 2015 by the Minister of Trade and Industry.
4. Woolworths acknowledges that this allegation does not single out any specific grocery retail chain and simply makes a broad claim. Nevertheless, Woolworths wishes to place on record that it denies that it has not shown any interest in complying with the Code.

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**Senior Partner:** JC Els **Managing Partner:** SJ Hutton **Partners:** RB Africa NG Alp OA Ampofo-Anti RL Appelbaum AE Bennett DHL Booysen AR Bowley EG Brandt JL Brink S Browne MS Burger RI Carrim T Cassim RS Coelho KL Collier KM Colman KE Coster K Couzyn CR Davidow JH Davies PM Daya L de Bruyn JHB de Lange DW de Villiers BEC Dickinson MA Diemont DA Dingley G Driver HJ du Preez CP du Toit SK Edmundson AE Esterhuizen MJR Evans AA Felekis GA Fichardt JB Forman CP Gaul KL Gawith MM Gibson SJ Gilmour H Goolam CI Gouws PD Grealy A Harley JM Harvey MH Hathorn JS Henning KR Hillis XNC Hlatshwayo S Hockey CM Holfeld PM Holloway HF Human AV Ismail KA Jarvis ME Jarvis CM Jonker S Jooste LA Kahn M Kennedy A Keyser PN Kingston CJ Kok J Lamb L Marais S McCafferty MC McIntosh SJ McKenzie M McLaren SI Meltzer SM Methula CS Meyer AJ Mills JA Milner D Milo NP Mngomezulu S Mogale J Moolman VM Movshovich M Mtshali SP Naicker RA Nelson BP Ngoepe A Ngubo ZN Ntshona MB Nzimande L Odendaal GJP Olivier N Paige AMT Pardini AS Parry S Patel GR Penfold SE Phajane MA Phillips D Ramjettan GI Rapson NJA Robb DC Rudman M Sader JW Scholtz KE Shepherd DMJ Simaan AJ Simpson N Singh P Singh MP Spalding L Stein PS Stein MW Straeuli LJ Swaine Z Swanepoel A Thakor A Toefy PZ Vanda SE van der Meulen A van Niekerk JE Veeran D Venter B Versfeld MG Versfeld TA Versfeld DM Visagie J Watson KL Williams K Wilson RH Wilson M Yudaken  
**Chief Operating Officer:** SA Boyd

5. On the contrary, Woolworths was instrumental in the early drafting of the Code and the eventual establishment of the Consumer Goods and Services Ombud ("**CGSO**") (the Code and CGSO are both referred to below as "**the Scheme**"). Furthermore, Woolworths remains committed to and actively participates in the Scheme.
6. More particularly, Woolworths wishes to highlight the following to the Panel:
  - 6.1 As a member of the Consumer Goods Council of South Africa ("**CGCSA**"), Woolworths participated in a CGCSA steering committee which initiated discussions leading to the formation of the Scheme.
  - 6.2 Woolworths (i) was one of the first retail chains to register as a participant with the CGSO, (ii) is involved in the governance of the CGSO, and (iii) interacts regularly with the CGSO in the exercise of the latter's functions.
  - 6.3 Woolworths' Chief Executive Officer (CEO), Ms Zyda Rylands, is a non-executive board member of the CGSO.
  - 6.4 Woolworths has an internal complaints management system which attends to complaints received directly from customers or via the CGSO.
  - 6.5 Woolworths makes available copies and/or summaries of the Code and its complaint processes to consumers on request.
  - 6.6 Woolworths maintains proper records for a minimum of three years of any complaints it receives.
7. The fact that the CGSO has never had to investigate and resolve a complaint against Woolworths (in terms of Stage 4 of the Code) and rather that Woolworths has itself resolved any complaint (in accordance with Stage 3 of the Code) bears testimony to Woolworths' compliance with the Code.
8. In the circumstances, Woolworths repeats its denial of the allegation in the submission labelled "Private Citizen 2".
9. We trust the above assists the Panel.

Yours faithfully

**WEBBER WENTZEL**

Robert Wilson  
Partner

*Letter sent electronically. A signed copy will be provided on request.*