



**competition commission**  
*south africa*

**Weekly Media Statement**

**For Immediate Release**

**06 March 2020**

**LATEST DECISIONS BY THE COMPETITION COMMISSION**

**1.1 Luvon Investment (Pty) Ltd (Luvon)/Investec Property Fund Ltd (IPF) in respect of the letting enterprise known as Boitekong Mall (Target Property)**

The Commission has recommended that the Competition Tribunal (Tribunal) approve the proposed transaction whereby Luvon intends to acquire Boitekong Mall from IPF without conditions.

Luvon, is a property investment and development company with a diversified portfolio of commercial and retail assets.

The Target Property is an immovable property and letting enterprise described as ERF 23271, Boitekong Ext 24, North-West, known as Boitekong Mall, situated at corner Tholo Street and R510, Boitekong, Rustenburg.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

**1.2 RH Bophelo Operating (Pty) Ltd (RH Bophelo Operating Company)/ Perthpark (Pty) Ltd (Perthpark Properties) in respect of the shares and claims in Rondebosch Medical Centre (Pty) (RMC) Ltd and Broadcount Investments (Pty) Ltd (Broadcount Investments) in respect of a property known as Rondebosch Medical Centre Hospital Property**

The Commission has recommended that the Tribunal approve the proposed transaction whereby RH Bophelo Operating Company intends to acquire RMC from Perthpark Properties and Rondebosch Medical Centre Hospital Property from Broadcount Investments without conditions.

RH Bophelo Operating Company is a wholly owned subsidiary of RH Bophelo Limited, which is a public company listed on the Johannesburg Stock Exchange and holds equity in various firms in the private hospital sector.

Perthpark Properties controls Broadcount Investments, Stonefountain Properties, Strand Central and Rondebosch Heart Company, Rondebosch Dialysis Centre, RMC Pharmacy and Rondebosch Medical Centre. RMC provides acute hospital services which includes emergency services, medical services, surgical services, paediatric services, intensive care services, maternity services, neonatal services, oncology services and haematology services.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

**1.3 Outotec Oyj (Outotec)/ The Minerals Business of Metso Oyj (Metso Minerals)**

The Commission has conditionally approved the proposed merger whereby Outotec intends to acquire Metso Minerals.

Outotec is a global technology and project management company with business operations in various countries throughout the world. Of relevance for the purposes of this merger assessment are Outotec's activities in the supply of mineral processing equipment. These activities include the provision of crushing, grinding, floating, and separation equipment.

Metso is an international company with a presence in over 50 countries across the world. Metso is a global supplier of crushing, grinding and separation mineral processing equipment.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in the relevant markets.

The Commission approved the transaction subject to a moratorium on merger related retrenchments and commitments to provide learnerships and bursaries to enable historically disadvantaged individuals to participate in the mineral processing value chain.

**1.4 IBelong Rewards (Pty) Ltd (IBelong Rewards)/ Cape Consumers (Pty) Ltd (in respect of the back-office administration services component of its business) (Target Business) and The Cooperative Switch Pty) Ltd (Co Switch)**

The Commission has unconditionally approved the proposed merger whereby IBelong Rewards intends to acquire the Target Business and Co Switch.

IBelong Rewards is controlled by IEAMAS Financial Services (Co-operative) Limited (IEMAS). IEMAS is active in the financial services sector through providing the following services: (i) prepaid purchase cards for its members; (ii) unsecured loans; (iii) vehicle finance; and (iv) pension-backed loans.

The Target Business is comprised of the back-office administration services of Cape Consumers (Pty) Ltd's prepaid purchase card business.

Co Switch is a closed-loop prepaid payment card switching platform that is utilised to provide switching and merchant acquiring services for prepaid purchase card transactions.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

### **1.5 Kind Investment (Pty) Ltd (Kind)/ Assets and firms compromising the South African retail operations of Choppies Enterprises Limited (Choppies SA)**

The Commission has unconditionally approved the proposed merger whereby Kind intends to acquire Choppies SA.

Kind is a private company incorporated in accordance with the company laws of the Republic of South Africa and is ultimately majority owned and controlled by a historically disadvantaged individual (HDI).

Choppies SA conducts its retail merchandise activities through 93 retail outlets located across all South Africa's provinces, except the Western Cape. The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets.

The Commission found that Choppies SA is in financial distress and absent the merger, is likely to cease trading resulting in a total loss of employment. Therefore, the merger is likely to result in jobs being saved and is therefore in the public interest. The Commission further found that the merger facilitates the entry of HDI's into the retail merchandise sector. The proposed transaction does not raise any further public interest concerns.

### **1.6 Pareto Limited (Pareto)/ Office letting enterprise known as Menlyn Office Park (Target Property) owned by K2012150042 (South Africa) (Pty) Ltd (K2012)**

The Commission has unconditionally approved the proposed merger whereby Pareto intends to acquire the Target Property from K2012.

Pareto invests in immovable property which consists of office and retail centres located in Gauteng, Free State, Western Cape and KwaZulu Natal Provinces.

The Target Property comprises of a lettable Grade B office space situated at Corner of Garsfontein Road and Louis Avenue, Menlyn.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

**2 Non-Referrals: The Commission has taken a decision to non-refer (not to prosecute) the following cases:**

**2.1 Rrankepile Petrus Mmolawa v Discovery, Miway & Matrix Vehicle Tracking**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.2 Robert Plattner v Rov Revaro**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.3 Apple Corporate Services (Pty) Ltd v Bytes MS & Standard Bank SA**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.4 Mrs. CharlNita Cassiem v HPCSA, Dr. Stead, Dr. Narismula, DOH, Mr. Chetty, GEMS, Metropolitan Health & Mrs. Ramdial**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.5 Fair Trade Independent Tobacco Association v The Spar Group Limited**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**[ENDS]**

**Issued by:**

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