

SOUTH AFRICA / JUDGMENT

## Mr Price Group Ltd v Blue Falcon 188 Trading (Pty) Ltd (LM011Apr22) [2022] ZACT 32 (19 July 2022) [2022] ZACT 32

COURT

Competition Tribunal

BEFORE

I Valodia, A Ndoni, F Tregenna

CASE / FILE NUMBER

LM011Apr22

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### COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No.: LM011Apr22

In the matter between:

Mr Price Group Ltd

Primary Acquiring Firm

And

Blue Falcon 188 Trading (Pty) Ltd

Primary Target Firms

Panel: I Valodia (Presiding Member) A Ndoni (Tribunal Member) F Tregenna (Tribunal Member)

Heard on: 19 July 2022

Decided on: 19 July 2022

### ORDER

Further to the recommendation of the Competition Commission in terms of section 14A(1)(b) of the Competition Act, 1998 (“the Act”) the Competition Tribunal orders that–

1. the merger between the abovementioned parties be approved in terms of section 16(2)(a) of the Act; and
2. a Merger Clearance Certificate be issued in terms of Competition Tribunal Rule 35(5)(a).

Signed by: Imraan

Signed at:2022-07-19 12:06:00 +02:00

Reason:Witnessing Imraan

Presiding Member Prof. Imraan Valodia

19 July 2022 Date

Concurring: Ms Andiswa Ndoni and Prof. Fiona Tregenna

Merger Clearance Certificate

Date : 19 July 2022

To : Bowman Gilfillan Attorneys

You applied to the Competition Commission on 14 April 2022 for merger approval in accordance with Chapter 3 of the Competition Act.

After reviewing all relevant information, and the recommendation or decision of the Competition Commission, the Competition Tribunal

approves the merger in terms of section 16(2) of the Act, for the reasons set out in the Reasons for Decision.

This approval is subject to: no conditions. the conditions listed on the attached sheet.

The Competition Tribunal has the authority in terms of section 16(3) of the Competition Act to revoke this approval if

- a) it was granted on the basis of incorrect information for which a party to the merger was responsible.
- b) the approval was obtained by deceit.
- c) a firm concerned has breached an obligation attached to this approval.

The Registrar, Competition Tribunal

This form is prescribed by the Minister of Trade and Industry in terms of section 27 (2) of the Competition Act 1998 (Act No. 89 of 1998).

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Prepared on 14 October 2026 · Esheria