



COMPETITION TRIBUNAL OF SOUTH AFRICA

Case No: LM144Jan20/VAR197Mar23

In the matter between:

Thabong Coal (Pty) Ltd First Applicant

South32 SA Coal Holdings (Pty) Ltd Second Applicant

Seriti Resources Holdings (Pty) Ltd Third Applicant

And

Competition Commission of South Africa Respondent

Panel: AW Wessels (Presiding Member)
M Mazwai (Tribunal Panel Member)
S Goga (Tribunal Panel Member)

Heard on: 31 March 2023

Decided on: 31 March 2023

Order

Having considered the unopposed application for the variation of the Conditions imposed by the Competition Tribunal in the merger between Thabong Coal (Pty) Ltd and South32 SA Coal Holdings (Pty) Ltd, Tribunal case number LM144Jan20, ("the Conditions"), it is ordered that:

1. To the extent that the Conditions impose any obligation on Thabong Coal (Pty) Ltd, such obligations will transfer to Seriti Resources Holdings (Pty) Ltd on the date on which Thabong Coal (Pty) Ltd transfers the shares that it holds in Seriti Power (Pty) Ltd (formerly South32 SA Coal Holdings (Pty) Ltd) to Seriti Resources Holdings (Pty) Ltd.

A handwritten signature in black ink, appearing to read 'A. Wessels'.

Presiding Member
Mr Andreas Wessels

31 March 2023

Date

Concurring: Ms Mondo Mazwai and Ms Shaista Goga