

NOTICE 1285 OF 2004
COMPETITION TRIBUNAL

NOTIFICATION OF DECISION TO APPROVE MERGER

The Competition Tribunal gives notice in terms of rule 35 (5) (b) (ii) of the “Rules for the conduct of proceedings in the Competition Tribunal” as published in Government Gazette No. 22025 of 01 February 2001, that on 22 June 2004 the merger between Inzuzo Furniture Manufacturers (Pty) Ltd and PG Bison Holdings (Pty) Ltd was approved subject to the following conditions:

1. PG Bison must supply particle board and MDF to all independent furniture manufacturers, who are existing customers of PG Bison at the date on which the merger is approved, at a level no less than their respective purchases for the 2003-2004 financial year (the “base year”). This condition will apply for a period of 3 years from 1 July 2004, and is subject to paragraph 2 below;
2. in the event of force majeure PG Bison may proportionately reduce its supply to the independent furniture manufacturers, provided that it does so:
 - 2.1 pro rata to what each firm received in the base year; and that
 - 2.2 Steinhoff’s purchases of particle board and MDF for case goods and lounge furniture are reduced pro-rata in the same manner to what they were in the base year.
3. in the event of an alleged breach of the condition, the aggrieved party may approach the Commission for a remedy in accordance with its Rules;
4. for purposes of this order:
 - 4.1 “independent furniture manufacturers” refers to all manufacturers of case goods and lounge furniture, other than Steinhoff, and
 - 4.2 “Steinhoff” refers to all companies within the Steinhoff Group or those controlled by companies within the Steinhoff Group.

(Case No. 12/LM/Feb04)

The Chairperson
Competition Tribunal