

## DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7407

24 April 2026



**PUBLICATION OF THE IMPACT STUDY ON EMPLOYEE SHARE OWNERSHIP PLANS  
(ESOPs): AN ANALYSIS OF KEY DESIGN PRINCIPLES TO CREATE VALUE FOR  
BENEFICIARIES AND FIRMS**

**24 APRIL 2026**

Notice is hereby given that the Competition Commission (Commission) has published the Impact Study on Employee Share Ownership Plans (ESOPs): An analysis of key design principles to create value for beneficiaries and firms on its website and is gazetted in terms of Section 79 of the Competition Act, 89 of 1998, as amended (the Act).

The impact study evaluates ESOPs, an ownership remedy that the Commission can impose as a merger condition if it finds that the merger does not promote a greater spread of ownership by historically disadvantaged persons (HDPs) and workers as contemplated by section 12A(3)(e) of the Act. The study reviewed ESOPs that were mandated by merger conditions for the period FY 2019/20 to FY 2022/23. The relevant information was gathered from meetings and request for information from firms, trustees, trade unions, relevant government departments, B-BBEE Commission and industry experts.

The study makes three main sets of recommendations based on the findings. The first set of recommendations focuses on the funding of the ESOP, specifying zero interest and the provision of discounts. The second set of recommendations outlines the design principles that should be made mandatory for ESOP remedies, and the third set of recommendations specifies the design principles that should be determined in consultation with Workers /Worker Forums/Trade Unions.

The Final Impact Study is available at <https://www.compcom.co.za>.