

COMPETITION TRIBUNAL
REPUBLIC OF SOUTH AFRICA

Case No: 56/CR/Aug10

In the matter between:

The Competition Commission

Applicant

and

Apollo Tyres South Africa (Pty) Ltd

Respondent

Panel : N Manoim (Presiding Member), Y Carrim (Tribunal Member), and A Wessels (Tribunal Member)

Heard on : 14 December 2011

Decided on : 15 December 2011

Order

The Tribunal hereby confirms the order as agreed to and proposed by the Competition Commission and the respondent, annexed hereto marked "A".



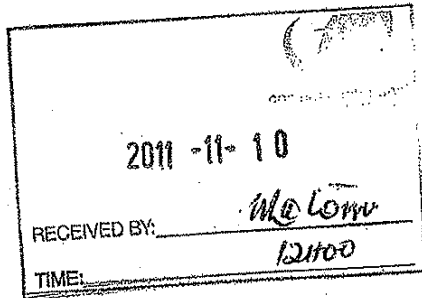
PP **Presiding Member**
N Manoim

Concurring: Y Carrim and A Wessels

Annexure A

IN THE COMPETITION TRIBUNAL OF SOUTH AFRICA

(Held in Pretoria)



CT Case No. 56/CR/Aug10

CC Case No. 2006Oct2537/2009Apr4410

In the matter between:

THE COMPETITION COMMISSION

Applicant

And

APOLLO TYRES SOUTH AFRICA (PROPRIETARY)
LIMITED

Respondent

MR *As*

SETTLEMENT AGREEMENT BETWEEN THE COMPETITION COMMISSION AND APOLLO TYRES
SOUTH AFRICA (PROPRIETARY) LIMITED IN TERMS OF SECTION 58(1)(a) READ WITH SECTION
59 OF THE COMPETITION ACT, NO. 89 OF 1998 (AS AMENDED)

The Competition Commission of South Africa and Apollo Tyres South Africa (Proprietary) Limited hereby agree that application be made to the Competition Tribunal for confirmation of this Settlement Agreement as an order of the Competition Tribunal in terms of section 58(1)(a) read with section 59 of the Competition Act, No. 89 of 1998 (as amended) on the terms set out below.

1. Definitions

For the purposes of this Consent Order the following definitions shall apply:

- 1.1. "Apollo" means Apollo Tyres South Africa (Proprietary) Limited (formerly Dunlop Tyres International (Proprietary) Limited ("Dunlop")), a company duly incorporated and registered in accordance with the company laws of the Republic of South Africa with its principal place of business at Dunlop House, 265 Sydney Road, Durban 4001;
- 1.2. the "Competition Act" means the Competition Act, No. 89 of 1998, (as amended);
- 1.3. "Bridgestone" means Bridgestone South Africa (Proprietary) Limited, a company duly incorporated and registered in accordance with the company laws of the Republic of South Africa with its principal place of business at corner Quality and Isando Roads, Johannesburg;
- 1.4. "Continental Tyres" means Continental Tyres (Proprietary) Limited, a company duly incorporated and registered in accordance with the company laws of the Republic of South Africa, with its principal place of business at Cradle Street, New Brighton West, Port Elizabeth;
- 1.5. "Commission" means the Competition Commission of South Africa, a statutory body established in terms of section 19 of the Competition Act, with its principal place of business at 1st Floor, Mulayo Building (Block C), the DTI Campus, 77 Meintjies Street, Sunnyside, Pretoria, Gauteng;