

# CAC upholds Competition Commission's appeal on SAB ruling

The Competition Appeal Court (CAC) on Wednesday upheld an appeal by the Competition Commission to have its case against South African Breweries (SAB) and its 13 distributors heard before the Competition Tribunal, BDLive reports. The commission brought the appeal application after the tribunal in April last year dismissed the referral of a complaint against the SAB.



In the original complainant, Port Elizabeth-based drinks wholesaler Nico Pitsiladi made an issue of the fact that he did not get the same discount as that enjoyed by SAB's 13 so-called appointed distributors. While he complained about the lack of a discount, the case the commission brought against SAB included allegations of retail price maintenance, carving up geographic markets and abuse of dominance.

According to BDLive, the appeal court said in this case the complainant complained about certain forms of conduct. The court found that the conduct, against which the complaint was lodged, gave rise to an investigation. The order of the tribunal was set aside and replaced with an order dismissing the applications brought by SAB and its distributors.

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