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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF ECONOMIC DEVELOPMENT**

NO. 319

20 MARCH 2020

**COMPETITION COMMISSION****NOTICE IN TERMS OF SECTION 10(7) OF THE COMPETITION ACT NO. 89 OF 1998 (AS AMENDED) - THE COMPETITION COMMISSION OF SOUTH AFRICA - NOTICE OF AMENDMENTS TO THE CONDITIONS OF EXEMPTION****NATIONAL HOSPITAL NETWORK (2017AUG0020)**

1. The Competition Commission ("**Commission**") published a Notice of the conditional granting of the National Hospital Network's ("**NHN**") application for exemption in the Government Gazette on 7 December 2018 (government Notice No 42092 of 2018), as provided for by section 10(7) of the Competition Act No 89 of 1998, as amended ("**Act**") read with Rule 19(5) of the Rules of Conduct of Proceedings in the Commission.
2. The Commission granted the NHN an exemption in terms of section 10(3)(b)(ii) of the Act for the extension of its current exemption from certain provisions of Chapter 2 of the Act. The conduct for which the exemption was sought related to collective bargaining between the shareholders of the NHN and individual medical schemes and administrations, as well as agreements that result from the collective bargaining.
3. More specifically, the Commission granted the NHN an exemption from section 4(1)(b)(i) of the Act permitting it to continue to engage in the following activities on behalf of its members with medical aid schemes and/or medical scheme administrators: -
  - a. NHN's members shall agree collectively to implement the prices negotiated and entered into on their behalf by NHN with medical schemes and/or medical scheme administrators; and
  - b. Promote the interests of its members and to market their services and also to provide a base for benchmarking which would help NHN members to increase efficiencies.
4. In addition to the above exemption, the Commission granted the NHN a further exemption to engage on behalf of its members in global fee negotiations with medical schemes, administrators, the state and healthcare providers (professional