



**RIGHT2KNOW**

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18 June 2013

Mr Shan Ramburuth  
Competition Commissioner  
The Competition Commission,  
The DTI Campus,  
Mulayo (Block C),  
77 Meintjies Street,  
Sunnyside,  
Pretoria

Per Email: ccsa@compcom.co.za  
CC: FrancinaY@compcom.co.za

Dear Sir,

**Disclosure of the names of the members and financiers of the Surve consortium**

We write in connection with the proposed acquisition of Independent News and Media South Africa ("INMSA") by a consortium here referred to as the Surve consortium.

INMSA is the largest English-language media group in South Africa, and is dominant in print media in Cape Town, Kimberley and Durban. In these three cities, it has a monopoly of non-tabloid daily newspapers in English.

There is only one major competitor to INMSA, Times Media Limited, which has no presence in Cape Town or Durban, and in Pretoria and Johannesburg the daily market offers little competition except for its high-end Business Day and the Sowetan. The Citizen in the Caxton group is a competitor to the Star in Johannesburg, but otherwise offers no competition in the daily non-tabloid market.

The English language press is the largest in any language and is moreover the preferred language for the emerging black market.

Hence the ownership of INMSA is critical for the future of print media.

The constitutional guarantee of free speech is practically speaking null unless there are independent media to give it expression. The print media remains an important, indeed essential distributor of free speech.

The Surve consortium has been announced as the successful bidder for INMSA, but very little information has been released about its members. We are informed by MWASA, the largest union at INMSA, that the names of the consortium members will not be disclosed to them. Yet the identity of the new buyers is essential to form a view on the risks to media independence arising from the transaction.

Our submission is that the acquisition of INMSA is a matter of public interest given its pivotal position in the practical application of freedom of speech. There is scarcely another company in the media industry whose influence and reach is more widespread. The public interest can only be served, in this respect, by the full disclosure of the new shareholders, their relationship with one another, and identities of the financiers behind them and their potential influence in INMSA.

We are puzzled by the air of secrecy which surrounds this of all acquisitions. The failure to disclose the consortium members to the public, and actually to refuse to disclose even to the major union, can only give rise to the direst suspicions - there being no plausible reason why these parties should not want to do so. Their identities will in any case become known in time; why not before the Competition Commission gives its final approval? Could there be one or more members of the consortium, whose name, if disclosed, would arouse public indignation? Would disclosure reveal the consortium to being unduly under the influence of parties which should rightfully have no such influence? We don't know, and won't know until the consortium members, and their financiers, are publicly disclosed.

We submit that the ownership of INMSA is a matter of public interest, and call upon the Competition Commission to require full public disclosure of the identities of the acquiring parties, their financiers and the conditions under which the finance is provided, as well as the calling of public hearings where these public-interest matters may be fully aired.

Regards,

Mark Weinberg  
Right2Know National Coordinator.