

ADDENDUM TO JUDGEMENT dated 8 October 2026

1. The intention and findings of COA 500

The Court's findings must be understood in their entirety, particularly paragraphs 12 to 18, read together with the operative order in paragraph 20. The Court expressly found that the misconduct established on the evidence was that of Mr Llewellyn Tait and that the sanction imposed upon Christopher Tait under FIN-003/PEN-010 was disproportionate in the circumstances.

In paragraph 15, the Court specifically considered it appropriate to substitute the sanction imposed upon Christopher Tait with a sanction directed personally at Mr Llewellyn Tait.

The Court's intention was therefore to ensure that the sanction arising from the misconduct forming the subject matter of COA 500 was directed at the person responsible for that misconduct, without imposing undue prejudice upon the minor competitor. This intention is reflected in paragraph 20(c), which expressly sets aside the sanctions imposed upon Christopher Tait under PEN-010, and paragraph 20(e), which substitutes sanctions directed personally at Mr Llewellyn Tait.

2. The status of COE 1278

The Court was mindful of the existence of the earlier suspended sanction imposed under COE 1278. For this reason, paragraph 18 expressly records that the earlier sanction was not set aside, varied or otherwise disturbed by the judgment in COA 500. Similarly, paragraph 20(d) preserves the earlier sanction.

However, it is important to distinguish between preserving the legal status of an earlier order and determining that the conditions for its activation have been fulfilled.

The Court did not make an order activating the suspended five-year sanction under COE 1278. Neither did the Court expressly determine that the findings in COA 500 automatically triggered the operation of paragraph 24 of COE 1278.

The Court's determination was confined to the appeal before it, including the appropriate sanction arising from the misconduct considered in those proceedings.

3. The question of activation

Paragraph 24 of COE 1278 provides for the activation of the suspended sanction upon the fulfilment of specified conditions during the two-year suspension period.

The conduct considered in COA 500 occurred on 24 August 2026, whereas the Court's findings were delivered in October 2026. This raises a question of interpretation as to whether the condition in paragraph 24 requires the contravention itself to have occurred during the suspension period or whether a formal finding of contravention must have been made within that period.

There is also the question of the person against whom the earlier sanction is legally enforceable, having regard to the wording of paragraphs 23 and 24 of COE 1278.

These questions were not finally determined by COA 500.

4. MSA's interpretation and implementation

To the extent that MSA has interpreted COA 500 as itself imposing or expressly activating a five-year ban upon Christopher Tait, we respectfully clarify that this was not the order made by the Court.

The Court's judgment does not constitute a separate order directing that the suspended sanction under COE 1278 be brought into immediate operation. Any determination concerning the activation or enforcement of that earlier sanction must be made with reference to the terms of COE 1278, the applicable General Competition Rules and the requirements of procedural fairness.

The Court therefore considers it appropriate that MSA reconsider the basis upon which it has communicated the immediate implementation of the five-year ban, particularly insofar as that communication attributes the decision to COA 500.

5. Whether amendment of COA 500 is necessary

The Court do not consider that the concerns raised necessarily disclose an obvious error or omission in the COA 500 judgment.

Paragraphs 18 and 20(d) were deliberately included to preserve the earlier decision without determining the separate question of its activation.

Accordingly, the Courts preliminary view is that no substantive amendment to COA 500 is warranted.

The present clarification is intended to explain the scope of the judgment and should not be construed as varying, supplementing or rescinding its operative provisions.

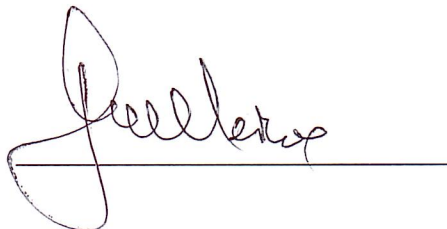
The Court emphasise that the Court does not purport to determine the enforceability of COE 1278 with this judgement. The Courts clarification is confined to the scope, intention and effect of the COA 500 judgment.

Finally, given the concerns raised regarding the applicable appeal periods, the Court recommend that MSA address the question of any interim enforcement measures and applicable procedural time limits as a matter of urgency, without assuming that this clarification suspends or extends those periods.

Lastly it is ordered that the Appeal fee is forfeited to MSA.

All participants are reminded of their rights i.t.o. GCR's

Dated at Pretoria on this 13th day of October 2026.

A handwritten signature in black ink, appearing to read 'Jacques van der Merwe', is written over a horizontal line.

Jacques van der Merwe

Court President

For and on behalf of the Court Members

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