DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7710 **17 July 2026**

NOTICE IN TERMS OF SECTION 10(6) OF THE COMPETITION ACT NO. 89 OF 1998 (AS AMENDED)

THE COMPETITION COMMISSION OF SOUTH AFRICA

THE SOUTH AFRICAN PRIVATE AMBULANCE AND EMERGENCY SERVICES ASSOCIATION ("SAPAESA")

(2026JUN0015)

NOTICE OF APPLICATION FOR AN EXEMPTION

1. Notice is hereby given in terms of section 10(6)(a) of the Competition Act, No. 89 of 1998, as amended ("**the Act**"), that the South African Private Ambulance and Emergency Services Association ("**SAPAESA**") has applied to the Competition Commission ("**the Commission**") in terms of section 10(1) of the Act, for an exemption from certain provisions of Chapter 2 of the Act. The exemption is sought to enable SAPAESA and its' members to engage in conduct that may otherwise contravene Chapter 2 of the Act.

2. SAPAESA is a non-profit organisation that was initially instituted in 2002 - through the merging of the Private Ambulance Association ("**PAA**") which was formed in 1990, to provide representation for the independent private ambulance industry and to build relationships with medical aid schemes - and its' break-away organisation, the Private Emergency Medical and Transport Association ("**PEMTA**") which was formed in 1998, through fragmentation in the sector. In 2009, the Private Ambulance Services Forum ("**PASF**") – broke away from SAPAESA to provide an alternative membership association within the independent private ambulance industry. However, in 2010 – PASF and SAPAESA re-merged and remains known today as SAPAESA. It represents approximately 120 independent private ambulance and emergency medical service providers operating across South Africa, of which the majority are small and medium-sized enterprises ("**SMMEs**").

3. According to SAPAESA, its' members are constrained in the market within which they operate (namely the market for the provision of private emergency medical and ambulance services) in that - the market is characterized by:

3.1. significant buyer power on the part of medical aid schemes and administrators;

3.2. competition with ambulance operators which enjoy a competitive advantage since they are owned and operated by national hospital networks:

3.3. high regulatory, and entry/ expansion barriers; and

3.4. fragmentation amongst member ambulance operators, many of whom are SMME and regional operators.

4. Further, due to operating individually – SAPAESA submits that its' members lack countervailing power when negotiating tariffs, reimbursement rules and payments terms with large medical aid schemes. As a result of this, many of its' independent members are faced with (1) below-cost reimbursements; (2) unilateral tariff determinations; and (3) delayed, repriced or denied payments. According to SAPAESA, these circumstances increase the risk of its' members being forced to exit the market; and the loss of independent ambulance operators will significantly reduce service coverage – particularly in peri-urban and rural areas. Ultimately, diminishing competition and consumer choice, and significantly increasing unemployment in the country.

5. For these reasons SAPAESA and its' members seek an exemption in respect of the following potentially anti-competitive practices and agreements:

5.1. **Collective Negotiation/ Bargaining** – to conduct collective engagements with medical aid schemes, administrators and related entities regarding tariffs, reimbursement models, coding structures and payment structures;

5.2. **Standardised Tariffs and Bundled Fees** – to conduct engagements in the development and negotiation of standardised tariffs and/ or global and bundled fees for defined emergency service packages;

5.3. **Centralised Procurement** – to engage in centralised and co-ordinated procurement of inputs where this enhances the efficiency of SAPAESA's membership; and

5.4. **Information Sharing** – to share aggregated information of a non-strategic nature, necessary to support the above activities.

6. SAPAESA submits that the practices and agreements contemplated in its application will promote the effective entry, participation or expansion of small and medium businesses, or firms controlled or owned by historically disadvantaged persons, in terms of section 10(3)(b)(ii) of the Act.

7. SAPAESA is requesting the Commission to grant the exemption from certain provisions of Chapter 2 of the Act for a period of five (5) years from the date the exemption is granted or conditionally granted.

8. Notice is hereby given in terms of section 10(6)(b) of the Act to allow interested parties twenty (20) business days from the date of the publication of this notice to make written representations to the Commission as to why the exemption should, or should not, be granted.

9. All representations and submissions must be directed to:

Ms Priya Reddy
Competition Commission South Africa
Market Conduct Division
Email: PriyaR@compcom.co.za

Mr Tlabo Mabye
Competition Commission South Africa
Market Conduct Division
Email: TlaboM@compcom.co.za

10. Kindly quote the following case number in the subject line when sending correspondence in relation to this notice: **2026JUN0015**