



MERGER DECISIONS NO.8 OF 2023

On Tuesday, 19th of December 2023, the Namibian Competition Commission (**“the Commission”**) held its Technical Board meeting to review and make decisions on matters brought before the Commission by members of the public and corporate applicants under the Competition Act (2 of 2003). Below are the Board decisions on mergers presented at the meeting.

1. Cilliers Bolton Van Wyk & Gerrit Griessel // Barex Equipment Close Corporation

The Commission resolved to approve without conditions the acquisition by Cilliers Bolton van Wyk and Gerrit Johan Griessel of the member's interest in Barex Equipment Close Corporation. The acquiring group is involved in the import, export, buying, selling and manufacturing of engineering and industrial goods. The target undertaking is involved in renting out and supply of heavy-duty earth-moving equipment and machinery.

The Commission found the proposed transaction unlikely to result in the prevention or substantial lessening of competition; does not result in any undertaking acquiring or strengthening a dominant position in the market and does not raise any public interest concerns.

2. Blue Sea Fishing Company (Pty) Ltd // Southern Namibia Hake Fishing Industries // The Trustees of the Schroeter Family Trust

The Commission resolved to approve without conditions the acquisition by Blue Sea Fishing Company (Pty) Ltd of shares in Southern Namibia Hake Fishing Industries (Pty) Ltd. Both the acquiring group and the target undertaking are involved in catching and marketing of fish products.

The Commission found the proposed transaction unlikely to result in the prevention or substantial lessening of competition; does not result in any undertaking acquiring or strengthening a dominant position in the market and does not raise any public interest concerns.

3. HAB Holdings (Pty) Ltd // The Manfred and Marilyn Bottger Family Trust

The Commission resolved to approve without conditions the acquisition by The Manfred and Marilyn Böttger Family Trust of HAB Holdings (Proprietary) Limited. The acquiring undertaking is a family trust which was established specifically as a special purpose vehicle for holding family assets and for the purposes of the Proposed Transaction. The target undertaking is a manufacturer, importer and distributor of various industrial and specialized chemical products.

The Commission found the proposed transaction unlikely to result in the prevention or substantial lessening of competition; does not result in any undertaking acquiring or strengthening a dominant position in the market and does not raise any public interest concerns.

4. Salt Equity 1 LP acting via its general partner Salt Capital GP Limited // Medfam Holdings (Pty) Ltd

The Commission resolved to approve without conditions the acquisition by Salt Capital GP Ltd of shares in Medfam Holdings (Pty) Ltd. The acquiring group is involved in the business of identifying, investing, and managing mid-market private equity investments. The target undertaking trading as Rhino Park Hospital, a private hospital situated in a northern suburb of Windhoek, provides healthcare services.

The Commission found the proposed transaction unlikely to result in the prevention or substantial lessening of competition; does not result in any undertaking acquiring or strengthening a dominant position in the market and does not raise any public interest concerns.

5. Tunga Real Estate Trust Fund // Grootfontein Shopping Centre (Proprietary) Limited

The Commission resolved to approve without conditions the acquisition by Tunga Real Estate Fund trust of shares in Grootfontein Shopping Centre (Proprietary) Limited. The acquiring group invest in commercial real estate assets, as well as affordable housing and land servicing developments. The target undertaking owns and operates a retail mall in Grootfontein, Namibia styled (“Otjivanda Mall”). The mall’s tenants include Pick n Pay, PEP Stores, Clicks, MTC, Hungry Lion, and OK Furniture.

The Commission found the proposed transaction unlikely to result in the prevention or substantial lessening of competition; does not result in any undertaking acquiring or strengthening a dominant position in the market and does not raise any public interest concerns.

6. AIH Limited // Joseph Investment Holdings

The Commission resolved to approve without conditions the acquisition by AIH Limited of additional shares in Joseph Investment Holdings. The acquiring group is a plastic recycler and manufacturer of rigid plastic containers. The target undertaking generate revenue from Namibia through the sales of agricultural equipment, milling and animal feed.

The Commission found the proposed transaction unlikely to result in the prevention or substantial lessening of competition; does not result in any undertaking acquiring or strengthening a dominant position in the market and does not raise any public interest concerns.

Issued by:

The Namibian Competition Commission

Merger and Acquisitions Division

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Email: dina.gowases@nacc.com.na or johannes.ashipala@nacc.com.na