



## **MERGER DECISION NO 31: 2017**

### **DECISION ON THE PROPOSED ACQUISITION OF 80% ORDINARY SHARES OF LOBATSE CLAY WORKS (PTY) LTD BY BOTSWANA OPPORTUNITY PARTNERSHIP THROUGH ITS GENERAL PARTNER CAPITAL MANAGEMENT BOTSWANA (PTY) LTD**

PURSUANT to section 60(4)(a)(ii) of the Competition Act (Cap 46:09), notice is hereby given on the decision made by the Competition Authority in respect of the proposed acquisition of 80% ordinary shares of Lobatse Clay Works by Botswana Opportunity Partnership through its general partner Capital Management Botswana (Pty) Ltd.

The Authority determined through the analysis of the facts of the merger, that the proposed transaction is not likely to result in the prevention or substantial lessening of competition, or endanger the continuity of the services offered in the market under consideration. Furthermore, there are no negative public interest concerns that have been identified.

Pursuant to the provisions of section 60 of the Competition Act, the Authority has unconditionally approved the proposed acquisition of 80% ordinary shares of Lobatse Clay Works by Botswana Opportunity Partnership through its general partner Capital Management Botswana (Pty) Ltd.

However, as stated under section 66 of the Act, this approval does not override or negate any other mandatory statutory approvals or processes that any of the parties to this merger must comply with under the Laws of Botswana.

Dated at Gaborone, this 8<sup>th</sup> day of September 2017.

Tebelelo Pule, Acting, Chief Executive Officer, Competition Authority, P/Bag 00101, Gaborone, Plot 28, Matsitama Road, Tel: 3934278 Fax: 3121013