



MERGER DECISION NO 09: 2018

DECISION ON THE PROPOSED SALE BY AAF BORROWER LIMITED OF NOT LESS THAN 22.4% OF THE ISSUED SHARE CAPITAL IN KANU EQUIPMENT LIMITED BY VRONBISMAN LIMITED AND THE SUBSCRIPTION BY VRONBISMAN LIMITED OF 28.6% OF THE ISSUED SHARE CAPITAL IN KANU EQUIPMENT LIMITED (IN EACH CASE ON A FULLY DILUTED BASIS).

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 ("the Authority") in respect of the proposed acquisition of not less than 22.4% of the issued share capital in Kanu Equipment Limited by Vronbisman Limited.

The Competition 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, no public interest concerns have been identified.

Pursuant to the provisions of section 60 of the Competition Act, the Authority has approved the proposed acquisition of not less than 22.4% of the issued share capital in Kanu Equipment Limited by Vronbisman Limited, and the subscription by Vronbisman Limited of 28.6% of the issued share capital in Kanu Equipment Limited (in each case on a fully diluted basis), leading to Vronbisman Limited acquiring 51% of the issued share capital of Kanu Equipment Limited.

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, on this 22nd day of February 2018.

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