



## **MERGER DECISION NO 13 OF 2018**

### **DECISION ON THE PROPOSED ACQUISITION OF 100% OF THE EQUITY AND SHAREHOLDER LOANS OF SOFTBEV (PTY) LTD BY THE BEVERAGE COMPANY BIDCO (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 ("the Authority") in respect of the proposed acquisition of 100% of the equity and shareholder loans of SoftBev (Pty) Ltd by The Beverage Company BidCo (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 service, in the market for the supply of carbonated soft (non-alcoholic) drinks in Botswana. Furthermore, there are no negative public interest concerns that have been identified.

Pursuant to the provisions of section 55 of the Competition Act, the Authority has approved the proposed acquisition of 100% of the equity and shareholder loans of SoftBev (Pty) Ltd by The Beverage Company BidCo (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 9<sup>th</sup> day of May 2018.

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