



MERGER DECISION NO 26: 2018

Notice in terms of Section 60(4)(a)(ii) of the Competition Act

DECISION ON THE PROPOSED ACQUISITION OF 63.33% ISSUED SHARE CAPITAL OF NGOMA ENTERPRISES (PTY) LTD T/A MUCHENJE SAFARI LODGE BY MICHAEL TRICKEY, JONATHAN TAYLOR, THOMAS TAYLOR; FROM BRYAN SMITH, MATTHEW SMITH, AND LORNA SMITH.

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 proposed acquisition of 63.33% issued share capital of Ngoma Enterprises (Pty) Ltd t/a Muchenje Safari Lodge by Michael Trickey, Jonathan Taylor, Thomas Taylor; from Bryan Smith, Matthew Smith, and Lorna Smith.

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, the merging parties indicated that there will be no job losses as a result of this transaction. In addition, no other public interest concerns that have been identified.

However, to guard against job losses, pursuant to the provisions of section 60 of the Competition Act, the Authority has approved the proposed merger with the condition that there will be no retrenchment of any employee associated with this merger.

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 23rd day of October 2018.

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