



MERGER DECISION NO 49 OF 2024

DECISION ON THE ASSESSMENT OF THE PROPOSED ACQUISITION OF 100% SHAREHOLDING IN SHARPS INTERNATIONAL (PTY) LTD BY TEAMDYNA (PTY) LTD

Introduction of the Merging Parties

Pursuant to section 53(4)(a)(ii) of the Competition Act, 2018 ("the Act"), notice is hereby given on the decision made by the Competition and Consumer Authority ("the Authority") in relation to the proposed acquisition of 100% shareholding in Sharps International (Pty) Ltd ("Sharps International" or the "Target Enterprise") by Teamdyna (Pty) Ltd ("Teamdyna" or the "Acquiring Enterprise"). The proposed transaction has been agreed under a Share Sale Agreement dated 3rd September 2024, between Estate of Late Giorgio Narder and Teamdyna, in respect of Sharps International. Post-implementation of the proposed transaction, 100% of the shares of Sharps International will be transferred from the current shareholders to the Acquiring Enterprise.

The Acquiring Enterprise, Teamdyna is controlled by three individual shareholders of full legal capacity, being Autash Arora (Motswana), Mahomed Sajid Osman (British) and Mohammed Chand (Motswana). On the other hand, Sharps International is wholly owned by the Late Giorgio Narder (Italian). The Estate of the Late Giorgio Narder is represented by Kalyanaraman Vijay (Motswana) and Serafina Nives Codello (Italian) who are the Joint Executors of the Estate of the Late Giorgio Narder.

Relevant Markets

The Merging Parties are companies duly incorporated in accordance with the Laws of Botswana. The assessment findings indicate that the Merging Parties are currently not active in the same market. Teamdyna has never operated since it was incorporated, and the proposed merger is part of some transactions which denotes the commencement of its operations as a property company in Botswana. On the other hand, Sharps International is a property company and it only owns an industrial warehouse situated on commercial plot 1236 in Gaborone which measures 3885 square meters and is rented out.

Competitive Analysis and Public Interest

The assessment of the proposed transaction indicates that the competition landscape in the relevant market will not change upon the implementation of the proposed merger. Therefore, the Authority maintains that it is not necessary to

reach a definitive view on the exact scope of the product market as the market structure is not expected to substantially change post implementation of the proposed transaction.

In light of the above, the proposed transaction is not likely to result in a substantial lessening of competition. Furthermore, the proposed merger will not have any negative effect on public interest matters in Botswana as per the provisions of section 52(2) of the Competition Act 2018.

The Determination

The Authority determined through the analysis of the facts of the merger that the structure of the relevant market is not expected to significantly change upon implementation of the proposed merger nor endanger the continuity of service in the market under consideration.

Pursuant to the provision of section 53 of the Act, the Authority has unconditionally approved the proposed acquisition of 100% shareholding in Sharps International (Pty) Ltd by Teamdyna (Pty) Ltd.

However, as stated under Section 61 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 5th day of December 2024.

Tebelelo Pule, Chief Executive Officer, Competition and Consumer Authority,
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