

MERGER DECISION NO 56: 2019

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

DECISION ON THE PROPOSED ACQUISITION OF THE ENTIRE ISSUED ORDINARY SHARE CAPITAL OF 3G MOBILE (PTY) LTD BY DNI-4PL CONTRACTS (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 the entire issued ordinary share capital of 3G Mobile (Pty) Ltd [“3G Mobile”] by DNI-4PL Contracts (Pty) Ltd [“DNI-4PL”].

The Authority determined through the analysis of the facts of the merger that the proposed transaction is not likely to result in substantial lessening of competition, nor endanger the continuity of services in the market for the sale and distribution of new mobile handsets, electronic tablets and accessories related to mobile handsets and tablets in Botswana, and as such does not raise any competition concerns. Furthermore, there are no public interest concerns that have been identified.

Pursuant to the provisions of section 60 of the Competition Act (the Act), the Authority has unconditionally approved the proposed acquisition of the entire issued ordinary share capital of 3G Mobile (Pty) Ltd [“3G Mobile”] by DNI-4PL Contracts (Pty) Ltd [“DNI-4PL”].

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 13th day of December 2019.

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