



MERGER DECISION NO 22: 2017

DECISION ON THE PROPOSED ACQUISITION OF 51% ISSUED SHARES IN AVENG GRINAKEER HOLDINGS PTY LTD BY KUTANA CONSTRUCTION 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 in respect of the proposed acquisition of 51% issued shares in Aveng Grinaker LTA Holdings (Pty) Ltd by Kutana Construction (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 services offered in the relevant market in Botswana. Furthermore, no public interest concerns were identified.

Pursuant to the provisions of section 60 of the Competition Act, the Authority has unconditionally approved the proposed acquisition of 51% issued shares in Aveng Grinaker LTA Holdings (Pty) Ltd by Kutana Construction (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 17th day of May 2017.

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