



MERGER NOTICE NO 10: 2019

THE PROPOSED SALE AND PURCHASE OF SECTION 4 [THIRD FLOOR OF THE WEST WING BUILDING, MEASURING 1058M²]; AND EXCLUSIVE USE AREA [43 PARKING BAYS], ALL SITUATED ON LOT 74768, NEW CBD, GABORONE, FROM WHEKI (PTY) LTD BY WINCHESTER PROPERTIES (PTY) LTD.

Pursuant to section 56(1) of the Competition Act (Cap 46:09), the Competition Authority has received a merger notification for the proposed sale and purchase of Section 4 being the Third Floor of the West Wing building measuring 1058m² and exclusive use area which is 43 parking bays, situated on Lot 74768, New CBD, Gaborone, from Wheki (Pty) Ltd [**“Wheki”**] by Winchester Properties (Pty) Ltd [**“Winchester Properties”**].

The acquiring enterprise, Winchester Properties, is a company incorporated in accordance with the Laws of Botswana; and is controlled by Jagdish Natwarlal Shah, a Motswana with various business interests which are not directly related to this particular transaction; Nikhil Bhupendra Shah, an Indian, with no other business interests in/ into Botswana; and Ian Rankin Thomson, a British citizen with other business interests not directly related to the proposed transaction. Winchester Properties is in the business of letting property and currently owns one property located in Francistown. The Directors of Winchester Properties are Ian Rankin Thomson; Nikhil Bhupendra Shah; and Jagdish Natwarlal Shah.

The target enterprise, Wheki, is a company incorporated in accordance with the Laws of Botswana. Wheki is currently owned equally by CC Project (Pty) Ltd and Time Projects (Botswana) (Pty) Ltd. Both companies are registered in Botswana offering a wide range of commercial and residential property services in the country. Wheki is in the commercial property investment and development business. The directors of Wheki are Cuzen Mesotlo and Hildah Mesotlo (both Botswana) as well as Brett Anthony Marlin and Alexander Lees Kelly (both South African).

According to section 57(3), of the Competition Act, “any person, including a third party not a party to the proposed merger, may voluntarily submit to the inspector or the Authority any document, affidavit, statement or other relevant information in respect of a proposed merger”. The Competition Authority therefore seeks any stakeholder views for or against the proposed merger, which may be sent within 10 days from date of this publication to the following address:

Director, Mergers and Monopolies
Competition Authority

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