



MERGER DECISION

THE PROPOSED ACQUISITION OF ASSETS AND CHICKEN LICKEN FRANCHISED BUSINESSES OF NANZZ (PTY) LTD BY SETSO HOME (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 assets and Chicken Licken franchised businesses of Nanzz (Pty) Ltd by Setso Home (Pty) Ltd.

The Authority determined to unconditionally authorise the proposed transaction on the grounds that the analysis of the facts of the case have shown that there were no substantive competition concerns that will arise in the fast food market, given the fact that:

- (a) The proposed transaction is not likely to result in a substantial lessening of competition, nor endanger the continuity of service, due to the absence of both product and geographic overlap in the activities of the merging parties;
- (b) Similarly, the implementation of the proposed merger is not expected to result in acquisition of a dominant position in the fast food market; and
- (c) No significant negative effect on public interest in Botswana has been identified, in relation to the provisions of section 59 (2).

Pursuant to the provision of section 55 of the Competition Act, the Authority has unconditionally approved the proposed acquisition.

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 28th day of October, 2014

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