



MERGER DECISION NO 10: 2018

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

DECISION ON THE PROPOSED ACQUISITION BY ROBERTSONS (PTY) LTD OF CONTROL OVER SILVER 2017 (PTY) LTD (“NEWCO”) IN SOUTH AFRICA, SUBSEQUENT TO THE TRANSFER OF THE SPREADS BUSINESS FROM UNILEVER SOUTH AFRICA (PTY) LTD INTO NEWCO, AS AN INTERNAL RESTRUCTURING EXERCISE.

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 by Robertsons of control over Silver 2017 (Pty) Ltd (“Newco”) in South Africa; subsequent to the transfer of the spreads business from Unilever South Africa (Pty) Ltd into Newco as an internal restructuring exercise.

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. Furthermore, no public interest concerns have been identified.

Pursuant to the provisions of section 60 of the Competition Act, the Authority has unconditionally approved the proposed acquisition by Robertsons (Pty) Ltd of control over Silver 2017 (Pty) Ltd (“Newco”) in South Africa, subsequent to the transfer of the spreads business from Unilever South Africa (Pty) Ltd into Newco as an internal restructuring exercise.

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 March 2018.

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