



## **MERGER DECISION NO 13: 2019**

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

#### **THE PROPOSED ACQUISITION OF 100% ISSUED SHARE CAPITAL IN ASTRON ENERGY BOTSWANA (PTY) LTD BY GLENCORE SOUTH AFRICA OIL INVESTMENTS (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 100% issued share capital in Astron Energy Botswana (Pty) Ltd by Glencore South Africa Oil Investments (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 market for the provision of marketing and distribution of imported petroleum products including petrol, diesel, paraffin and lubricating oils throughout Botswana. Furthermore, there are no public interest concerns that have been identified.

Pursuant to the provision of section 60 of the Competition Act, the Authority has unconditionally approved the proposed acquisition of 100% issued share capital in Astron Energy Botswana (Pty) Ltd by Glencore South Africa Oil Investments (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 2<sup>nd</sup> day of April 2019.

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