



MERGER NOTICE NO 43: 2023

THE PROPOSED ACQUISITION OF LEASE AREA NO. 2593- PORTION 44 AND PORTION 87 OF THE FARM FOREST HILL NO. 9-KO, COMMERCE PARK; AND ALSO LEASE AREA 4049-KO, LOT 43163 AND LOT 51573, PHAKALANE AS A GOING CONCERN FOR AND ON BEHALF OF BOTSWANA PUBLIC OFFICERS PENSION FUND, FROM CONSORTIUM INVESTMENTS (PTY) LTD BY SEVENTY5 DEGREES (PTY) LTD

Pursuant to section 49(1) of the Competition Act 2018, the Competition and Consumer Authority ("the Authority") has received a merger notification for the proposed acquisition of Lease Area No. 2593- Portion 44 and Portion 87 of the Farm Forest Hill No. 9-KO, Commerce Park; and also Lease Area 4049-KO, Lot 43163 and Lot 51573, Phakalane on behalf of Botswana Public Officers Pension Fund ("BPOPF"), from Consortium Investments (Pty) Ltd ("Consortium") by Seventy5 Degrees (Pty) Ltd ("Seventy5 or the Acquiring Enterprise").

The Acquiring Enterprise, Seventy5, is a private company incorporated in accordance with the Laws of Botswana. It is a newly established company duly appointed as the property asset manager of the BPOPF and makes the acquisition for and on behalf of BPOPF. BPOPF is a pension fund for Botswana Public Service employees.

Seventy5 is controlled by Baalakani Nlumbile and Ronald Kabelo Modikana (both Batswana) who are the Directors.

The other Directors of Seventy5 are Thokozani Marvin Torto, Obonetse J Motheletsi, Simisane Curtis Matobolo, Tshepiso Innocent Makgoeng, Benny Medupi and Dabilo Malebogo Mokobi (all Batswana).

The Target Enterprise, Consortium, is a private limited company incorporated in accordance with the Laws of Botswana. It is a special purpose vehicle created for the purposes of this transaction. The Target Enterprises is controlled by Mark Shade Coubrough, Frances Elizabeth Fuzzey (both British citizens), Brett Warren, Cornelis Johannes Kok, Gerald John Davies, and Leon Grobler (all Batswana citizens), who are also its Directors. These individuals also have other business interests in different companies in Botswana. Consortium does not control any Enterprise in Botswana.

According to section 50 (3) of the Competition Act 2018, "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 and Consumer 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
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