



## MERGER NOTICE NO 16: 2022

### **THE PROPOSED ACQUISITION OF CERTAIN ASSETS OF THE BUSINESS OF TATI NICKEL MINING COMPANY (PTY) LTD (IN LIQUIDATION) BY PREMIUM NICKEL GROUP (PTY) LTD**

Pursuant to section 49(1) of the Competition Act of 2018, the Competition and Consumer Authority ("the Authority") has received a merger notification for the proposed acquisition of certain assets ("Selkirk Assets") of the business of Tati Nickel Mining Company (Pty) Ltd (in liquidation) [ "Tati Nickel"] by Premium Nickel Group (Pty) Ltd ("Acquiring Enterprise" or "PNRG").

The Acquiring Enterprise is a limited liability company incorporated in accordance with the Laws of the Republic of Botswana. It is a special purpose vehicle and does not currently have any business operations in Botswana. PNRG was specifically established to, among other things: acquire the Selkirk Assets; effect exploration activities as well as pre-feasibility and feasibility studies on the Selkirk Assets, more particularly the nickel-copper-cobalt-platinum-group metals ("Ni-Cu-Co-PGM") resources; and develop and construct a new mine and carry out the mining operations at such mine. PNRG is wholly owned by PNR Selkirk Group (Barbados) Limited ("PNR Selkirk"), a company registered in Barbados. PNR Selkirk is wholly owned by PNR International Limited (Barbados), which is a company wholly owned by Premium Nickel Resource Corporation ("PNR Canada").

PNR Canada is a company incorporated in accordance to the Laws of Canada and it is the ultimate parent company of Premium Nickel Resources group of companies ("PNR Group"). PNR Group comprises a large number of firms globally that are ultimately controlled by PNR Canada. PNR Canada has multiple shareholders and is therefore not directly or indirectly controlled by any single shareholder or firm.

The Directors of PNRG are Arnoldus Brand; Keith Richard William Morrison (Canadian citizens); and Montwedi Mphathi (Motswana).

Tati Nickel has been in liquidation since 9th October 2016. Tati Nickel does not directly or indirectly control any firm in Botswana. The Selkirk Assets consists of certain business assets related to the Selkirk Mine that was operated by Tati Nickel. The key output/product of the Selkirk Mine is Ni-Cu-Co-PGM. These minerals were then shipped to Selibe Phikwe to be smelted into a high-grade sulphide matte, containing nickel, copper and cobalt, which was then exported to international markets such as Norway. The Selkirk Mine ceased operations in 2002 and has been under care and maintenance.

Tati Nickel is wholly owned by BCL Investments (Pty) Ltd. ("BCL Investments") which in turn is wholly owned by BCL Limited (in liquidation) ("BCL"). BCL Investment directly controls Maibwe Diamonds (Pty) Ltd ("Maibwe"). BCL is wholly owned by the Minerals Development Company Botswana (Pty) Ltd ("MDCB").

MDCB is wholly owned by the Government of the Republic of Botswana and MDCB directly controls and wholly owns Morupule Coal Mine Limited.

All the above mentioned entities are limited companies incorporated in accordance with the Laws of the Republic of Botswana. The control of the affairs and management of Tati Nickel are vested with the Liquidators and not the directors of the company.

According to section 50 (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 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:

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