



MERGER NOTICE NO 17: 2024

THE PROPOSED ACQUISITION BY SHERASHIYA PROPRIETARY LIMITED OF CERTAIN ASSETS OF THE BUSINESS OF BCL LIMITED (IN LIQUIDATION)

Pursuant to section 49(1) of the Competition Act 2018, the Competition and Consumer Authority ("the Authority" or "CCA") has received a merger notification for the proposed acquisition by Sherashiya Proprietary Limited ("Sherashiya" or the "Acquiring Enterprise"), of certain assets of the business of BCL Limited (In Liquidation) ("BCL" or the "Target Enterprise"). For completeness, the Target Assets being acquired consist of certain business assets owned by BCL, which were used in the Selebi Mine, more particularly the property, slag, tailings, mining and processing assets from its mining and smelting facility as situated on the BCL lease area.

The Acquiring Enterprise, Sherashiya, is a limited liability company incorporated in accordance with the Laws of Botswana.

The Shareholders of Sherashiya are Ramesh Lavji Sherashiya, Punitkumar Mohanlal Chovatiya, Gopalkrishna Hebbar, Vasantben Rameshbhai Sherashiya, Navin Mohanbhai Chovatiya, Jaykishan Rameshbhai Sherasiya, Kirit Dayalal Nandasana (all Indians).

The Acquiring Enterprise is a steel works company that produces industrial steel products and exports them. Sherashiya controls a steel plant in Selebi-Phikwe previously owned by Pula Steel and Casting Manufacturing Proprietary Limited. The plant is currently used to manufacture steel billets from steel scrap and shall provide for the subsequent conversion of the billets into end products including angle irons, round bars, man-hole covers, pots, fencing products and other products in the near future.

The Directors of Sherashiya are Ramesh Lavji Sherashiya and Gopalkrishna Hebbar (both Indians).

The Target Enterprise, BCL, is a firm incorporated in Botswana and having its principal place of business at the BCL Mine Site, Selebi Phikwe. It is important to note that, as an entity, BCL is not disposing off its shares but it is selling its certain business assets. BCL is wholly owned by the Government of the Republic of Botswana. Prior to being placed in liquidation in 2016, the BCL ran the BCL mine (now in care and maintenance) which produced nickel-copper-cobalt group metals (Ni-Cu-Co). These minerals were then shipped to Selebi-Phikwe to be smelted into a high-grade sulphide matte, containing nickel, copper and cobalt, and were then exported to international markets.

BCL also directly controls Pula Steel and Casting Manufactures Proprietary Limited (In Liquidation), as well as BCL Investments Proprietary Limited.

In addition, BCL indirectly controls Tati Nickel Mining Company Proprietary Limited (In Liquidation). Furthermore, BCL also operated the BCL Hospital, which is a mine hospital whose mandate is to provide vital healthcare services to the BCL employees and the local community.

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 investigator 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
Competition and Consumer Authority
Private Bag 00101
Plot 28, Matsitama Road, Main Mall
Gaborone
Tel: +267 3934278 Fax: +267 3121013
Email: info@cca.co.bw