



MERGER NOTICE NO 3: 2022

THE PROPOSED ACQUISITION OF 60% ISSUED SHARES OF TONGAAT HULETT LIMITED BY MAGISTER INVESTMENTS LIMITED

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 up to 60% issued shares of Tongaat Hulett Limited ("THL") by Magister Investments Limited ("**Magister**").

The Acquiring enterprise, Magister, is a private limited company duly incorporated in terms of the Company Laws of the Republic of Mauritius. It does not control any entity in Botswana. Magister is an investment holding entity controlled by the Casa Trust. Magister holds a diverse portfolio of interests in various sectors, including agriculture, transport and logistics, civil construction and real estate. Other than that, Magister does not have any activities in Botswana and it does not produce or sell any products into or from Botswana. The directors of Magister are Reena Doolub (Mauritius), Hamish Bryan Wilburn Rudland (Zimbabwe) and Peter Siaw Chock Chiong (Mauritius).

The Target Enterprise, Tongaat Hulett Limited, is a public company incorporated in accordance with the Laws of the Republic of South Africa. THL is listed on Johannesburg Stock Exchange and its shares are widely held, as such THL is not controlled by any firm or group of firms. THL controls Tongaat Hulett Botswana ("THB") with other two stakeholders namely; Star Africa Corporation Limited and Hippo Valley Estates Limited. Other than THB, THL does not control any other firm in Botswana. THL is engaged in agri-business in sugar, ethanol, animal feeds and cattle, with a significant asset base and footprint in Southern Africa. THL exports sugar (brown and white) into Botswana to THB. THB is a sugar packaging and distribution business in Botswana which packs and distributes sugar under the brand 'Blue Crystal'. The directors of THL are Louis Von Zeuner, John Gavin Hudson, Robert David Aitken, Linda De Beer, Robin Michael Coetzsche, Jean Johannes Nel, Andile Hersperus, Daniel Leseja Marokane, Johannes Jacobus Van Rooyen, David Collen Noko and Louisa Stephens (all South Africans).

According to section 50(3), of the Competition Act of 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 invites any stakeholder to share their 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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