



## MERGER NOTICE NO 37: 2021

### **THE PROPOSED ACQUISITION BY DP WORLD LOGISTICS FZE OF ALL THE ISSUED AND TO BE ISSUED ORDINARY SHARES IN IMPERIAL LOGISTICS LIMITED (OTHER THAN SUCH ORDINARY SHARES HELD BY SUBSIDIARIES OF IMPERIAL LOGISTICS)**

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 by DP World Logistics FZE (*“DP World”*) of all the issued and to be issued ordinary shares in Imperial Logistics Limited (*“Imperial Logistics”*) (other than such ordinary shares held by subsidiaries of Imperial Logistics).

The Acquiring Enterprise, DP World, is controlled by DP World Limited (*“DP World Limited”*). DP World Limited is 100% indirectly owned by Dubai World Corporation (*“Dubai World”*), which in turn is wholly owned by the Government of Dubai. DP World Limited is an undertaking which operates on the market independently from Dubai World and any other entities ultimately owned by Dubai World and the Government of Dubai. DP World Limited is a multinational logistics company incorporated in the Dubai International Financial Centre, Dubai, United Arab Emirates. It specialises in port terminal operations, maritime services, free trade zones and cargo handling and logistics services (i.e. discharging and loading of vessels and related activities). DP World Limited and its subsidiaries are collectively referred to in this merger notice as the *“Acquiring Group”*. In Botswana, the Acquiring Group does not have any business operations. Additionally, the Acquiring Group does not control any companies with operations in Botswana.

The Directors of DP World are: Mahmood AlBastaki (United Arab Emirates); Michael Bhaskaran (United States of America); Mohamed Bahmini (India); and Ravi Gopalankutty (India).

Imperial Logistics is a company listed on the Johannesburg Stock Exchange Limited (*“JSE”*) and no firm controls it. Imperial Logistics owns and finances assets for Imperial Logistics and its subsidiaries (the *“Target Group”*). The Target Group's business can broadly be separated out into *logistics operations* and *market access services*. In Botswana, the Target Group has the following subsidiary operating in the *logistics* segment: Imperial Tanker Services Botswana Proprietary Limited - which provides road transportation, both primary and secondary transport of bulk fuel; whilst in the *market access services* segment, the Target Group, indirectly through its subsidiary Imperial Capital Limited, has a non-controlling interest in PST Sales and Distribution Proprietary Limited (*“PST”*) – PST is involved in the sale and distribution of FMCG products; and Fine Pharmaceuticals Proprietary Limited – which is involved in

the sale and distribution of pharmaceuticals, medical devices and consumables, animal health products, and agrochemicals.

The Directors of Imperial Logistics are: Phumzile Langeni (South Africa); Mohammed Akoojee (South Africa); Graham Dempster (South Africa); Peter Cooper (South Africa); Roderick Sparks (South Africa); Bridget Radebe (South Africa); Juliet Anammah (Nigeria); Harriet-Ann (bola) Adesola (Nigeria); Dirk Reich (Switzerland); and George de Beer (South Africa).

According to section 50 (3), of the Competition Act 2018, “any person, including a third party not 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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