GOVERNMENT GAZETTE
OF THE
REPUBLIC OF NAMIBIA

CONTENTS

Page

GENERAL NOTICES

No. 172 Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Bakers Logistics Namibia (Pty) Ltd // Chausib Estates (Pty) Ltd ...................... 2

No. 173 Namibian Competition Commission: Notice of determination made by commission in relation to proposed merger: Polyoak Packaging Group (Pty) Ltd // Polyoak Packaging Namibia (Pty) Ltd ...... 3


No. 175 Namibian Competition Commission: Notice of determination made by commission in relation to proposed merger: Karee Investments One Eight Three (Pty) Ltd // Mr. A.W Fuller trading as Protea Spar ......................................................................................................................... 4

No. 176 Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: CA Sales Holdings (Pty) Ltd // A. Wutow Trading Company (Pty) Ltd .............. 5

No. 177 Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Namibia Underwater Technologies & Mining (Pty) Ltd // Epaneglo Offshore Mining (Pty) Ltd ........................................................................................................................................................................ 5

No. 178 Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Hollard International (Pty) Ltd // Hollard Insurance Company of Namibia (Pty) Ltd . 6

No. 179 Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger OEP USCO B.V // USCO S.P.A ................................................................................................................. 7


No. 181 Namibian Competition Commission: Notice of determination made by commission in relation to proposed merger: Camoposatu Investments (Pty) Ltd and Vernier Investments (Pty) Ltd // Oshakati Cold Storage CC .......................................................................................................................... 8

No. 182 Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Business Ventures Investments No. 1953 (Pty) Ltd // Afrit Group (Pty) Ltd ........ 9
No. 172 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: BAKERS LOGISTICS NAMIBIA (PTY) LTD // CHAUSIB ESTATES (PTY) LTD

CASE NO.: 2017MAR0012MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 22 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

   (a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

   (b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION
NAMIBIAN COMPETITION COMMISSION

No. 173 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: POLYOAK PACKAGING GROUP (PTY) LTD // POLYOAK PACKAGING NAMIBIA (PTY) LTD
CASE NO.: 2017MAR0009MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 7 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

   (a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

   (b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 174 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: KATIMA MULILO PROPERTIES (PTY) LTD // J & E PROPERTIES CC AND OMWEDHI INVESTMENTS CC
CASE NO.: 2017MAR0013MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 23 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if:

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 175 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: KAREE INVESTMENTS ONE EIGHT THREE (PTY) LTD // MR A.W FULLER TRADING AS PROTEA SPAR

CASE NO.: 2017FEB0006MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 20 February 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if:

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION
NAMIBIAN COMPETITION COMMISSION

No. 176 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: CA SALES HOLDINGS (PTY) LTD // A. WUTOW TRADING COMPANY (PTY) LTD
CASE NO.: 2017MAR0014MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 27 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

   (a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

   (b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 177 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: NAMIBIA UNDERWATER TECHNOLOGIES & MINING (PTY) LTD // EPANGELO OFFSHORE MINING (PTY) LTD
CASE NO.: 2017MAR0010MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 14 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if:

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 178 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: HOLLARD INTERNATIONAL (PTY) LTD // HOLLARD INSURANCE COMPANY OF NAMIBIA (PTY) LTD CASE NO.: 2017MAR0015MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 28 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if:

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION
NAMIBIAN COMPETITION COMMISSION

No. 179 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: OEP USCO B.V // USCO S.P.A  
CASE NO.: 2017FEB0007MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 28 February 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA  
CHAIRPERSON: BOARD TECHNICAL COMMITTEE  
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 180 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: FRONTIER PROPERTY TRUST // WESTPORT PROPERTY INVESTMENTS (PTY) LTD  
CASE NO.: 2017MAR0011MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 17 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if:

   (a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

   (b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 181 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: CAMOPOSATU INVESTMENTS (PTY) LTD AND VERNIER INVESTEMENTS (PTY) LTD // OSHAKATI COLD STORAGE CC
CASE NO.: 2017FEB0004MER

Competition Act, 2003 (Act No. 2 of 2003) (Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 14 February 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if:

   (a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

   (b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION
NAMIBIAN COMPETITION COMMISSION

No. 182 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: BUSINESS VENTURS INVESTMENTS NO 1953 (PTY) LTD // AFRIT GROUP (PTY) LTD
CASE NO.: 2017MAR0018MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 31 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

   (a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

   (b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAUHcwOwA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 183 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: XLINE ALUMINIUM SOLUTIONS (PTY) LTD // NAMIBIA EXTRUSIONS WINDHOEK (PTY) LTD
CASE NO.: 2016NOV0055MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 8 December 2016.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on the following grounds:

   (i) That the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003;
(ii) That the proposed transaction is not likely to raise public interest concerns; and

(iii) Furthermore the parties made an undertaking that the acquiring group will not change the manner in which members of the Wispeco Group currently deal with customers based in Namibia as a result of the transaction in the sense that, subject to their standard terms and conditions, applicable at the relevant time, the relevant members of the Wispeco Group will (if requested by the relevant customers) sell directly to Namibian based customers and not require these customers to purchase their requirements through Namibia Extrusion Windhoek (Proprietary) Limited (“NEW”) for a period of two years after the approval of the proposed merger.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 184 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED MERGER: : SEAFLOWER PELAGIC PROCESSING (PTY) LTD // ETALE PROPERTIES (PTY) LTD
CASE NO.: 2017MAR0016MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 31 March 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.
NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: POINTBREAK PROPERTY TRUST TWO //
KAMAZ PROPERTY INVESTMENTS CC
CASE NO.: 2017JAN0001MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 9 May 2017.

2. Please note that the Commission has approved the proposed merger without conditions.

3. The Commission’s decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

(a) the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or

(b) any condition attached to the approval of the merger that is material to the implementation is not complied with.

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION