



MERGER DECISION NO 22: 2016

DECISION ON THE PROPOSED ACQUISITION OF THE EQSTRA FLEET MANAGEMENT & LOGISTICS, AND INDUSTRIAL EQUIPMENT DIVISIONS OF EQSTRA BOTSWANA BY enX GROUP LIMITED

PURSUANT to section 60(4)(a)(ii) of the Competition Act (Cap 46:09), notice is hereby given on the decision made by the Competition Authority in respect of the proposed acquisition of the Eqstra Fleet Management & Logistics ("FML"), and Industrial Equipment ("EIE") divisions of Eqstra Botswana by enX Group Limited.

The Authority determined through the analysis of the facts of the merger, that the proposed transaction is not likely to result in the prevention or substantial lessening of competition, or endanger the continuity of the services offered in the markets under consideration. The market structures in the leasing, maintenance and tracking of passenger and commercial vehicles; as well as the provision of heavy lift equipment will not be altered and as such does not raise any competition concerns.

Pursuant to the provisions of section 55 of the Competition Act, the Authority has unconditionally approved the proposed acquisition of the FML and EIE divisions of Eqstra Botswana by enX Group Limited. Given that Eqstra Botswana has three divisions, this approval is solely for the proposed acquisition of the EIE and FML divisions and does not extend to the Contract Mining & Plant Rental ("CMPR") division. In the event that Eqstra Botswana seeks to dispose of its CMPR division, this would have to be notified with the Authority in the event that the transaction meets the stipulated merger control thresholds.

However, as stated under section 66 of the Act, this approval does not override or negate any other mandatory statutory approvals or processes that any of the parties to these mergers must comply with under the Laws of Botswana.

Dated at Gaborone this 1st day of September 2016

Tebelelo Pule, Acting Chief Executive Officer, Competition Authority, P/Bag 00101, Gaborone, Plot 28, Matsitama Road, Tel: 3934278 Fax: 3121013