



## **MERGER DECISION NO 24: 2016**

### **DECISION ON THE PROPOSED ACQUISITION OF ALL MOVEABLE FIXED ASSETS (PLANT, MACHINERY AND EQUIPMENT, MOTOR VEHICLES, FURNITURE AND FITTINGS, AND COMPUTER EQUIPMENT) OF SALLY DAIRY PRODUCTS (PTY) LTD BY GRAVITAS INVESTMENTS (PTY) LTD**

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 all moveable fixed assets of Sally Dairy Products (Pty) Ltd (machinery and equipment, motor vehicles, furniture and fittings, and computer equipment), as well as the right to use the name Sally Dairy, by Gravitass Investments (Pty) Ltd.

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 structure in the markets for bottled fresh milk, madila, dairy mix juice and bottled water in Botswana will not be altered, and as such this transaction 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.

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 this merger must comply with under the Laws of Botswana.

Dated at Gaborone, this 12<sup>th</sup> day of October 2016

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