



MERGER NOTICE NO 32 OF 2020

THE PROPOSED SALE AND PURCHASE OF AN IMMOVABLE PROPERTY SITUATED ON PORTION 1113 (A PORTION OF PORTION 3) OF THE FARM FOREST HILL NO.9-KO GABORONE FROM LEOAL HOLDINGS (PTY) LTD (“LEOAL HOLDINGS”) TO KENSAL RISE (PTY) LTD (“KENSAL RISE”).

Pursuant to section 49(1) of the Competition Act of 2018, the Competition and Consumer Authority (“the Authority”) has received a merger notification for proposed sale and purchase of an immovable property situated on portion 1113 (a portion of portion 3) of the Farm Forest Hill NO.9-KO Gaborone from Leoyal Holdings (Pty) Ltd (“Leoyal Holdings”) to Kensal Rise (Pty) Ltd (“Kensal Rise”).

The acquirer, Kensal Rise is a company incorporated in accordance with the Laws of the Republic of Botswana. Kensal Rise is directly controlled by IHS Fund Fund II SSA and indirectly controlled by IHS Fund Two (Namibia GP) Proprietary Limited. Both IHS Fund Fund II SSA and IHS Fund Two (Namibia GP) Proprietary Limited are companies incorporated in accordance with Laws of Namibia. Kensal Rise is involved in renting out of residential properties in Gaborone and the company also intends to sell residential property. The directors of Kensal Rise are: Christopher Roy Garland (British); Graham Farai Kusano and Solly Mboweni (both South African nationals).

The seller, Leoyal Holdings is a company incorporated in accordance with the Laws of the Republic of Botswana. The following companies directly or indirectly controls Leoyal Holdings: Distant Horizons (Pty) Ltd; Elmsway Consultancy (Pty) Ltd; Brightlad Holdings (Pty) Ltd; and E-man Enterprises (Pty) Ltd. Leoyal Holdings is involved in property development market (mainly residential apartments) in Botswana. The directors of Leoyal Holdings are: Joel Theodore Emanuel; Leon Christopher Emanuel; Theodore Aloysius Emanuel; Sridhar Munimakula; Clarina Maria De Souza Emanuel; Maria Aurora Paul Emanuel (all Indian nationals).

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 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:

Director, Mergers and Monopolies
Competition and Consumer Authority
Private Bag 00101

Plot 28, Matsitama Road, Main Mall
Gaborone
Tel: +267 3934278 Fax: +267 3121013
Email: CA@competitionauthority.co.bw