



## MERGER NOTICE NO 42: 2023

### **THE PROPOSED ACQUISITION OF LEASE AREA NO. 4928-KO PLOT 54373 ON BEHALF OF BOTSWANA PUBLIC OFFICERS PENSION FUND, FROM OWLEY PROPERTIES (PTY) LTD BY SEVENTY5 DEGREES (PTY) LTD**

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 of lease area No. 4928-KO Plot 54373 on behalf of Botswana Public Officers Pension Fund ("BPOPF"), from Owley Properties (Pty) Ltd ("Owley or the Target Enterprise") by Seventy5 Degrees (Pty) Ltd ["Seventy5 or the Acquiring Enterprise"].

The Acquiring Enterprise, Seventy5, is a private company incorporated in accordance with the Laws of Botswana. It is a newly established company duly appointed as the property asset manager of the BPOPF and makes the acquisition for and on behalf of BPOPF. Seventy5 is controlled by Baalakani Nlumbile and Ronald Kabelo Modikana (both Batswana) of whom are the Directors. BPOPF is a pension fund for Botswana public service employees.

The other Directors of Seventy5 are Thokozani Marvin Torto, Obonetse J Motheletsi, Simisane Curtis Matobolo, Tshepiso Innocent Makgoeng, Benny Medupi and Dabilo Malebogo Mokobi (all Batswana).

The Target Enterprise, Owley, is a private limited company incorporated in accordance with the Laws of Botswana. Owley is a special purpose vehicle created for the purposes of holding immovable property. It is controlled by Owley Ltd, a company incorporated under the Laws of Seychelles. The Target Enterprise does not control any Enterprise in Botswana.

The Directors of Owley are Christopher John Bray (Motswana) and Watson Masikati (Zimbabwean).

According to section 50 (3) of the Competition Act 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  
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