



MERGER NOTICE NO 44: 2023

THE PROPOSED ACQUISITION OF LEASE AREA NO. 2791-KO, PHAKALANE INDUSTRIAL FROM SOUTHERN BUSINESS SOLUTIONS (PTY) LTD BY SEVENTY5 DEGREES (PTY) LTD FOR AND ON BEHALF OF THE BOTSWANA PUBLIC OFFICERS PENSION FUND

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 Unit 9 Carramba Business Park, lease area No. 2791-KO in Phakalane Industrial ("the Target Property") from Southern Business Solutions (Pty) Ltd ("Southern Business" or "the Target Enterprise") by Seventy5 Degrees (Pty) Ltd ("Seventy5 Degrees" or "the Acquiring Enterprise") for and on behalf of the Botswana Public Officers Pension Fund ("BPOPF"). Following the implementation of the Proposed Transaction, the Target Property will be managed by the Acquiring Enterprise.

The Acquiring Enterprise, Seventy5 Degrees, is a newly established 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. The Shareholders of Seventy5 Degrees are Baalakani Nlumbile and Ronald Kabelo Modikana (both Batswana). The Acquiring Enterprise does not control any entities in Botswana. BPOPF is a pension fund duly licensed and established in accordance with the provisions of the Retirement Funds Act No. 38 of 2022 for public service employees.

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

The Board of Trustees of BPOPF are Gaone Macholo, Solomon Mantswe, Rutang Ruth Moses, Tobokani Rari, Topias Marenga, Agang Gabana, Neo Joel, Legomela Dittah Molodi, Tebogo Tomango, Oreeditse Tsamaase and Ketlhalefile Motshegwa (all Batswana).

The Target Enterprise, Southern Business, is a company incorporated in accordance with the Laws of Botswana. It operates in the supply of computer equipment, maintenance and provides such services as system administration for software solutions, disaster recovery and business continuity.

The Target Enterprise is not controlled by any entities in Botswana. Southern Business controls Phakalane Data Centre (Pty) Ltd, a company incorporated in Botswana that operates in data storage and recovery as its core business.

The Directors of Southern Business are Robert F. Southern and Margarete H. Southern (both South African).

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
Competition and Consumer Authority
Private Bag 00101
Plot 28, Matsitama Road, Main Mall
Gaborone
Tel: +267 3934278 Fax: +267 3121013
Email: info@cca.co.bw