



## **MERGER NOTICE NO 03: 2018**

### **THE PROPOSED ACQUISITION OF NOT LESS THAN 22.4% OF THE ISSUED SHARE CAPITAL IN KANU EQUIPMENT LIMITED BY VRONBISMAN LIMITED**

Pursuant to section 56(1) of the Competition Act (Cap 46:09), the Competition Authority has received a merger notification for the proposed acquisition of not less than 22.4% share capital in Kanu Equipment Limited ("Kanu Equipment") by Vronbisman Limited ("Vronbisman").

The acquiring enterprise, Vronbisman, is a company incorporated in accordance with the Laws of Mauritius. Vronbisman is wholly owned by Adenia Investment Limited ("Adenia"), which is also incorporated in accordance with the Laws of Mauritius. The acquiring enterprise is a special purpose vehicle created specifically for this transaction.

Adenia on the other hand, is a private equity and venture capital fund specialising in investments in start-ups, later stage, expansion stage, growth capital, mid cap buy-outs, industry consolidation, recapitalisation, spin offs and companies with succession issues. Adenia does not directly or indirectly control any enterprise in Botswana.

The target enterprise, Kanu Equipment, is a company duly incorporated in accordance with the Laws of the Republic of Mauritius. The shares in Kanu Equipment are held by Phatisa at 85%, Western Equipment Holdings at 6.04%, DeltaCap Ltd at 4.29% and Kanthu Nkhana Capital at 4.67%. Kanu Equipment owns 100% of the shares in Equipment Sales and Services (Pty) Ltd ("Equipment Sales"), a company duly incorporated in accordance with the Laws of the Republic of Botswana.

Kanu Equipment is a specialist in the supply of quality mining, earthmoving, agriculture forestry and road construction equipment. Equipment Sales and Services distributes and services heavy plant and equipment of the following brands: Bell; Case Agricultural Equipment; Powertrans; Terex; Liebherr; Manhand; Tigercat; and Deutz. The directors of Equipment Sales and Services

are Stephen James Smithyman (South African); and Bruce Robert Paterson (South African).

According to section 57(3), of the Competition Act, “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 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:

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