



MERGER NOTICE NO 05: 2018

THE PROPOSED ACQUISITION OF PART OF THE BUSINESS OF FLYCATCHER (PTY) LTD T/A NAMIBIA BREWERIES BY FORCE QUIP HOLDINGS (PTY) LTD

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 part of the business of Flycatcher (Pty) Ltd t/a Namibia Breweries ("Flycatcher") by Force Quip Holdings (Pty) Ltd ("Force Quip"). Force Quip will be renamed Heineken Botswana.

The acquiring enterprise, Force Quip, is directly controlled by Heineken South Africa Export Company (Pty) Ltd ("HSAEC"), a company registered in South Africa which is in turn, ultimately controlled by Heineken N.V. ("Heineken"), a Netherlands based company. All the enterprises directly and indirectly controlled by Heineken are collectively referred to as the "Heineken Group". Heineken Group is a global brewer and distributor of clear beer, cider and soft drink products. In Botswana, Heineken Group supplies clear beer and cider products through a third party distributor, SMC Brands Botswana ("SMC Brands"), which is controlled by CA Sales Holdings (Pty) Ltd.

The products sold by the Heineken Group to SMC Brands include: Amstel Lager; Amstel Lite; Heineken Lager; Strong Bow Gold; Strong Bow Red Berries; and Strong Bow Dry. SMC Brands on-sells the products to its own customers such as retailers, wholesalers and restaurants throughout Botswana. The Directors of Force Quip are Nicolaas Vos (Motswana); Eric Van Lokven; and Jorrit Tuinhof (both Dutch).

The target enterprise, Flycatcher, is a company registered in Botswana and is wholly owned by Namibian Breweries Ltd ("NBL"), a company based in Namibia. NBL manufactures and supplies soft drinks, clear beer and cider products throughout Africa, the UK and Australia. In Botswana, NBL sells clear beer and soft drink products also through SMC Brands. The products sold by NBL to SMC Brands include: Windhoek Lager; Windhoek Draught; Windhoek Lite; Tafel Lager; Vigo Marula; Vigo Kiwano; Vigo Wild Orange; Mckane Soda; Mckane Lemonade; Mckane Tonic; Urbock; and Club Shandy. SMC Brands on-

sells the products to its own customers such as retailers, wholesalers and restaurants just to name a few, throughout Botswana. The Directors of Flycatcher are Sven Thieme; Graeme Mouton; Hendrick Van de Westhuizen (all Namibians); and Nicolaas Vos (Motswana).

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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