



MERGER NOTICE NO 13: 2020

THE PROPOSED SALE AND PURCHASE OF AN IMMOVABLE PROPERTY BEING LOT 79961 (MADE UP OF LOTS 75727, 75728, 75729 AND 75730) GABORONE BY TIME PROJECTS BOTSWANA (PTY) LTD FROM BARLOWORLD EQUIPMENT BOTSWANA (PTY) LTD

Pursuant to section 49(1) of the Competition Act of 2018, the Competition and Consumer Authority ("the Authority") has received a merger notification for the proposed sale and purchase of an immovable property being Lot 79961 (made up of Lots 75727, 75728, 75729 and 75730) Gaborone by Time Projects Botswana (Pty) Ltd ("Time Projects") from Barloworld Equipment Botswana (Pty) Ltd ("Barloworld Equipment Botswana").

The acquirer, Time Projects, is a company incorporated in accordance with the Laws of Botswana. Time Projects is not directly or indirectly controlled by any other firm. However, Time Projects directly or indirectly controls the following companies: *Dimosse Investment (Pty) Ltd* – owns a piece of residential land in Gaborone Block 5, Lot 75068; *FSA Property (Pty) Ltd* – owns an investment property in Gaborone being Plot 138, GICP; *Adonis (Pty) Ltd* – though a dormant company, holds title to Plot 74538 Prime Plaza, Gaborone; *Merle Investment (Pty) Ltd* – owns investment property Plot 134, Independence Avenue, Gaborone; *Bristol (Pty) Ltd* – a dormant company intended for a staff trust; *Time Projects (Mauritius) Limited* – has a wholly owned subsidiary in Zambia (*Time Projects (Zambia) Limited*) that is into development and property management; *Wheki Pty Ltd* – owns an investment property in the Gaborone CBD; and *Veamet Limited (Zambian Company)*.

It therefore suffices to note that Time Projects is into the business of property development (develop to sell); development and project management; property and asset management and property investment. In Botswana, the company provides its services to the following geographical areas; Gaborone; Palapye; Francistown; Serowe; Ghanzi; Pilane; Lobatse; Kanye; and Ramotswa.

The Directors of Time Projects are: Alexander Lees Kelly; Brett Anthony Marlin (both South Africans); Mmoloki T. Morolong (Motswana); and Joana Claire Jones (British).

The target enterprise, Barloworld Equipment Botswana, is a private company incorporated in accordance with the Laws of the Republic of Botswana. Barloworld Equipment Botswana is entirely controlled by Barloworld Equipment UK Limited. Barloworld Equipment UK Limited also directly or indirectly controls the following companies in Botswana: Barloworld Motor, Avis and Barloworld Equipment.

Nevertheless, Barloworld Equipment Botswana does not directly or indirectly control any company. Barloworld Equipment Botswana is the leading supplier of heavy earthmoving equipment to the mining and construction industry in Botswana.

The Directors of Barloworld Equipment Botswana are Matimba Mike Mahange; Jabulile Penelope Mkhwanazi (both South Africans); and Kagiso Peace Katse (Motswana).

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:

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