



MERGER NOTICE NO 18: 2019

THE PROPOSED ACQUISITION OF ASSETS (VEHICLES AND STOCK) FROM ULTIMATE OSTRICHES (PTY) LTD AND FOXDALE (PTY) LTD BY HORECA (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 assets (vehicles and stock) from Ultimate Ostriches (Pty) Ltd ["Ultimate Ostriches"] and Foxdale (Pty) Ltd ["Foxdale"] by Horeca (Pty) Ltd ["Horeca"].

The acquiring enterprise, Horeca, is a company incorporated in accordance with the Laws of the Republic of Botswana, with no business operations. It is controlled by Beef Trader (Pty) Ltd ["Beef Trader"] and Bushy Park Ltd ("Bushy Park"). Beef Trader, is a Botswana registered company, though not yet trading; and is wholly owned by Leon Grobler (a Botswana with other business interests in Botswana, with no relation to the proposed transaction).

Bushy Park, is an investment company registered in Seychelles; and controlled by a group of Trusts [VVDG Family Trust; The Java Family Trust; The Usambara Family Trust; Salmo 2 Trust and The Paysarvia Trust]. Bushy Park, in turn controls Dynatop (Pty) Ltd ["Dynatop"], a Botswana registered commercial property company.

The Directors of Horeca are Rudolph De Wet; Peter Alan Turp; Craig Murray Mackenzie; Gotlieb Gerhard Byliefeldt; and Sandra Petyt (all South Africans); as well as Leon Grobler.

The target enterprises, Foxdale and Ultimate Ostriches, are companies incorporated in accordance with the Laws of the Republic of Botswana. Both companies are wholly owned by Leon Grobler. Foxdale is a wholesale distributor of meat, spices and cheese sold under the brand *Lancewood Cheese*. Ultimate Ostriches is a supplier of fresh meat and a variety of processed meat products; sold under the brand *The Butcher Shop*. The sole director of Foxdale is Leon Grobler.

The Directors of Ultimate Ostriches are Gotlieb Gerhard Byliefeldt (South African) and Leon Grobler.

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:

Director, Mergers and Monopolies
Competition Authority
Private Bag 00101
Plot 28, Matsitama Road, Main Mall, Gaborone
Tel: +267 3934278 Fax: +267 3121013
Email: CA@competitionauthority.co.bw