



## MERGER NOTICE NO 25: 2022

### **THE PROPOSED ACQUISITION OF 100% OF THE ISSUED SHARE CAPITAL OF BOLLORÉ AFRICA LOGISTICS SAS BY SAS SHIPPING AGENCIES SERVICES S.À R.L. FROM BOLLORÉ SE**

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 100% of the issued share capital of Bolloré Africa Logistics SAS ("BAL" or "Primary Target Enterprise") by SAS Shipping Agencies Services S.à r.l. ("SAS Lux" or "Primary Acquiring Enterprise") from Bolloré SE.

The Primary Acquiring Enterprise, SAS Lux, is a private limited liability company incorporated under the Laws of the Grand Duchy of Luxembourg. SAS Lux is indirectly controlled by MSC Mediterranean Shipping Company S.A. ("MSC"). MSC is, in turn, controlled by MSC Mediterranean Shipping Company Holding S.A. ("MSC Holding"), which is the ultimate holding company of the MSC group. In Botswana, MSC Holding indirectly controls Mediterranean Shipping Company (Botswana) [Pty] Ltd ("MSC Botswana"). MSC Botswana does not control any enterprise. MSC was founded in 1970 and provides, at worldwide level, maritime transport and containerized liner shipping services. MSC operates a fleet of more than 650 ships covering more than 500 ports of call globally, and has been active in Africa since 1971. In addition, the MSC group is active in logistics (warehousing and distribution, off-dock storage, contract logistics projects, specialised reefer services etc.) as well as in rail, inland waterway and road transport (through its logistics arm Medlog). The MSC group's activities also include, container port handling services and terminal operations as well as operations in the cruise industry and other maritime activities. In Botswana, the MSC group has marginal activities which are ancillary to MSC's deep-sea container liner shipping activities (including dry and reefer cargo) between the port of Durban in South Africa and the Gaborone Container Terminal ("GabCon"). The transportation services of containers from Durban's port to GabCon is exclusively done via rail and it is outsourced to Transnet Freight Rail.

The Directors of MSC Botswana are: Rosario Sarno; Salvatore Sarno (Italians); Alan Harold Mileham (South African); and Dean Kieron McIntyre (Botswana).

The Primary Target Enterprise, BAL, is a wholly-owned subsidiary of Bolloré SE, a company incorporated under the Laws of France. BAL controls many enterprises across the world including Bolloré Transport & Logistics Botswana [Pty] Ltd ("BTL Botswana") which is registered in accordance with the Laws of Botswana. BAL is active in the provision of transportation and logistics services as well as terminal activities, mainly on the African continent. In Botswana, BAL has limited activities in the provision of freight forwarding services (sea and air freight forwarding services) and contract logistics services.

The Directors of BTL Botswana are: Abdool Rahim Khan (Motswana); Tony Arthur Stenning (British); and Koen Rombouts (Belgian).

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:

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