



## **MERGER NOTICE NO 34: 2016**

### **THE PROPOSED DISPOSAL OF ALL THE MANUFACTURING ASSETS OF CAN MANUFACTURERS (PTY) LTD TO NAMPAK PRODUCTS LTD AND A YET TO BE FORMED SPECIAL PURPOSE VEHICLE (NEWCO), WHICH WILL BE JOINTLY CONTROLLED BY NAMPAK LTD AND BOTSWANA DEVELOPMENT CORPORATION LIMITED**

Pursuant to section 56(1) of the Competition Act [CAP 46:09], the Competition Authority has received a merger notification for the proposed disposal of all the manufacturing assets of Can Manufacturers (Pty) Ltd to Nampak Products Ltd and a yet to be formed Special Purpose Vehicle (Newco), which will be jointly controlled by Botswana Development Corporation Limited (BDC) and Nampak Limited.

Nampak Products is a company incorporated in accordance with the Laws of the Republic of South Africa, and is wholly owned by the Johannesburg Stock Exchange listed Nampak Limited (incorporated in South Africa). Nampak Products exports rectangular cans and lids, and large round cans from South Africa into Botswana. Some of the top shareholders of Nampak Limited are Allan Gray Investment Council; The Government Employee's Pension Fund; Lazard Asset Management LLC Group; Somerset Capital Management; and Visio Capital Management.

BDC, wholly owned by the Government of Botswana, is a development finance institution founded to promote and facilitate the development of industrial, commercial, and agricultural enterprises within the framework of the Government of Botswana's plan for economic development.

Can Manufacturers is a company incorporated in accordance with the Laws of the Republic of Botswana, and a wholly owned subsidiary of BDC. Can Manufacturers produces and supplies a range of cans for packaging of food items. The company produces cans in different sizes and specifications for the intended contents including dairy, meat, fish, fruit, vegetables and other food variants. Specifically, Can Manufacturers produces and supplies tinsplate food cans and Endomat tinsplate cans. The company is located in Lobatse and supplies cans throughout Botswana and South Africa.

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