



MERGER NOTICE NO 42: 2019

THE PROPOSED TRANSFER OF: AND BEYOND XUDUM OKAVANGO LODGE INCLUDING THE BUSINESS; CERTAIN MOVABLE AND IMMOVABLE ASSETS; ALL OF AFRO VENTURES BOTSWANA (PTY) LTD' RIGHTS IN CONCESSION OF NG 29 BY AFRO VENTURES BOTSWANA (PTY) LTD TO XUDUM OKAVANGO RIVER (PTY) LTD.

Pursuant to section 56(1) of the Competition Act (Cap 46:09), the Competition Authority has received a merger notification in relation to the proposed transfer of: And Beyond Xudum Okavango Lodge including the business; certain movable and immovable assets (Xudum Lodge Business); and all of Afro Ventures Botswana (Pty) Ltd' rights in concession of NG 29 ("Lease Agreement") by Afro Ventures Botswana (Pty) Ltd ("AVB") to Xudum Okavango River (Pty) Ltd ("XOR").

XOR, the acquiring enterprise, is an entity registered under the Laws of the Republic of Botswana. XOR is controlled by its shareholders namely (i) the Rann Share Trust (held through its nominee shareholder, Christopher John Bray) and (ii) the Mbaiwa Family Trust (held through its nominee shareholder, Joseph Elizeri Mbaiwa). The target is currently not trading. It does not control any enterprises.

The current sole Director of the acquiring enterprise is Jeffrey Lynn Rann, an American citizen.

Xudum Lodge Business and the Lease Agreement (hereinafter referred to as the target) are wholly owned by AVB. AVB is an entity registered in accordance with the Laws of the Republic of Botswana. The target is managed and accounted for as a separate and distinct division within the existing business operations of AVB. The target provides accommodation services and ancillary services which include: game drives; guided tours and other adventure activities in the Ngamiland District. AVB is involved in the business of luxury safari lodge and camping in the Okavango Delta. In turn, AVB is controlled by And Beyond Holdings (Pty) Ltd, an entity registered in accordance with the Laws of the Republic of South Africa.

The Directors of AVB are: Jeffery Lynn Rann (American); Jason Maxwell King (South African); Hano Coetzee (South African); and Hugo Joss Alexander Kent (British).

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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