



MERGER NOTICE NO 49: 2021

THE PROPOSED ACQUISITION OF CERTAIN ASSETS OF THE BUSINESS OF BCL LIMITED (IN LIQUIDATION) BY PREMIUM NICKEL RESOURCES (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 acquisition by Premium Nickel Resources (Pty) Ltd (“PNRB or the Acquirer”) of certain assets of the business of BCL Limited (“BCL”) (in liquidation), more particularly certain business assets related to the Selebi Mines (hereinafter the “Selebi Assets” or the “Target”).

The Acquiring enterprise, PNRB, is a limited liability company duly incorporated in terms of the Company Laws of the Republic of Botswana. PNRB is wholly owned by PNR Selebi (Barbados) Limited (“PNR Barbados”). PNR Barbados is in turn owned by PNR International Limited (“PNR International”) which is wholly owned by Premium Nickel Resource Corporation. The Acquirer does not directly or indirectly control any enterprise in Botswana. PNRB is a special purpose vehicle that was incorporated for purpose of acquiring the Selebi Assets. Other than that, PNRB does not have any activities in Botswana, it does not produce or sell any products into or from Botswana. The directors of PNRB are Kneipe Setlhare, Montwedi Mphathi (Botswana citizen) and Keith Richard William Morrison and Arnoldus Brand (Canadian citizens).

The Target comprises are certain assets of the business of BCL, a limited liability company incorporated under the Laws of Republic of Botswana. BCL is wholly owned by Minerals Development Company Botswana (Pty) Ltd (“MDCB”) which is in turn wholly owned by the Government of the Republic of Botswana. MDCB directly controls and wholly owns Morupule Coal Mine Limited. BCL directly control the following entities: BCL-Mokgweetsi Joint Venture (Pty) Ltd; BCL-Mos World Joint Venture (Pty) Ltd; BCL- Ggz Joint Venture (Pty) Ltd; and BCL Investments (Pty) Ltd. BCL indirectly controls Tati-Nickel (Pty) Ltd and Maibwe Diamonds (Pty) Ltd.

BCL has been in liquidation since October 2016, under the care of the Liquidator, Mr. Trevor Glaum N.O (the “Liquidator”) who has assumed the powers of the board of directors of BCL. Prior to its liquidation, BCL mined and produced nickel-copper-cobalt (“Ni-Cu-Co”) at the BCL Mine site. The Ni-Cu-Co was exported out of Botswana to international markets such as Norway. The BCL Mine has been under care and maintenance since 2016 and as a result there has been no mining activity or production at the BCL Mine.

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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