



PUBLIC HEARING NOTICE NO 3: 2016

THE PROPOSED ACQUISITION OF ASSETS AND CESSION OF THE MAIN CONTRACTS BELONGING TO 4MS GROUP HOLDINGS (PTY) LTD BY TRANSPORT HOLDINGS LTD

Pursuant to section 58(1) of the Competition Act [CAP 46:09], the Competition Authority hereby invites members of the public to a hearing in relation to the proposed transaction which involves the acquisition of assets and cession of the main contracts belonging to 4MS Group Holdings (Pty) Ltd by Transport Holdings Ltd.

The acquiring enterprise, Transport Holdings (incorporated in Botswana), is owned 80% by Imperial Holding Group (incorporated in South Africa) and the remaining 20% is held by Mr. Anthony Lee, the Managing Director of Transport Holdings. Transport Holdings acquired the business of Mulbridge Transport Ltd early last year which was approved by the Competition Authority. Transport Holdings wholly owns Express Cartage (Pty) Ltd and has 70% shareholding in Imperilog Botswana in Botswana. Express Cartage is engaged in general consolidation transportation and provide line haul for some contract customers. Imperilog is an agent for global freight forwarders and engaged in customs clearing services. Transport Holdings, together with its subsidiaries are operational in Botswana, South Africa, Mozambique and Namibia. The Directors of Transport Holdings are: A. J. Lee (Motswana); D Sibeko (Motswana) and M. J. Erasmus (South Africans).

The target enterprise, 4MS Group, is a company incorporated under the Laws of the Republic of Botswana. 4MS Group was established in 2004 as a Citizen/Driver Empowerment Scheme by Kgalagadi Breweries Ltd ("KBL"), and it is in the businesses of ad hoc line haul transport to the general market and line haul transport services to KBL.

The hearing will be held with each of the parties to the proposed transaction and other interested parties, pursuant to section 58(3)(a) of the Competition Act. The hearing is intended to allow the parties to the transaction to make verbal representations to the Authority with respect to the transaction as well as allow their competitors and the general public to express their views on the acquisition.

Furthermore, other interested parties not party to the proposed transaction will be afforded an opportunity to voluntarily submit to the Authority any documentation, affidavit, statement or other relevant information in respect of the proposed acquisition. Though not mandatory, it would be preferable for those attending to submit copies of what they intend to present to the Authority no later than 6th December 2016.

The public hearing will be held on **9th December 2016** at the Competition Authority offices **Plot 28, Matsitama Road, Main Mall** at **09:30 hours**.

Any questions on the abovementioned hearing may be directed to:-

Director, Mergers and Monopolies,
The Competition Authority, P/Bag 00101, Gaborone,
Plot 28, Matsitama Road, Main Mall
Tel: 3934278 or 3712012
Fax: 3121013
Email: magdeline.gabaraane@competitionauthority.co.bw