



## PUBLIC HEARING NOTICE

### **THE PROPOSED ACQUISITION OF KANSAI PAINT CO., LTD'S SUBSIDIARIES NAMELY KANSAI PLASCON AFRICA LIMITED AND KANSAI PLASCON EAST AFRICA (PTY) LIMITED BY AKZO NOBEL N.V.**

Pursuant to section 51(1) of the Competition Act 2018, the Competition Authority ("the Authority") hereby invites members of the public to a hearing in relation to the proposed acquisition of Kansai Paint Co., LTD. ("Kansai Paint") subsidiaries, namely Kansai Plascon Africa Limited ("KPAL") and Kansai Plascon East Africa Proprietary Limited ("KPEA") (collectively, the Target Enterprises or Kansai) by Akzo Nobel N.V ("AkzoNobel"). KPEA is not active in Botswana, and as such, will not be the focus of the notified merger.

The hearing will be held both **virtually and physically at the CCA offices on Monday 3<sup>rd</sup> April 2023 at 10:00 hours**. The hearing will be held with each of the parties to the transaction and other interested parties, pursuant to section 51(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 proposed acquisition.

Furthermore, other interested parties not party to the proposed transaction will be afforded an opportunity to voluntarily submit to the Authority any documents, affidavit, statements 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 Friday 31<sup>st</sup> March 2023.

AkzoNobel, the Acquiring Enterprise, is a public limited liability company established under the Laws of the Netherlands. It is listed on the Euronext Amsterdam stock exchange. AkzoNobel conducts its business in Botswana through Dulux Botswana Proprietary Limited ("Dulux Botswana"), a private company established under the Laws of Botswana. Dulux Botswana has a manufacturing facility, warehouses, and sales operations. Dulux Botswana manufactures decorative coating products but does not manufacture or supply any industrial coating products in Botswana. Furthermore, Dulux Botswana's manufacturing facility does not produce the full range of AkzoNobel decorative coating products, and certain products that have low sales volumes in Botswana are imported as finished products from AkzoNobel's operations in South Africa.

The Directors of Dulux Botswana are: Billy Topo Sekgororoane and Moses Mangaliso Muyaluka ("Batswana") and Gideon Pieter Nieuwoudt and Peter Crause ("South Africans").

KPAL, the Target Enterprise, is incorporated in accordance with the Laws of the Republic of South Africa. KPAL is controlled by Kansai Paint. Kansai Paint is a public company incorporated under the Laws of Japan and listed on the Tokyo Stock Exchange. KPAL conducts its business in Botswana through Kansai Plascon Botswana Proprietary Limited ("Plascon Botswana"). Plascon Botswana is a private company incorporated under the Laws of Botswana. Plascon Botswana does not conduct any manufacturing operations but does undertake sales and warehousing operations.

All of the KPAL decorative coating products sold in Botswana are manufactured in South Africa and exported as finished products to KPAL's depots in Botswana. Similarly, all of KPAL's industrial coating products (namely automotive refinishes, general industrial coatings, and protective coatings) that are sold in Botswana are manufactured outside of Botswana and exported to KPAL's local depots.

The Directors of Plascon Botswana are Cassiem Narker, Prejay Rajhendhur Lalla, Symanthia Meshal Batohi ("South Africans"), and Rockie Gagoangwe Mmutle ("Motswana").

Any questions on the above-mentioned hearing may be directed to:

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