



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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WINDHOEK - 5 July 2013

No. 5237

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General Notice

NAMIBIAN COMPETITION COMMISSION

No. 257

2013

NOTICE OF RECEIPT OF APPLICATION FOR EXEMPTION IN RESPECT OF CERTAIN
RESTRICTIVE PRACTICES: TULLOW KUDU LIMITED - THE NATIONAL PETROLEUM
CORPORATION OF NAMIBIA (PTY) LTD (2) CIECO E&P (NAMIBIA)
FILE NO. 2013APR002EXEMP

Competition Act, 2003 (Act No. 2 of 2003)
(Section 27(3)), Rule 21(1))

1. The Commission gives notice that it has received an application for exemption in respect of a category of agreements and concerted practices from the above-named applicants on 13 May 2013.
2. The nature of the exemption sought by the applicants is that:
 - 2.1 the production, processing, transportation and sale of gas discovered from the Kudu gas field be exempt from application of the Competition Act 2 of 2003 for a period of 25 years;

- 2.2 they be exempt from application of the following provisions of Chapter 3 of the Competition Act in accordance with Section 27 of the Competition Act and Rule 21 of the Rules made under the Competition Act:
- i. Section 23(3)(a) of the Competition Act, insofar as the practice contemplated could be perceived as directly or indirectly fixing purchase or selling prices or other trading conditions;
 - ii. Section 26(2)(a) of the Competition Act, insofar as the practice contemplated could be perceived as directly or indirectly imposing unfair purchase or selling prices or unfair trading conditions;
 - iii. Section 26(2)(b) of the Competition Act, insofar as the practice contemplated could be perceived as limiting or restricting production, market outlets or market access, investment, technical development or technological progress; and
 - iv. Section 26(2)(c) of the Competition Act, insofar as the practice contemplated could be perceived as creating dissimilar conditions to equivalent transaction or applying dissimilar conditions to equivalent transactions with other trading partners.
3. Interested persons are invited to submit to the Commission, within 30 days as from the date of this notice, any written representations that they may wish to make concerning the application.
4. Enquiries: V.E. Katjuongua, P.O. Box 2104, Windhoek. Contact number: 061-224622

H.M. GAOMAB
SECRETARY TO THE COMMISSION
NAMIBIAN COMPETITION COMMISSION

Windhoek, 17 June 2013