



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK - 19 May 2015

No. 5741

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## General Notices

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### NAMIBIAN COMPETITION COMMISSION

No. 181

2015

NOTICE OF CONSENT AGREEMENT TO BE SUBMITTED TO COURT: NAMIBIAN  
COMPETITION COMMISSION // SANLAM NAMIBIA LIMITED, SANLAM LIFE  
NAMIBIA LIMITED, PROFESSIONAL PROVIDENT SOCIETY INSURANCE  
COMPANY LIMITED (SOUTH AFRICA) AND PROFESSIONAL PROVIDENT  
SOCIETY INSURANCE COMPANY NAMIBIA LIMITED  
CASE NUMBER: 2011MAR001

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 41, Rule 20(1))

1. The Commission initiated complaints and started investigations against the above named respondents during November 2012 and June 2013 respectively. However, before the Commission could issue a notice of a proposed decision in accordance with Section 36 of the Competition Act, 2003 (Act No. 2 of 2003), the respondents approached the Commission for an offer to settle in accordance with section 40 of the Competition Act, 2003 dated 01 November 2013.
2. The Commission gives notice that it intends to submit the attached consent agreement with the following undertakings:
  - 2.1 Sanlam Namibia Limited;
  - 2.2 Sanlam Life Namibia Limited;
  - 2.3 Professional Provident Society Insurance Company Limited (South Africa) and
  - 2.4 Professional Provident Society Insurance Company Namibia Limited to the Court for confirmation as an order of the Court as contemplated in section 40(1) of the Act.
3. The nature of the conduct that is the subject of the consent agreement is:
  - (a) directly or indirectly fixing purchase or selling prices in contravention section 23 (1), read with section 23 (2) (a) of the Act;
  - (b) dividing markets by allocating customers, suppliers, areas or specific types of goods or service in contravention of section 23 (1) read with section 23 (2) (b) of the Act; and
  - (c) limiting controlling production of services and/or products in contravention of section 23(1), read with section 23(3) (e) of the Act.

**S. AKWEENDA**  
**CHAIRPERSON**  
**NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 182

2015

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO  
PROPOSED MERGER: STEINHOFF INTERNATIONAL HOLDINGS LTD  
// PEPKOR HOLDINGS (PTY) LTD  
CASE NO.: 2014DEC0084MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **19 December 2014**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -
  - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
  - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA**  
**CHAIRPERSON**  
**NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 183

2015

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO  
PROPOSED MERGER: KALKRAND SERVICE STATION & REST CAMP  
// GW TRADING ENTERPRISES CC  
CASE NO.: 2015FEB0012MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **9 March 2015**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -
- (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
  - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA  
CHAIRPERSON  
NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 184

2015

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED  
MERGER: HANGANENI INVESTMENT HOLDINGS (PTY) LTD // MEDIVA GROUP  
HOLDINGS (PTY) LTD  
CASE NO.: 2015FEB0008MER**

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **20 February 2015**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -
  - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
  - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA  
CHAIRPERSON  
NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 185

2015

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED  
MERGER: BOUNTY HOME AND CARE PROPRIETARY LIMITED // ANNIQUE SKINCARE  
PRODUCTS (NAMIBIA) PROPRIETARY LIMITED  
CASE NO.: 2015FEB0006MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **6 February 2015**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -
  - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
  - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA**  
**CHAIRPERSON**  
**NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 186

2015

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO  
PROPOSED MERGER: SAVINO DEL BENE (NAMIBIA) (PTY) LTD ("SAVINO NAMIBIA")  
// PINNACLE LOGISTICS SOLUTIONS (PTY) LTD ("PINNACLE")  
CASE NO.: 2014DEC0086MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **14 February 2015**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -
- (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
  - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA  
CHAIRPERSON  
NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 187

2015

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED  
MERGER: TRUSTCO PROPERTY HOLDINGS (PTY)LTD // WATERMEYER MINING AND  
CONSTRUCTION CC  
CASE NO.: 2015JAN0001MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **13 January 2015**.
2. Please note that the Commission has **approved the proposed transaction without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -
  - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
  - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA  
CHAIRPERSON  
NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 188

2015

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO  
PROPOSED MERGER: PUPKEWITZ MEGATECH (PTY) LTD // NAMIB  
ELECTRICAL DISTRIBUTORS CC  
CASE NO.: 2015JAN0002MER

1. The Commission received notification of the abovementioned proposed merger on **15 February 2015**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -
  - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
  - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA  
CHAIRPERSON  
NAMIBIAN COMPETITION COMMISSION**

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**NAMIBIAN COMPETITION COMMISSION**

No. 189

2015

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED  
MERGER: FRANCOIS CHARLES RETIEF // ERF THREE FIVE ONE FOUR WINDHOEK CC  
CASE NO.: 2015FEB0010MER

Competition Act, 2003 (Act No. 2 of 2003)  
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **23 February 2015**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if -

- (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
- (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

**S. AKWEENDA**  
**CHAIRPERSON**  
**NAMIBIAN COMPETITION COMMISSION**

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