



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$6.00

WINDHOEK - 20 June 2017

No. 6336

CONTENTS

Page

GENERAL NOTICES

No. 172	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Bakers Logistics Namibia (Pty) Ltd // Chausib Estates (Pty) Ltd	2
No. 173	Namibian Competition Commission: Notice of determination made by commission in relation to proposed merger: Polyoak Packaging Group (Pty) Ltd // Polyoak Packaging Namibia (Pty) Ltd	3
No. 174	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Katima Mulilo Properties (Pty) Ltd // J & E Properties CC and Omwedhi Investments CC	3
No. 175	Namibian Competition Commission: Notice of determination made by commission in relation to proposed merger: Karee Investments One Eight Three (Pty) Ltd // Mr. A.W Fuller trading as Protea Spar	4
No. 176	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: CA Sales Holdings (Pty) Ltd // A. Wutow Trading Company (Pty) Ltd	5
No. 177	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Namibia Underwater Technologies & Mining (Pty) Ltd // Epangelo Offshore Mining (Pty) Ltd	5
No. 178	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Hollard International (Pty) Ltd // Hollard Insurance Company of Namibia (Pty) Ltd .	6
No. 179	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger OEP USCO B.V // USCO S.P.A	7
No. 180	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Frontier Property Trust (Pty) Ltd // Westport Property Investments (Pty) Ltd	7
No. 181	Namibian Competition Commission: Notice of determination made by commission in relation to proposed merger: Camoposatu Investments (Pty) Ltd and Vernier Investments (Pty) Ltd // Oshakati Cold Storage CC	8
No. 182	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Business Ventures Investments No. 1953 (Pty) Ltd // Afrit Group (Pty) Ltd	9

No. 183	Namibian Competition Commission: Notice of Determination made by Commission in relation to proposed merger: Xline Aluminium Solutions (Pty) Ltd // Namibia Extrusions Windhoek (Pty) Ltd .	9
No. 184	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Seaflower Pelagic Processing (Pty) Ltd // Etale Properties (Pty) Ltd	10
No. 185	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Pointbreak Property Trust Two // Kamaz Property Investments CC	11

General Notices

NAMIBIAN COMPETITION COMMISSION

No. 172 2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: BAKERS LOGISTICS NAMIBIA (PTY) LTD // CHAUSIB ESTATES (PTY) LTD
CASE NO.: 2017MAR0012MER

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

1. The Commission received notification of the abovementioned proposed merger on **22 March 2017**.
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.*

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 173

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: POLYOAK PACKAGING GROUP (PTY) LTD // POLYOAK PACKAGING
NAMIBIA (PTY) LTD
CASE NO.: 2017MAR0009MER

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

1. The Commission received notification of the abovementioned proposed merger on **7 March 2017**.
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.*

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 174

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: KATIMA MULILO PROPERTIES (PTY) LTD // J & E PROPERTIES CC AND
OMWEDHI INVESTMENTS CC
CASE NO.: 2017MAR0013MER

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 March 2017**.
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.*

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 175

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: KAREE INVESTMENTS ONE EIGHT THREE (PTY) LTD // MR A.W FULLER
TRADING AS PROTEA SPAR
CASE NO.: 2017FEB0006MER

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

1. The Commission received notification of the abovementioned proposed merger on **20 February 2017**.
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.*

T. KAULIHOWA
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NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 176

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: CA SALES HOLDINGS (PTY) LTD //
A. WUTOW TRADING COMPANY (PTY) LTD
CASE NO.: 2017MAR0014MER

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

1. The Commission received notification of the abovementioned proposed merger on **27 March 2017**.
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.*

T. KAULIHOWA
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NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 177

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: NAMIBIA UNDERWATER TECHNOLOGIES & MINING (PTY) LTD //
EPANGELO OFFSHORE MINING (PTY) LTD
CASE NO.: 2017MAR0010MER

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 March 2017**.
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.*

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 178

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: HOLLARD INTERNATIONAL (PTY) LTD //
HOLLARD INSURANCE COMPANY OF NAMIBIA (PTY) LTD
CASE NO.: 2017MAR0015MER

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

1. The Commission received notification of the abovementioned proposed merger on **28 March 2017**.
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.*

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NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 179

2017

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: OEP USCO B.V // USCO S.P.A
CASE NO.: 2017FEB0007MER**

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

1. The Commission received notification of the abovementioned proposed merger on **28 February 2017**.
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.*

**T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION**

NAMIBIAN COMPETITION COMMISSION

No. 180

2017

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: FRONTIER PROPERTY TRUST // WESTPORT PROPERTY
INVESTMENTS (PTY) LTD
CASE NO.: 2017MAR0011MER**

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

1. The Commission received notification of the abovementioned proposed merger on **17 March 2017**.
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.*

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 181

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: CAMOPOSATU INVESTMENTS (PTY) LTD AND VERNIER INVESTEMENTS
(PTY) LTD // OSHAKATI COLD STORAGE CC
CASE NO.: 2017FEB0004MER

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 2017**.
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.*

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 182

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: BUSINESS VENTURS INVESTMENTS NO 1953 (PTY) LTD //
AFRIT GROUP (PTY) LTD
CASE NO.: 2017MAR0018MER

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

1. The Commission received notification of the abovementioned proposed merger on **31 March 2017**.
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.*

T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 183

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: XLINE ALUMINIUM SOLUTIONS (PTY) LTD // NAMIBIA EXTRUSIONS
WINDHOEK (PTY) LTD
CASE NO.: 2016NOV0055MER

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

1. The Commission received notification of the abovementioned proposed merger on **8 December 2016**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on the following grounds:
 - (i) 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;

- (ii) That the proposed transaction is not likely to raise public interest concerns; and
 - (iii) Furthermore the parties made an undertaking that the acquiring group *will not change the manner in which members of the Wispeco Group currently deal with customers based in Namibia as a result of the transaction in the sense that, subject to their standard terms and conditions, applicable at the relevant time, the relevant members of the Wispeco Group will (if requested by the relevant customers) sell directly to Namibian based customers and not require these customers to purchase their requirements through Namibia Extrusion Windhoek (Proprietary) Limited ("NEW") for a period of two years after the approval of the proposed merger.*
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.*

**T. KAULIHOWA
CHAIRPERSON: BOARD TECHNICAL COMMITTEE
NAMIBIAN COMPETITION COMMISSION**

NAMIBIAN COMPETITION COMMISSION

No. 184

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: : SEAFLOWER PELAGIC PROCESSING (PTY) LTD //
ETALE PROPERTIES (PTY) LTD
CASE NO.: 2017MAR0016MER

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

1. The Commission received notification of the abovementioned proposed merger on **31 March 2017**.
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.*

T. KAULIHOWA
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NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 185

2017

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: POINTBREAK PROPERTY TRUST TWO //
KAMAZ PROPERTY INVESTMENTS CC
CASE NO.: 2017JAN0001MER

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

1. The Commission received notification of the abovementioned proposed merger on **9 May 2017**.
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.*

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NAMIBIAN COMPETITION COMMISSION
