



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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General Notices

NAMIBIAN COMPETITION COMMISSION

No. 384

2013

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: RHEINLAND AIR SERVICES GMBH // AVIATION
CENTRE (PROPRIETARY) LIMITED
CASE NO.: 2013JULY0028MER

Competition Act, 2003 (Act 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on 5 **July, 2013.**
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.*

F. HANGULA
ACTING CHAIRPERSON
NAMIBIAN COMPETITION COMMISSION

Windhoek, 8 August 2013

NAMIBIAN COMPETITION COMMISSION

No. 385

2013

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
 PROPOSED MERGER: SOUTHERN CROSS SECURITY SERVICES (PTY) LTD //
 H.A.M.S SECURITY SERVICES CC
 CASE NO.: 2013JULY0030MER

Competition Act, 2003 (Act 2 of 2003)
 (Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **15 July, 2013.**
2. Please note that the Commission has **approved the proposed merger with the following condition.**
 1. **That, Southern Cross Security Services (Pty) Ltd (“Southern Cross Security”) ensures that no retrenchments occur, as a result of the implementation of the proposed transaction, for a period of one year from the date of the merger approval by the Commission.**

For the sake of clarity, retrenchments do not include, voluntary retrenchment and/or voluntary separation arrangements; voluntary early retirement packages; retrenchments which are not merger specific and merger specific retrenchments discussed and agreed with the NaCC in writing after approval of the merger.
3. The condition is aimed at addressing public interest concerns in respect of employment that are likely to arise as a result of the implementation of the proposed merger; and given the vulnerability of security guards to safeguard any potential job losses in line with section 47 (2) (e) which refers to “the extent to which the proposed merger would be likely to affect employment”.
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.*

F. HANGULA
ACTING CHAIRPERSON
NAMIBIAN COMPETITION COMMISSION

Windhoek, 8 August 2013
