



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$6.00

WINDHOEK - 7 September 2016

No. 6120

CONTENTS

Page

GENERAL NOTICES

No. 362	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Sanlam Namibia Holdings (Pty) Ltd // Welwitschia Insurance Brokers (Pty) Ltd ...	2
No. 363	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Steinhoff Doors & Building Materials (Pty) Ltd // The Gunnar Jensen Building Materials Trust //The Chris Eloff Building Materials Trust	3
No. 364	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Jan Jonker Property Investment Trust // Green Property Investments Number Sixty (Pty) Ltd	4
No. 365	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Rosewild Trade and Invest Proprietary Limited // Chlor-Alkali Holdings Proprietary Limited	4
No. 366	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: The Frans Indongo Investment Trust ("FIIT") // The Toyota Agency Business of Marina Toyota CC ("Marina Toyota")	5
No. 367	Namibian Competition Commission : Notice of determination made by Commission in relation to proposed merger: Nictus Holdings Limited // Bel Development (Pty) Ltd	6

General. Notices

NAMIBIAN COMPETITION COMMISSION

No. 362

2016

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: SANLAM NAMIBIA HOLDINGS (PTY) LTD // WELWITSCHIA
INSURANCE BROKERS (PTY) LTD
CASE NO.: 2016FEB0009MER

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

1. The Commission received notification of the abovementioned proposed merger on **24 February 2016**.
2. Please note that the Commission has **approved the proposed merger with the following condition:**
 1. *For as long as Welwitschia Insurance Brokers (“Welwitschia”) remains a broker as defined in terms of the Short-term Insurance Act (Act 4 of 1998); no board member or employee of Santam Namibia Limited may be appointed as a board member of Welwitschia Insurance Brokers (Pty) Ltd; and no Welwitschia employee or board member may serve as a board member for Santam Namibia Limited.*
 2. In order for the Commission to properly monitor compliance with the above condition the acquiring undertaking must adhere to the following:
 - 2.1. Within two weeks of the Commission requesting same, provide the Commission with a compliance report regarding the above mentioned condition.
 - 2.2. The report must include but is not limited to the following:
 - 2.2.1. A sworn statement (or any other document) made by a person authorised to do so confirming that Santam Namibia Limited and Welwitschia Insurance Brokers continue to maintain separate boards of directors. The document must include specific reference to the names of the board members for each entity.
 - 2.2.2. Any other relevant information that will enable the Commission to confirm that the condition is being complied with.
3. The Commission imposed the condition based on the ground that the merger is likely to result in the exchange of information between the target undertaking and Santam Namibia Limited, which information exchange might have anti competitive effects as envisioned in terms of section 47(2) of the Act.
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**

NAMIBIAN COMPETITION COMMISSION

No. 363

2016

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: STEINHOFF DOORS & BUILDING MATERIALS (PTY) LTD //
THE GUNNAR JENSEN BUILDING MATERIALS TRUST //THE CHRIS
ELOFF BUILDING MATERIALS TRUST
CASE NO.: 2016MAY0027MER

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 June 2016**.
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**

NAMIBIAN COMPETITION COMMISSION

No. 364

2016

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: JAN JONKER PROPERTY INVESTMENT TRUST // GREEN PROPERTY
INVESTMENTS NUMBER SIXTY (PTY) LTD
CASE NO.: 2016JUN0029MER

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 June 2016**.
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

NAMIBIAN COMPETITION COMMISSION

No. 365

2016

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: ROSEWILD TRADE AND INVEST PROPRIETARY LIMITED // CHLOR-ALKALI
HOLDINGS PROPRIETARY LIMITED
CASE NO.: 2016JUNE0030MER

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

1. The Commission received notification of the abovementioned proposed merger on **15 June 2016**.
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**

NAMIBIAN COMPETITION COMMISSION

No. 366

2016

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: THE FRANS INDONGO INVESTMENT TRUST (“FIIT”) // THE TOYOTA
AGENCY BUSINESS OF MARINA TOYOTA CC (“MARINA TOYOTA”)
CASE NO.: 2016MAY0023MER

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

1. The Commission received notification of the abovementioned proposed merger on **12 May 2016**.
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**

NAMIBIAN COMPETITION COMMISSION

No. 367

2016

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: NICTUS HOLDINGS LIMITED // BEL DEVELOPMENT (PTY) LTD
CASE NO.: 2016MAY0026MER**

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

1. The Commission received notification of the abovementioned proposed merger on the **20 May 2016**.
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**
