

## MERGER DECISION NO 6: 2026

### Notice in Terms of Section 53(4) (a)(ii) of the Competition Act 2018

#### DECISION ON THE ASSESSMENT OF THE PROPOSED PURCHASE AND SALE OF PLOT 22126 GABORONE WEST, EXTENSION 14, FROM GIFTED SUCCESS INVESTMENTS (PTY) LTD BY RALS (PROPRIETARY) LIMITED

#### Introduction of the Merging Parties

Pursuant to section 53(4)(a)(ii) of the Competition Act 2018 (“the Act”), notice is hereby given on the decision made by the Competition and Consumer Authority (“the Authority”) in relation to the proposed purchase and sale of plot 22126 Gaborone West, Extension 14 (“Target Enterprise”), from Gifted Success Investments (Pty) Ltd (“Gifted Success” or the “Seller”) by RALS (Proprietary) Limited (“RALS” or the “Acquiring Enterprise”).

The Acquiring Enterprise is a company incorporated in accordance with the Laws of Botswana. The Target Enterprise is owned by Gifted Success, a company incorporated in accordance with the Laws of Botswana.

#### Merging Parties

In terms of the activities of the Merging Parties, the Acquiring Enterprise is a retail wholesale engaged in the distribution of products such as rice, spices, beans, oil margarine. These products are sold to retail shops or supermarkets across Botswana. On the other hand, the Seller, Gifted Success is a property investment company, and owns commercial, residential, farm and Industrial properties, including plot 22126 Gaborone West, Extension 14 (“The Target Enterprise”). Therefore, the Parties do not operate in the same market.

In light of the above, the Proposed Transaction reveals that the Acquirer is a retail wholesale and currently does not have any property under its portfolio. On the flipside, the Target Enterprise is a property investment company, which rents out its property to third parties. It is worth noting that the Acquiring Entity is acquiring the property from the Target Firm for its exclusive use as a warehouse and office, and not for leasing or renting to third parties.

Since the Acquiring Enterprise does not operate in the same market as the Target Enterprise, the Authority does not anticipate any competition concerns to arise in the market as a result of the proposed transaction. Consequently, the proposed merger is not expected to alter the relevant market post-implementation, as the status quo will be maintained.

### **Competitive Analysis and Public Interest**

The Authority has established that the Proposed Transaction is not likely to result in a substantial lessening of competition, nor endanger the continuity of service in the market relevant in Botswana. Furthermore, the proposed merger will not have any negative effect on public interest matters in Botswana as per the provisions of section 52(2) of the Competition Act 2018. Moreover, the merger has the potential to yield benefits in the relevant market in Botswana.

### **The Determination**

Pursuant to the provision of Section 53 of the Competition Act, 2018, the Authority has decided to unconditionally approve the proposed purchase and sale of plot 22126 Gaborone West, Extension 14, from Gifted Success Investments (Pty) Ltd by RALS (Proprietary) Limited.

However, as stated under section 61 of the Act, this approval does not override or negate any other mandatory statutory approvals or processes that any of the parties to this merger must comply with under the Laws of Botswana.

Dated at Gaborone on this 3<sup>rd</sup> day of March 2026.

Gideon G. Nkala, Chief Executive Officer, Competition and Consumer Authority, P/Bag 00101, Gaborone, Plot 28, Matsitama Road, Tel: 3934278 Fax: 3121013