



## MERGER DECISION NO 15: 2025

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

#### **DECISION ON THE ASSESSMENT OF THE PROPOSED ACQUISITION OF LOT 1237, GABORONE FROM LIGHTING INNOVATION (PTY) LTD BY YASIER (PTY) LTD**

##### **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 sale and acquisition of Lot 1237, Gaborone from Lighting Innovation (Pty) Ltd ("Lighting Innovation" or the "Target Enterprise"), by Yasier (Pty) Ltd ("Yasier" or the "Acquiring Enterprise"), (the "Proposed Transaction"). The piece of land being acquired is measuring at 4,583 metre squares and is held under Deed of Transfer No. 1539/2018 dated 10<sup>th</sup> September 2018. At the completion of the proposed merger, the Acquiring Enterprise shall be the sole owner of the property under consideration.

The Acquiring Enterprise is a company duly incorporated in accordance with the Laws of Botswana. On the other hand, the Target Enterprise is a private limited company also incorporated in accordance with the Laws of Botswana.

##### **Relevant Markets**

The merger assessment findings indicate that the Acquiring Enterprise is a property holding company whose core business is to purchase and lease property. The Acquiring Enterprise controls Able Marketing (Pty) Ltd, a company also engaged in property market. Correspondingly, the Target Enterprise is a property company in Botswana, and it owns an industrial warehouse on commercial Plot 1237 Gaborone, used for rentals, which is the subject of the proposed merger.

Although the Merging Parties are active in a similar market, it is important to highlight that the real estate market is broad and is characterised by well established companies and individuals as well as state owned enterprises. As such, real estate in Botswana is highly diverse and customers have sufficient options for choice which is a demonstration of a competitive market.

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

The assessment findings indicate that there are numerous substitutes available in the relevant market who will exert rivalry to the Acquiring Enterprise post-merger and afford consumers choice. Thus, the structure of the relevant market is not expected to significantly change in Botswana upon the implementation of the proposed merger as the proposed transaction is not likely to result in a substantial lessening of competition, nor endanger the continuity of service in the market

under consideration. 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.

### **The Determination**

Pursuant to the provision of section 53 of the Act, the Authority has unconditionally approved the proposed sale and acquisition of Lot 1237, Gaborone from Lighting Innovation (Pty) Ltd by Yasier (Pty) Ltd.

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 6<sup>th</sup> day of May 2025.

Nomathemba Dladla, Director Mergers and Monopolies, Competition and Consumer Authority, P/Bag 00101 Gaborone, Plot 28 Matsitama Road,  
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