

PRESS RELEASE

FCC Approves Three Merger Applications

The Fair Competition Commission had in its 55th Case Hearing Meeting held on 17th April, 2014, acting pursuant to Rule 42(13) of the Fair Competition Procedural Rules 2013, approved without conditions three merger applications notified at the Commission by the merging parties between 20th December, 2013 and 28th March, 2014.

The approved mergers are as follows:

S/N.	Acquiring Firm	Target Firm
1..	AVIS Southern Africa	Tanzuk Limited
2.	Vodacom Group Limited	Cavalry Holdings Limited
3.	Dutch Oak Tree Foundation	Tanga Dairies Cooperative Union and Tanga Fresh Limited

The Merger between AVIS Southern Africa and Tanzuk Limited relate to automotive leasing business focusing on products, services, research trends and industry insight by the leasing experts.

The Merger between Vodacom Group Limited and Cavalry Holdings Limited relates o the telecommunications service industry, whereas the merger between Dutch Oak Tree Foundation and Tanga Dairies Cooperative Union and Tanga Fresh Limited takes place in the dairy industry.

A merger application between Dutch Oak Tree Foundation and Tanga Dairies Cooperative Union and Tanga Fresh Limited was notified at the Commission on 20th December, 2013. A merger application between AVIS Southern Africa and Tanzuk Limited was notified at the Commission on 21st March, 2014 whereas that between Vodacom Group Limited and Cavalry Holdings Limited was notified on 28th March, 2014. All notifications were made pursuant to Section 11(2) of the Fair Competition Act (No. 8 of 2003) and Rule 33(1) of the Fair Competition Procedural Rules, 2013.

The approvals were granted after FCC had gone through evaluation of notified merger applications at all stages and becoming satisfied that the transactions were not likely to harm competition according to section 11(1) of the Fair Competition Act and the Fair Competition Procedural Rules, 2013. After considering the parties' submissions and provisions of the law; the Commission determined that the intended merger did not breach the provisions of the Fair Competition Act, No. 8 of 2003.

Between 1st July, 2013 and 28th March, 2014, FCC had approved a total of twenty one (21) notified merger applications without conditions, including the three mentioned above. Other approved notified merger applications in that timeline include the following: InReturn East

Africa Fund I.C.V and Dar es Salaam Corridor Group Limited; SCPE, CSSAF & PRIF Afrinvest and ETC Group (Mauritius) Limited; Apollo Acquisition Corp and Cooper Tire & Rubber Company; Prime Bank Ltd, First Merchant Bank and Premier Capital Mauritius Ltd and International Commercial Bank; HTT Infracore Ltd and Vodacom Tanzania Limited; TransUnion Africa Holdings Proprietary Ltd and Credit Reference Bureau (Holdings) Ltd; and EFFCO Solutions (T) Ltd and EFFCO (Proprietary) Ltd.

Other approved mergers are those between MMG Exploration Holdings Ltd and IMX Resources Ltd; Untrac Holding Ltd and Delta Holding Group; Mauritius Union Assurance Cy Ltd and Phoenix Transafrica Holdings Ltd; Petrobas Oil & Gas B.V and Petrobas Tanzania Ltd; State Mining Corporation (STAMICO) and ABG Exploration Limited; State Mining Corporation (STAMICO) and Pangea Minerals Limited; Pavilion Strategic Holdings 1 Pte Limited and Ophir East Africa Holdings Limited; Pavilion Strategic Holdings 1 Pte Limited and Mzalendo Gas Processing Company Limited; Pavilion Strategic Holdings 1 Pte Limited and Ruvuma Pipeline Company Limited; Al Futtaim Autom & Machinery Company LLC and Hughes Motors (Tanzania) Limited; Al Futtaim Autom & Machinery Company LLC and Hughes Agricultural (Tanzania) Limited.

Section 11(2) of the Fair Competition Act (No. 8 of 2003) and the Fair Competition (Threshold Notification of a Merger) Order, 2007, as amended by GN No. 93 of 17th April, 2009 points out that firms should notify a merger to the Commission if the combined value of assets or turnover reaches the set threshold of TShs 800 million.

Issued by the Communications and Public Relations Unit

3rd May, 2014