



FAIR COMPETITION COMMISSION



**IN THE MATTER OF THE NOTIFICATION OF A MERGER BY
TANZANIA TEA PACKERS LIMITED AND AGDEVCO TANZANIA
LIMITED TO ACQUIRE SHARES IN SUMA HYDRO LIMITED**

PUBLIC NOTICE

(Made under Section 65 (2) (g) of the Fair Competition Act Cap No. 8 of 2003 and Rules 42 (5) and 49 of the Fair Competition Commission Procedure Rules, 2013)

The Fair Competition Commission (FCC) is an independent statutory body established under the Fair Competition Act No. 8 of 2003 (FCA) with the object of enhancing the welfare of the people of Tanzania by promoting and protecting effective competition in markets and preventing unfair and misleading market conduct throughout Tanzania Mainland.

Under the same Act, the FCC has powers to investigate, *inter alia*, entry into and exit from markets. The FCC has received a merger notification to the effect that **Tanzania Tea Packers Limited and AgDevCo Tanzania Limited (The Acquiring Firms)**, both being the companies incorporated under the laws of Tanzania, intend to acquire shares in **Suma Hydro Limited (Target Firm)**, a Tanzania incorporated company.

The Tanzania Tea Packers Limited (TATEPA) deals with investing, developing and managing businesses in the agricultural and rural sectors. TATEPA controls Wakulima Tea Company, Rungwe Avocado Company and Kyimbila Tea Packing Co. limited. The registered address of TATEPA is at Wakulima Tea Co. Limited, Katumba Factory, Tukuyu, Mbeya.

AgDevCo Tanzania Limited is a Tanzania incorporated company and a wholly owned subsidiary of AgDevCo Limited UK, the company incorporated in the UK as not for profit

organization. It is an investment company that invests in agribusiness project development. It invests patient capital in the form of debt and equity in various companies. The registered office of AgDevCo Tanzania Limited is at Rufiji Street, Masaki, Dar es Salaam, Tanzania.

The Target firm is a private company registered and incorporated in Tanzania with its principal business address at Plot 18 Vingunguti Area, Nyerere Road, Dar es Salaam, Tanzania. The Target Firm was established to be the operating company for a 0.99MW run-of-river hydro power plant in Tukuyu, Rungwe.

FCC is currently investigating the intended acquisitions in line with the provisions of the FCA and the Fair Competition Commission Procedure Rules, 2013 (the FCC Rules, 2013).

Pursuant to Rule 49 of the said Rules, parties (both legal and natural) who deem themselves as having sufficient interest in this merger, or, if the merger is not objected to, it will have or is likely to have material effect on their interests, are hereby NOTIFIED to register their interests and or objections (if any) or file any information that will assist the FCC in reaching a just and reasonable decision with regard to **the Acquiring Firms'** notification of an intended merger. All such parties shall file and register such interest(s) or information by way of written submissions to the FCC within **FOURTEEN** (14) days from the first day of publication of this notice. No submission filed after the said deadline will be accepted.

Registration of the said interests or objections or information should be accompanied by a duly filled Form FCC.10 (Notice of Intention to Participate found in the First Schedule of the Fair Competition Commission Procedure Rules, 2013). Failure to fill in Form FCC.10 will deny a party the right to make any oral submissions before the Commission and the presence of that party in the proceedings will be as an observer only.

Submissions must be submitted to the FCC at the address below.

Director General,
Fair Competition Commission,
GEPF House, 2nd Floor, Plot No. 37, Regent Estate,
Bagamoyo Road,
P. O. Box 7883
Dar es Salaam.
Tel: +255 22 2926128/29/30/30; Fax: +255 22 2926126.