



FAIR COMPETITION COMMISSION



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**IN THE MATTER OF THE NOTIFICATION OF A MERGER BY  
MITSUI & CO. LIMITED TO ACQUIRE ETC GROUP  
(MAURITIUS) 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 **Mitsui & Co. Limited (The Acquiring Firm)**, a company incorporated under the laws of Japan intends to acquire a direct control in **ETC Group (Mauritius) Limited (Target firm)** and ultimately get position to control various firms which are subsidiaries of the Target Firm.

The Acquiring Firm is incorporated and registered in Japan, having its principal business address at 1-3, Marunouchi 1-Chome, Chiyoda-ku, Tokyo, 100-8631 Japan. It is a trading company dealing with worldwide commodity and other businesses including the sale, distribution, purchase, marketing and supply of products in business area such as iron and steel, coal and non-ferrous metals, machinery, electronics, chemicals and energy related commodities. It also provides logistics services and invests in infrastructure projects. It is listed in various stock exchanges such as Tokyo Stock Exchange, the Nagoya Stock Exchange and Sapporo Stock Exchange.

The Target Firm is a private company registered and incorporated in the Republic of Mauritius with its principal business address at St. Louis Business Centre, Corner Desroches and St. Loius Street, Port Louis, Mauritius. Through its various subsidiaries, the company deals with diversified agricultural trading and processing business with activities in 27 countries in Africa as well as outside the continent.

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 **Mitsui & Co. Limited's** 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 FCC 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, 2<sup>nd</sup> 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.