



FAIR COMPETITION COMMISSION



IN THE MATTER OF THE NOTIFICATION OF A MERGER BY
SIMBANET AFRICA TO ACQUIRE THE ENTIRE ISSUED SHARES OF
SIMBANET (T) 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 **Simbanet Africa (The Acquiring Firm)**, a wholly owned subsidiary of Synergy Communications intends to acquire entire shares in **Simbanet (T) Limited (the Target Firm)**, a limited liability company incorporated and registered in Tanzania.

Simbanet Africa is a company incorporated in the Republic of Mauritius with its principal business address at 6th Floor, Tower A, Cybercity, Republic of Mauritius. It is an investment vehicle for enterprise and wholesale communication service providers, which amalgamates fixed and wireless technologies in Tanzania. The Target Firm is Simbanet (T) Limited, a company incorporated in accordance with Tanzania Laws, with its registered office at Oysterbay, Dar es Salaam Tanzania. It is 65% owned by Wananchi Group (Holdings) Limited and 35% by Ali Mufuruki, a Tanzanian national. The Target Firm's business activities involve provision of numerous telecommunication services to the corporate market in Tanzania. It provides services by designing, supplying, installing, developing, operating and maintaining a nationwide network comprising, among other

things, wireless data networks, digital microwave transmission, VSAT services, optical fibre transmission and data communication. It also provides to the market, international bandwidth, hosting services, virtual private networks, IP transit and International whole capacity.

Pursuant to the Share Purchase Agreement, the Acquiring Firm intends to acquire 100% of total issued shares in the Target Firm by a way of Sale of Shares and Claims Agreement. Subsequent to the completion of this transaction, 25% of the total issued share capital in the Target Firm will be acquired from the Acquiring Firm by Tanzanian National

FCC is currently investigating the intended acquisition in line with the provisions of the Fair Competition Act and the Fair Competition Commission Procedure Rules, 2013. Pursuant to Rule 49 of the said Rules, parties (both legal or 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 **Simbanet Africa** 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** days (14) from the first day of publication of this notice. No submission filed after the said deadline will be accepted.

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

Director General,
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