



**FAIR COMPETITION COMMISSION**



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**IN THE MATTER OF THE FAIR COMPETITION ACT NO. 8 OF  
2003**

**IN THE MATTER OF A FAIR COMPETITION - COMPLAINT**

**DOCKET NO. FCC/Comp/4 of 2013**

**BETWEEN**

**FAIR COMPETITION COMMISSION - COMPLAINANT**

**AND**

**TANGA CEMENT COMPANY LTD - RESPONDENT**

**PUBLIC NOTICE**

*(Provisional Findings Issued Pursuant to Rules 10(9) and 19(7) of the Fair Competition Procedure Rules, 2013 in respect of the infringement of the Provisions of the Fair Competition Act, 2003)*

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

Sometimes in 2010 the Complainant conducted a study to assess the competitiveness of cement market in Tanzania. In the course of collecting information from various cement stakeholders, the Complainant noted that in 2007 Afrisam Consortium (Pty) Ltd of South Africa acquired 85% shares in Afrisam (Pty) Ltd, a subsidiary of Cemasco B.V, and wholly owned subsidiary of Holcim Group of Switzerland. The transaction took place in South Africa. It was further noted that Cemasco held 54.35% shares in Altur Investments (Pty) Ltd, a wholly owned company by Holcim (Pty) Ltd, and which wholly owned Holcim Mauritius Investment Holding (Pty) which, in turn, owned the Respondent by 62.5% shares.

Through investigation of the said allegations, the Commission has provisionally established that the transaction was a notifiable merger and was concluded contrary to section 11 (2) of the FCA.

**THUS, BY THIS PUBLIC NOTICE**, any person (legal or natural) who has reasons to believe that the alleged conduct of the Respondents has affected or is affecting that person's material interests is invited by the Commission, pursuant to Rule 10(9) of the FCC Procedure Rules, 2013, to file written submissions. The submissions should reach the Commission within 21 days from the first day of publication of this **NOTICE** and be sent to the following address:

Fair Competition Commission  
Ubungo Plaza, 2<sup>nd</sup> Floor Western Wing  
P.O.Box 7883  
Dar es Salaam, Tanzania  
TEL:+255222461565/66/67/69/;FAX:[+255 222461567](tel:+255222461567)  
**Email:** [info@competition.or.tz](mailto:info@competition.or.tz)

**TAKE FURTHER NOTICE** that Provisional Findings of the Commission have been issued to the Respondent.

Issued at Dar es Salaam this .....day of ..... 2015

**BY THE ORDER OF THE COMMISSION**

The Fair Competition Commission  
Ubungo Plaza, 2nd Floor Western Wing  
P. O. Box 7883, Dar-es-Salaam, Tanzania.