



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$4.00

WINDHOEK - 28 September 2012

No. 5045

CONTENTS

Page

GENERAL NOTICES

No. 336	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Desert Trade Investments (Pty) Ltd // Stimulus Investments Ltd	2
No. 337	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: African Precast Concrete Industries (Pty) Ltd // Graham Town Ninety Five CC & others	2
No. 338	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: The Remainder of Erf 6409, Windhoek belonging to Cashbuild Namibia (Pty) Ltd // Hallie Investments 428 CC	3
No. 339	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Norina Twenty-Seven Investments CC Aquirrel Investments Ninety CC // Matthias Manuel Dominic Amandus Rottcher	4
No. 340	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Richtrau No. 229 (Pty) Ltd ("Richtrau") // Avusa Ltd ("Avusa")	4
No. 341	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Vivo Energy Holdings B.V. // Shell Namibia Ltd	5
No. 342	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Cashbuild Namibia (Pty) Ltd // Martin Molzhan t/a Moltinz Construction	5
No. 343	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Namibia Country Lodges (Pty) Ltd // Nature Investments (Pty) Ltd	6
No. 344	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Swartz Family Trust // Shell Namibia Limited	7
No. 345	Namibian Competition Commission: Notice of determination made by Commission in relation to proposed merger: Studio Eighty Eight (Pty) Ltd // Blue Falcon 188 Trading (Pty) Ltd	7

General Notices

NAMIBIAN COMPETITION COMMISSION

No. 336

2012

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: DESERT TRADE INVESTMENTS (PTY) LTD // STIMULUS INVESTMENTS LTD
CASE NO.: 2012JULY0049MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **3 July 2012**, from Desert Trade Investments (Pty) Ltd and Stimulus Investments Ltd.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA

CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 337

2012

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: AFRICAN PRECAST CONCRETE INDUSTRIES (PTY) LTD //
GRAHAM TOWN NINETY FIVE CC & OTHERS
CASE NO.: 2012AUG0060MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **9 August 2012**, from Engling, Stritter & Partners.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.

4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA

CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 338

2012

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: THE REMAINDER OF ERF 6409, WINDHOEK BELONGING TO CASHBUILD
NAMIBIA (PTY) LTD // HALLIE INVESTMENTS 428 CC
CASE NO.: 2012JULY0048MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **5 July 2012**, from Etzold-Duvenhage and Engling, Stritter & Partners.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA

CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 339

2012

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: NORINA TWENTY-SEVEN INVESTMENTS CC AQUIRREL INVESTMENTS
NINETY CC // MATTHIAS MANUAL DOMINIC AMANDUS ROTTCHER
CASE NO.: 2012JUNE0047MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission received notification of the abovementioned proposed merger on **29 June, 2012.**
2. Please note that the Commission has **approved the proposed merger without conditions.**
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA**CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION**

NAMIBIAN COMPETITION COMMISSION

No. 340

2012

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: RICHTRAU NO 229 (PTY) LTD ("RICHTRAU") // AVUSA LTD ("AVUSA")
CASE NO.: 2012JULY0051MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **9 July 2012.**
2. Please note that the Commission has **approved the proposed merger without conditions.**
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-

- (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
- (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA

CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 341

2012

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: VIVO ENERGY HOLDING B.V. // SHELL NAMIBIA LTD
CASE NO.: 2012JUNE0044MER**

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **25 June 2012**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to substantially prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA

CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 342

2012

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: CASHBUILD NAMIBIA (PTY) LTD // MARTIN MOLZAHN t/a MOLTINZ
CONSTRUCTION
CASE NO.: 2012JUNE0045MER**

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **26 June 2012**.

2. Please note that the Commission has **approved the proposed merger without conditions.**
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA
CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 343

2012

NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO
PROPOSED MERGER: NAMIBIA COUNTRY LODGES (PTY) LTD // NATURE
INVESTMENTS (PTY) LTD
CASE NO.: 2012JULY0055MER

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **26 July 2012.**
2. Please note that the Commission has **approved the proposed merger without conditions.**
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA
CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION

NAMIBIAN COMPETITION COMMISSION

No. 344

2012

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: SWARTZ FAMILY TRUST // SHELL NAMIBIA LIMITED
CASE NO.: 2012JULY0050MER**

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **6 July 2012**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-
 - (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
 - (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA**CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION**

NAMIBIAN COMPETITION COMMISSION

No. 345

2012

**NOTICE OF DETERMINATION MADE BY COMMISSION IN RELATION TO PROPOSED
MERGER: STUDIO EIGHTY EIGHT (PTY) LTD // BLUE FALCON 188 TRADING (PTY) LTD
CASE NO.: 2012JULY0053MER**

Competition Act, 2003 (Act No. 2 of 2003)
(Section 47(7), Rule 30)

1. The Commission has received notification of the abovementioned proposed merger on **13 July 2012**.
2. Please note that the Commission has **approved the proposed merger without conditions**.
3. The Commission's decision is based on grounds that the proposed transaction is not likely to prevent or lessen competition in Namibia, as envisaged by Section 47(2) of the Competition Act, 2003.
4. Note that the Commission has the authority in terms of Section 48(1) of the Act to revoke a decision approving the implementation of a proposed merger if-

- (a) *the decision was based on materially incorrect or misleading information for which a party to the merger is responsible; or*
- (b) *any condition attached to the approval of the merger that is material to the implementation is not complied with.*

L. MURORUA

CHAIRPERSON: NAMIBIAN COMPETITION COMMISSION
