



COMESA Competition Commission

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Common Market for Eastern  
and Southern Africa

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## **Notice of Request for Referral of the Merger involving Akzo Nobel N.V ("AkzoNobel") as the acquiring firm and Kansai Plascon East Africa Proprietary Limited ("KPEA") and Kansai Plascon Africa Limited ("KPAL") as the target firms**

The COMESA Competition Commission (the "**Commission**") hereby informs the public and relevant stakeholders that on 21 November 2022, it received a request for referral of the captioned transaction from the Competition and Tariff Commission of Zimbabwe (the "**CTC**"), pursuant to Article 24(8) of the COMESA Competition Regulations (the "**Regulations**").

Article 24(8) of the Regulations provides that a Member State may request the Commission to refer a merger to a competent authority of the Member State for consideration under the Member State's national competition law if such Member State is satisfied that the merger, if carried out, is likely to disproportionately reduce competition to a material extent in such Member State or any part of such Member State.

The CTC has informed the Commission that the transaction is likely to lessen competition in the decorative coatings market in Zimbabwe, given that Dulux and KPAL subsidiaries compete for that market space. The merging parties appear to have significant market presence in Zimbabwe; hence the merger may lessen competition to a material degree in Zimbabwe. The CTC thus requested the Commission to refer the merger for consideration under Zimbabwe's national competition law.

Interested parties are hereby invited to make reasoned submissions to the Commission **by 29 November 2022** on whether the Commission should refer the whole or any part of the merger to the CTC.

If you wish to seek further details and/or clarifications on any aspect of this transaction, you may get in touch with **Ms. Sandya Booluck, Senior Analyst, Mergers and Acquisitions**, on +265 (0) 1 772 466 or via email at [sbooluck@comesa.int](mailto:sbooluck@comesa.int).