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Common Market for Eastern
and Southern Africa

24th August 2021

CCC Merger Inquiry Notice No. 23 of 2021

Notice of Inquiry into the Proposed Acquisition by Imperial Logistics Limited through its wholly-owned subsidiary, Imperial Capital Limited, of all issued shares of Lift Logistics Holdco

It is hereby notified in terms of Article 26(6) of the COMESA Competition Regulations (the “**Regulations**”) that the COMESA Competition Commission (the “**Commission**”), after receiving a notification in terms of Article 24 of the Regulations regarding the proposed merger involving Imperial Capital Limited (“**Imperial Capital**”) and Imperial Logistics Limited (“**Imperial**”) as the acquiring firms, and Lift Logistics Holdco (“**J&J Group**”) as the target firm, intends to embark on an inquiry in terms of Article 26 of the regulations.

The parties have submitted that the proposed transaction concerns the intended acquisition of all the issued shares of J&J Group by Imperial, through its wholly owned subsidiary, Imperial Capital.

The parties have submitted that Imperial Capital is a company incorporated in the Republic of South Africa with registration number 2003/008195/06, whose registered office is at Imperial Place, Jeppe Quondam, 79 Boeing Road East, Bedfordview, RSA. It is a wholly owned subsidiary of Imperial and a publicly listed company on the JSE Limited. Imperial is listed on the JSE Limited. Imperial and the various companies which form part of the Imperial Group of companies are, in the main, established transport and logistics providers in various African countries, and also providers of contract logistics and freight services in Europe and the United Kingdom. Further, the industries served by Imperial in the various jurisdictions are primarily involved in the transportation and/or wholesaling to retailers of products in the healthcare, consumer, automotive, chemicals and industrial sectors. Imperial Group of companies operates in the following Member States: Eswatini, Kenya, Malawi, Zambia and Zimbabwe.

The parties submitted that J&J Group is a company incorporated in terms of the laws of Mauritius, having its principal place of business at Suite 2006, Grand Baie Business Park, Grand Baie, Mauritius. J&J Group provides integrated, end-to-end cross-border transportation services ranging from transport to port agency services, storage, as well as in-transit warehousing services. Within the Common Market, the J&J Group operates in transportation and warehousing services through a number of distinct operations, which enable the Group to

offer cross-border transportation offerings. It was submitted that J&J Group operates in the following Member States: Mauritius, Zambia and Zimbabwe.

The Commission will, in accordance with the provisions of the Regulations, determine, among other things, whether or not the proposed transaction is likely to substantially prevent or lessen competition within the common market and whether the proposed transaction is or would be contrary to the public interest as provided for under Article 26 of the Regulations.

In view of this, the Commission hereby gives notice to all interested stakeholders, including competitors, suppliers and customers of the parties to the proposed transaction to submit written representations to the Commission with regard to the subject matter of the proposed inquiry by emailing them to: akamanga@comesa.int. All written representations should be sent to the Commission not later than 13th September 2021.

If you wish to seek further details and/or clarifications on any aspect of this proposed transaction or need assistance you may get in touch with **Mr. Ali Kamanga, Senior Analyst, Mergers and Acquisitions** on Tel: +265 (0) 1 772 466 or akamanga@comesa.int.

All written representations submitted to the Commission will be treated with the strictest confidentiality and will only be used for the purpose of this inquiry.