



COMESA Competition Commission

Kang'ombe House - 5th Floor

P.O. Box 30742

Lilongwe 3, Malawi

Tel: +265 (0)1 772 466/529

+265 (0) 999 970 269

Email: compcom@comesa.int



Common Market for Eastern
and Southern Africa

10 May 2022

CCC Merger Inquiry Notice No. 22 of 2022

Notice of Inquiry into the Proposed Acquisition by CEVA Logistics Headoffice B.V. of Trans East Africa AG

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 acquisition by CEVA Logistics Headoffice B.V. (“**CEVA**” or the “**Acquirer**”) of 100% of the entire issued share capital of Trans East Africa AG (“**TEA**” or the “**Target**”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties submitted that the acquirer, CEVA, is a global freight-forwarding and logistics company based in the Netherlands. CEVA is a wholly owned subsidiary of CEVA Logistics SA, a company incorporated in terms of the laws of France, which is, in turn, a subsidiary of CMA CGM S.A. (“**CMA CGM**”), a company incorporated in terms of the laws of France. CMA CGM is a worldwide maritime transport and logistics group. CEVA, together with (i) all firms controlling (whether directly or indirectly) CEVA, (ii) all firms controlled by the firms controlling CEVA (whether directly or indirectly); and (iii) all firms controlled (whether directly or indirectly) by CEVA are collectively referred to as the **CEVA Group**.

The parties further submitted that globally, the CEVA Group provides transportation and logistics services in terms of which it offers supply chain management, freight-forwarding (including air, sea and road, which services include customs brokerage and other value-added services) and contract logistics services (including warehousing services, inbound logistics and manufacturing support) to various sectors, including automotive, consumer and retail, energy, healthcare, industrial, aerospace and technology.

In the Common Market, the CEVA Group provides freight-forwarding services through third party agents and via its subsidiary AMI Worldwide Limited. The acquirer has operations in the following Member States: Burundi, the Democratic Republic of Congo, Djibouti, Egypt, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Tunisia, Uganda, Zambia, and Zimbabwe.

The parties submitted that the target, TEA, is the holding company of Spedag Kibo Holding AG’s East Africa business operations and is incorporated in terms of the laws

of Switzerland. In the Common Market, the target is active in the provision of freight-forwarding services (air, sea and road) and contract logistics (project logistics and logistics services) and has operations in Kenya, Rwanda, and Uganda.

The Commission will, in accordance with Article 26 of the provisions of the Regulations, determine, among other things, whether 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.

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: sbooluck@comesa.int. All written representations should be sent to the Commission not later than **31 May 2022**.

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 **Ms. Sandya Booluck, Senior Analyst, Mergers and Acquisitions** on Tel: +265 (0) 1 772 466 or sbooluck@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.