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Common Market for Eastern
and Southern Africa

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COMESA Competition Commission Grants Referral of the Part of the Proposed Acquisition by Canal+ International SAS (“Canal+”) of MC Vision Ltd (“MC Vision”) to the Competition Commission of Mauritius

On 27 September 2024, the COMESA Competition Commission (the “**Commission**”) received a request for referral of the abovementioned transaction from the Mauritian Competition Commission (the “**CC**”), pursuant to Article 24(8) of the COMESA Competition Regulations (the “**Regulations**”). The Referral Notice can be accessed [here](#).

Article 24(8) of the Regulations provides that a Member State may request the Commission to refer a merger to the Member State’s competent authority for consideration under its national competition law, provided that the 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 Commission has reviewed the request made by CC as well as the submissions by the merging parties and has resolved that the referral request is justifiable. In arriving at this decision, the Commission has considered that the target appears to be operating only in Mauritius and the transaction may consolidate the vertical links that exist between Canal+ in the upstream market, and MC Vision in the downstream market for commercialization of Pay TV services in Mauritius. Therefore, the transaction is likely to disproportionately affect competition to a material extent in Mauritius.

The grant of the referral does not prejudice the finding of competition concerns in the Member State. Further, the referral does not exclude collaboration with CC as the Commission will continue to review the transaction in relation to the rest of the Common Market and the two authorities shall ensure that there are no significant divergences in their respective approach to the competition assessment. Convergence on the approach to competition assessment does not presuppose a uniform or same conclusion from the two authorities as this depends on the peculiarities of the identified relevant markets.

In view of the foregoing, the Commission is satisfied that CC is the most appropriate authority for dealing with aspects of the transaction relating to the Mauritian market.

The Commission thus hereby informs the public that, pursuant to Article 24(9)(b) of the Regulations, the part of the transaction relating to the Mauritian market is hereby referred to CC. The Commission shall retain jurisdiction over the parts of the transaction relating to markets outside Mauritius.

More information is available on the Commission's [Merger Cases](#) webpage, under the case number [CCC/MER/07/26/2024](#).

If you wish to seek further details and/or clarifications on any aspect of this proposed transaction, you may get in touch with **Mr. Boniface Makongo, Director Competition**, on Tel: +265 (0) 111 772 466 or bmakongo@comesacompetition.org, with a copy to mergers@comesacompetition.org.