
4 October 2024

Notice of Request for Referral of the Proposed Acquisition by Canal+ International SAS (“Canal+”) of MC Vision Ltd (“MC Vision”)

The COMESA Competition Commission (the “**Commission**”) hereby informs the public and relevant stakeholders that it received a request, on 27 September 2024, from the Mauritian Competition Commission (the “**CC**”) for a referral regarding the above-mentioned transaction, pursuant to Article 24(8) of the COMESA Competition Regulations (the “**Regulations**”).

Article 24(8) of the Regulations allows a Member State to 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 the Member State or any part of the Member State.

In current case, the CC has requested that the Proposed Transaction be referred to Mauritius for assessment under the Competition Act 2007 of Mauritius given that it is likely to disproportionately affect competition to a material extent in Mauritius as the Target appears to be operating only in Mauritius. The CC has submitted that according to its preliminary assessment, the proposed transaction may affect the state of competition in Mauritius since it may consolidate the vertical links that may exist between Canal+ in the upstream market, and MC Vision in the downstream market for commercialization of Pay TV services.

The CC has further submitted that it has sought views of competitors in the Pay TV market and certain players have expressed concerns with regard to the Proposed Transaction. Additionally, the CC has submitted that the Proposed Transaction may increase Canal+’s ability and incentive to engage in input foreclosure.

Interested parties are hereby invited to make reasoned submissions to the Commission by **10 October 2024** on whether the Commission should refer the whole or any part of the merger to the CC.

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.