



competition commission
south africa

Weekly Media Statement

For Immediate Release

25 November 2020

The Competition Commission of South Africa (CCSA) held its ordinary weekly meeting on Tuesday 24 November 2020, to review and take decisions on matters brought before the Commission by members of the public and corporate applicants, in terms of the Competition Act (89 of 1998). These matters include but are not limited to complaints, mergers and acquisitions.

LATEST DECISIONS BY THE COMPETITION COMMISSION

1.1 Colkru Investments (Pty) Ltd (Colkru)/ Arrowhead Properties Limited (Arrowhead), in respect of Erf 1227 New Germany, Pietermaritzburg situated at 24 Otto Volek Road, New Germany (the Target Property)

The Commission has unconditionally approved the proposed merger whereby Colkru intends to acquire the Target Property from Arrowhead.

Colkru's property portfolio comprises largely of industrial and commercial buildings throughout South Africa. Of relevance to the proposed transaction are the properties owned by Colkru which are located in the Pinetown or New Germany area in KwaZulu-Natal.

The Target Property is an industrial building situated at 24 Otto Volek Road, New Germany, Pinetown, KwaZulu-Natal, with a gross lettable area (GLA) of 30,790m². The Target property does not control any firms. The Target Property is currently owned by Arrowhead. Arrowhead is a Real Estate Investment Trust listed on the securities exchange operated by the JSE Limited and is not controlled directly or indirectly by any firm(s).

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

1.2 Balwin Properties (Pty) Ltd (Balwin Properties)/ Remaining Extent of Portion 62 (a portion of portion 1) of the Farm Rietfontein 375, 133.94 hectares in extent (the CPI Property), J.R and Portion 1046 of the Farm Rietfontein 375 J.R (the Forum Property)

The Commission has unconditionally approved the proposed merger whereby Balwin Properties intends to acquire CPI Property and the Forum Property (Target Firms).

Balwin Properties is a specialist, national large-scale residential property builder and developer targeting high-density, high-growth metropolitan areas in South Africa.

The Target Firms comprise of contiguous undeveloped land and are located in the upmarket area of Mooikloof in Pretoria East. Specifically, the Target Firms are situated on Garsfontein Drive in Pretoria, Gauteng. The landholding of the Target Firms measures approximately 210 hectares in extent and includes a residential component, 2 educational facilities and a commercial node. It is envisaged that the Target Firms will be consolidated to form one property.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

1.3 Holistics Remedies (Pty) Ltd (Holistic Remedies) / Incobrand (Pty) Ltd (Incobrand)

The Commission has unconditionally approved the proposed merger whereby Holistic Remedies intends to acquire Incobrand.

Holistics Remedies is an investment holding company whose business is conducted through various subsidiaries. Holistics Remedies also holds interests in various firms that hold the trademark and licences for the brands it distributes. Holistic Remedies manufactures cosmetics, toiletries, and household products in the Fast-Moving Consumer Goods (“FMCG”) market. Holistic Remedies, and all the firms it directly and indirectly controls will be referred to as the Amka Group. Amka Group manufactures body care products under the following brands: Clere, Satiskin, Cuticura, Celltone and Top Society. Amka Group also manufactures bath care products under the Mousson, Vinolia, Satiksin and Top Society brands and skin treatment products under the Cuticura brand. Amka Group further manufactures hair care products under the Sof’n Free, Sta Sof Fro, Easywaves, Black Like Me, Perfect Choice, Stylin’ Dredz and Aunt Jackies brand. Amka Group is involved in contract packing and providing warehousing services for its subsidiaries. Amka Group sells its personal care products to chain stores, independent retailers, salons, wholesalers, buying groups, pharmacies, and independent companies. In addition, Amka Group exports health and beauty products to over 55 countries mainly in Africa.

Incobrand is currently jointly controlled by Incolabs and Holistics Remedies. Incolabs is controlled by CAVI Brands Proprietary Limited (“CAVI Brands”). Incobrand is an importer and distributor of personal care brands which it supplies to retail stores, wholesalers, supermarkets, and independent pharmacies. Incobrand distributes the following products and brands: bath care products (Fenjal), body care (Fenjal), skin treatment (Young Solutions), lip care (Lip Ice), sun care products (Every Sun and Tropitone), hair styling products (Jane Seymour), sterilization products (Milton), decongestants (Karvol) and mosquito repellents (Mylol). Incobrand is not involved in the manufacturing of these products but rather produces them through contract manufacturers such as Amka Products Manufacturers, Rolfe Laboratories Proprietary Limited, and Abyx Chemicals Proprietary Limited.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

1.4 IMCD South Africa (Pty) Ltd (IMCD SA)/ Siyeza Fine Chem (Pty) Ltd (Siyeza)

The Commission has unconditionally approved the proposed merger whereby IMCD SA intends to acquire Siyeza.

IMCD SA is a diversified entity engaged in the import and distribution of specialty chemicals across a wide range of sectors, from coatings and construction, to home care and industrial and institutional cleaning (I&I) products, food and nutrition, personal care, lubricants & fuels, and pharmaceuticals. Of relevance to the proposed transaction are its supply of active pharmaceutical ingredients (APIs) and excipients in the pharmaceutical sector. IMCD SA's business is strongly focused on excipients, with a minimal presence in APIs.

Siyeza imports, warehouses, and distributes chemical inputs in South Africa from its head office in Johannesburg. Siyeza's focus is on pharmaceutical, veterinary, food, and personal care speciality chemical ingredients. Siyeza's primary source of revenue is in APIs and it derives minimal revenue from the sale of excipients.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

1.5 Shoprite Checkers (Pty) Ltd (Shoprite)/ Liquor City 60 (Pty) Ltd (Liquor City 60); Liquor City Lusikisiki (Pty) Ltd (Liquor City Lusikisiki); and Liquor City Northriding (Pty) Ltd (Liquor City Northriding)

The Commission has unconditionally approved the proposed mergers whereby Shoprite intends to acquire Liquor City 60, Liquor City Lusikisiki and Liquor City Northriding.

The Shoprite Group is active in the retail and wholesale of fast moving consumer goods through its various supermarkets located throughout the country. In addition, the group is also active in the retail sale of liquor through its own branded liquor stores and also retails in wines at its supermarkets.

Liquor City 60 operates a liquor retail business in Arcadia, Pretoria that sells a wide range of alcoholic beverages to the general public. Liquor City 60 operates as a franchisee of Liquor City.

Liquor City Lusikisiki operates a liquor retail business in Lusikisiki, Eastern Cape, as a franchisee of the Liquor City.

Liquor City Northriding operates as a liquor retail business in Northriding, Randburg area, Gauteng, as a franchisee of the Liquor City.

The Commission found that the proposed transactions are unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

1.6 Kloof Capital South Africa (Pty) Ltd (Kloof Capital), O.B.O Oak Tech Properties (Pty) Ltd (Oak Tech Properties) and KCSA Investment (Pty) Ltd (KCSA Investments)/ Texton Property Fund Ltd (Texton)

The Commission has unconditionally approved the proposed merger whereby Kloof Capital, Oak Tech Properties and KCSA Investments (Acquiring Group) intends to acquire Texton.

The Acquiring Group through its entities is invested in rentable property (residential and office space in the Western Cape and Gauteng) and mining. Of relevance to the proposed merger, are the Acquiring Group's office property activities in Cape Town CBD.

Texton is a Real Estate Investment Trust. Texton is active in the sale and lease of industrial, office space and retail properties. Of relevance to the proposed transaction are the office property holdings held by Texton in the Cape Town CBD.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

1.7 Platform Investment Partners (Pty) Ltd (PIP)/ Consolidated Capital Investments (Pty) Ltd (CCI)

The Commission has unconditionally approved the proposed merger whereby PIP intends to acquire CCI.

PIP is a long-term investment holding company focused on technology and software driven investments, which are undertaken through its subsidiary, Paper Plane Ventures Proprietary Limited ("Platform Growth"). Platform Growth's investment services focus on offering various farm management solutions including, *inter alia*, orchard management, problem tree identification, pest and disease management using drone and satellite data. Platform Growth also provides online platform services such as cashless payments, vendor management services and operates as a distributor and financier of domestic of solar panels.

CCI is a long-term investment holding company focused on telecommunication and infrastructure investments, with its primary investment in CAM SPV. CAM SPV is an investment holding company currently providing financing to a third-party company, Strawberry Cough Proprietary Limited, which in turn holds interest in Vumacam Proprietary Limited, a company engaged in the construction and provision of camera infrastructure.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

1.8 Antlia Lane Property Investments (Pty) Ltd (Antlia)/ The immovable property and letting enterprise known as Portion 1 of Erf 2551 Louwlandia Extension 74

The Commission has unconditionally approved the proposed merger whereby Antlia intends to acquire the immovable property and letting enterprise known as "Portion 1 of Erf 2551 Louwlandia Extension 74", situated at the corner of Nellmapius Road and Olievenhoutbosch Avenue (Target Property).

The Acquiring Group is the owner of immovable properties and letting enterprises situated across the Western Cape and Gauteng.

The Target Property is primarily constituted of light industrial or warehouse space, with a small ancillary office component. The Target Property is currently let out, in its entirety, to Worldwide Automotive Group (Enterprises) Proprietary Limited which is a firm related to the Acquiring Group.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

Members of the public can now lodge their complaints by SMS/WhatsApp @084 743 0000

[ENDS]

Issued by:

Siyabulela Makunga, Head of Communication/Spokesperson

On behalf of: The Competition Commission of South Africa

Tel: 012 394 3493 / 072 768 0238 / 067 421 9883

Email: SiyabulelaM@compcom.co.za

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