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Common Market for Eastern
and Southern Africa

CCC Merger Inquiry Notice No. 24 of 2017

Notice of Inquiry into the Proposed Acquisition by Rubis Caribbean Holdings Inc. of Progal Petroleum Limited and Galana Madagascar Holding Limited

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 Rubis Caribbean Holdings Inc. (“**Rubis**”) of Progal Petroleum Limited (“**Progal**”) and Galana Madagascar Holding Limited (together with its subsidiaries, “**Galana Holding**”) (collectively, the “**Target Undertakings**”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties have submitted that the acquiring undertaking, Rubis, globally operates bulk storage facilities, distributes petroleum products and provides support services to the downstream petroleum market. Rubis’ activities in the Common Market were submitted as follows:

- In Madagascar, Rubis operates as a wholesaler and distributor of bulk and cylinder liquid petroleum gas (“**LPG**”);
- In Djibouti, Rubis distributes mainly automotive petroleum products spanning all industry segments;
- In Swaziland, Rubis operates using the “Easigas” brand to distribute LPG across all segments (including cylinders and bulk); and
- In Comoros, Rubis is a retailer and reseller of LPG.

The parties have submitted that Galana Holding is an investment holding company and is active in the storage and distribution of fuel, gasoline, dual purpose kerosene, LPG and lubricants; and Progal manages the procurement of petroleum products (except LPG and lubricants) for Galana Distribution Madagascar. The Target Undertakings are active in Madagascar and Mauritius in the Common Market.

The Commission will, in accordance with the provisions of the Regulations, determine among other things whether or not the merger is likely to substantially prevent or lessen competition within the Common Market and whether the merger 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 merging parties 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 **31st October 2017**.

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, Economist, 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.

10th October 2017