



COMESA Competition Commission

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**Common Market for Eastern
and Southern Africa**

CCC Merger Inquiry Notice No. 18 of 2016

Notice of Inquiry into the Acquisition of Gulf Africa Petroleum Corporation by Total Outre-Mer S.A.

It is hereby notified in terms of Article 26(6) of the COMESA Competition Regulations (hereinafter referred to as the "Regulations") that the COMESA Competition Commission (the "Commission") after receiving a notification in terms of Article 24 of the Regulations involving Total Outre-Mer S.A ("Total") and Gulf Africa Petroleum Corporation ("GAPCO"), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The Transaction involves the acquisition of 100% of the share capital of GAPCO by Total.

Total is a *societe anonyme* (limited company), incorporated under the laws of France. It is a wholly owned subsidiary of Total Marketing Services S.A., which is listed on the Paris, London, Brussels and New York stock exchanges and is a wholly owned by Total S.A. Total S.A. is the holding company of an integrated global group of energy and petrochemical companies involved in upstream and downstream activities, including exploration, refining, distribution and retail/non-retail sales. Through Total, Total S.A. operates in the following Member States: Democratic Republic of Congo, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Swaziland, Uganda, Zambia and Zimbabwe.

GAPCO, the target undertaking, is a holding company with operating subsidiaries in Kenya, and Uganda. The subsidiaries are primarily engaged in petroleum product import and trading, storage, distribution, marketing and supply of petroleum products in East Africa.

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. 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: wmwemba@comesa.int. All written representations should be sent to the Commission not later than **4th August 2016**.

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 **Mr. Willard Mwemba, Manager for Mergers and Acquisitions**, on +265 (0) 1 772 466 or via email at wmwemba@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.