



Kang'ombe House, 5th Floor-West Wing
P.O. Box 30742
Lilongwe 3, Malawi
Tel: +265 (0) 1772466
Email- compcom@comesa.int



Common Market for Eastern
and Southern Africa

CCC Merger Inquiry Notice No. 7 of 2020

Notice of Inquiry into the Proposed Merger involving Akzo Nobel Coatings International B.V. and Mauvilac Industries 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 merger involving Akzo Nobel Coatings International B.V. (“**ANCI**”) and Mauvilac Industries Limited, intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties have submitted that the proposed transaction involves the acquisition by ANCI of 100% of the share capital and voting rights of Mauvilac Industries Limited and its subsidiary (the “**Target Group**” or “**Mauvilac**”) from Coloris Holding Limited and Mr. Gérard Alexandre Roland Maurel (the “**Sellers**”) (the “**Proposed Transaction**”).

It has been submitted that the Target Group is engaged in the business of (i) manufacturing and distributing decorative and specialty paints and coatings, and (ii) selling dyes and chemical products mainly for the textile industry. The Target Group operates in the following COMESA Member States: mainly in Mauritius and peripherally in Seychelles and Madagascar.

It has been submitted that the acquiring firm, ANCI, is a wholly owned subsidiary of Akzo Nobel N.V, which is a limited liability company incorporated under the laws of the Netherlands, with free float common shares listed on the Euronext Amsterdam. ANCI and Akzo Nobel N.V are part of the AkzoNobel Group (“**AkzoNobel**”). AkzoNobel is a global manufacturer and distributor of a wide range of paints and performances coatings, it is also active in over 150 countries. AkzoNobel operates in the following COMESA Member States: Democratic Republic of Congo, Egypt, Ethiopia, Kenya, Mauritius, Madagascar, Rwanda, Seychelles, Malawi, Libya, Swaziland, Tunisia, Uganda, Zambia and Zimbabwe.

Pursuant to the implementation of the Proposed Transaction, ANCI will hold 100% of the share capital and voting rights of Mauvilac which are currently owned by the Sellers.

The Commission will, in accordance with the provisions of the Regulations, determine, among other things, whether or not the proposed transaction is likely to substantially prevent or lessen competition within the Common Market and whether the proposed transaction 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 parties to the proposed transaction 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 **28th February 2020**.

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, Senior Analyst, 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.