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Common Market for Eastern
and Southern Africa

Date: 3rd December 2020

CCC Merger Inquiry Notice No. 33 of 2020

Notice of Inquiry into the Proposed Merger Involving Fleming Capital Securities, Inc. and G4S PLC

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 on the proposed merger involving Fleming Capital Securities, Inc (**“Fleming Capital or the Acquiring Firm”**) and G4S PLC (**“G4S or the Target Firm”**), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties have submitted that the proposed transaction concerns an offer made by GardaWorld Security Corporation (**“GardaWorld”**) to acquire the entire issued and to be issued share capital of G4S through Fleming Capital Securities, Inc which is indirectly owned by GardaWorld.

The Parties

Fleming Capital

The parties have submitted that the acquiring undertaking, Fleming Capital, is a newly incorporated company in the State of Delaware, USA, formed for the purposes of implementing the proposed transaction. The acquirer is a wholly owned indirect subsidiary of GardaWorld. The acquirer does not supply products or provide services in COMESA (or elsewhere). The acquirer’s parents including GardaWorld, however, indirectly control entities in COMESA which provide private security services including security guards mobile patrol, event security, police force support services, airport security or K9 security etc; security systems such as CCTV or asset tracking; facilities management services such as janitorial services, pest control, catering services, indoor plat care etc.; and cash services. The acquiring undertaking and its affiliated entities operate in the following Member States: Burundi, Democratic Republic of Congo, Kenya, Libya, Malawi, Rwanda, Uganda, and Zambia.

G4S

The parties have submitted that the target undertaking, G4S, is a public company duly incorporated and registered under the laws of the United Kingdom and listed on the London Stock Exchange with its registered address at 5th Floor, Southside, 105 Victoria Street, London SW1E 6Q, United Kingdom. The target undertaking provides the following services through

the entities it indirectly controls in the Member States: security services such as canine services, manned security, event security, patrol and surveillance; security systems service such as surveillance alarms and electric fences; secure logistics such as courier services, packaging and removal services; cash services; risk consulting and advisory services; and facilities management services. The target operates in the following Member States: Democratic Republic of Congo, Egypt, Kenya, Madagascar, Malawi, Uganda, and Zambia.

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: akamanga@comesa.int. All written representations should be sent to the Commission not later than **13th January 2021**.

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. Ali Kamanga, Senior Analyst - Mergers and Acquisitions** on Tel: +265 (0) 1 772 466 or E-mail akamanga@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.