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Common Market for Eastern  
and Southern Africa

*16<sup>th</sup> September 2021*

**CCC Merger Inquiry Notice No. 26 of 2021**

**Notice of Inquiry into the Proposed Merger involving Ukarimu Limited and Fairview Hotel Limited**

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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 Actis Hospitality Mauritius Limited (“**Actis**”) and Jamison Valley Holdings Limited (“**Jamison**”), through Ukarimu Limited (“**Ukarimu**”) as the acquiring undertakings and Fairview Hotel Limited as the target undertaking, intends to embark on an inquiry in terms of Article 26 of the Regulations.

The proposed transaction entails the indirect acquisition by Actis and Jamison, through Ukarimu, of the entire issued share capital of Fairview Hotel. Ukarimu will acquire shares in the target undertaking from the City Lodge Hotels Limited. The parties have submitted that Ukarimu has been incorporated by Msafiri Limited (“**Msafiri**”), a special purpose vehicle incorporated under the laws of Mauritius, by Actis Hospitality Mauritius Limited. Jamison will, prior to the transaction, acquire shares in Msafiri.

Actis Hospitality Mauritius Limited is a special purpose vehicle controlled by Actis Africa Real Estate Fund 3 (which is comprised of Actis Africa Real Estate 3 LP and Actis Africa Real Estate 3A LP). In the Common Market, the Actis group operates in the broader real estate development market and is active in the following Member States: Egypt, Kenya, Mauritius, Rwanda, Tunisia and Uganda.

Jamison Valley Holdings Limited is a private limited company incorporated under the laws of the British Virgin Islands. Jamison does not operate in the Common Market and does not control any entities within the Common Market.

The parties have submitted that the target undertaking operates the Fairview Hotel, a 127-room hotel, the Town Lodge Hotel, an 84-room hotel, and the City Lodge at Two Rivers, a 171-room hotel, all located in Nairobi, Kenya. In the Common Market, Fairview Hotel is active in Kenya only.

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 relating to the inquiry by emailing them to: [sbooluck@comesa.int](mailto:sbooluck@comesa.int). All written representations should be sent to the Commission not later than 7<sup>th</sup> October 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 **Ms. Sandya Booluck, Senior Analyst, Mergers and Acquisitions** on Tel: +265 (0) 1 772 466 or [sbooluck@comesa.int](mailto: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.