



COMESA Competition Commission

Kang'ombe House - 5th Floor

P.O. Box 30742

Lilongwe 3, Malawi

Tel: +265 (0)1 772 466/529

+265 (0) 999 970 269

Email: compcom@comesa.int



Common Market for Eastern
and Southern Africa

25th February 2022

CCC Merger Inquiry Notice No. 10 of 2022

Notice of Inquiry into the Proposed Merger involving Grit Real Estate Income Group Limited and Stellar Warehousing and Logistics 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 Grit Real Estate Income Group Limited (“**Grit**”) of sole control over Stellar Warehousing and Logistics Limited (“**SWL**”) and intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties have submitted that the proposed transaction contemplates Grit, through its subsidiary Orbit Africa Logistics (“**OAL**”) purchasing 100% of the shares in SWL.

Grit is a pan-African property investment business that holds assets in the following COMESA Member States: Kenya, Mauritius, and Zambia. Grit also holds assets in a number of other African jurisdictions including Botswana, Ghana, Morocco, Mozambique and Senegal. Grit is also listed on the London Stock Exchange and the Stock Exchange of Mauritius.

SWL is a special purpose vehicle has been registered in accordance with the laws of Kenya and is a wholly-owned subsidiary of Orbit Chemical Industries Limited (“**OCIL**”). The target has operations in Kenya only.

The parties have submitted that a condition precedent to implementing the transaction is that OCIL will sell the target property known as L.R. No. 14817 to SWL (“**Target Property**”). The Target Property is comprised of a chemical manufacturing warehouse and undeveloped land. The Target Property was previously leased by OCIL to Orbit Products Africa Limited (“**OPAL**”) and used in the manufacturing of chemicals. Post the proposed transaction, SWL will lease the warehouse to OPAL.

The Commission will, in accordance with the provisions of Article 26 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.

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 **18th March 2022**.

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.