

09 August 2022

## **CCC Merger Inquiry Notice No. 30 of 2022**

### **Notice of Inquiry into the Proposed Merger involving SAS Shipping Agencies Services Sàrl and Bolloré Africa Logistics SAS**

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 SAS Shipping Agencies Services Sàrl (“**SAS Lux**”) of Bolloré Africa Logistics SAS (“**BAL**”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The proposed transaction involves the acquisition by SAS Lux, a wholly-owned subsidiary of MSC Mediterranean Shipping Company SA (“**MSC**”, together with its subsidiaries, the “**MSC Group**”), of 100% of BAL from Bolloré SE.

The MSC Group is active, at a global level, in container liner shipping, port handling activities, logistics and inland transportation of containerized cargo, as well as passenger maritime transport and the cruise sector. In the Common Market, the MSC Group provides container liner shipping services, sea freight forwarding services and inland transportation services, and recently obtained approval to acquire joint control of one container terminal in Mombasa (Kenya) from the COMESA Competition Commission. The MSC Group is active in the following Member States: Burundi, Djibouti, Egypt, Eswatini, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Somalia, Sudan, Tunisia, Uganda, Zambia, and Zimbabwe.

BAL is a French-owned group active in transport and logistics services as well as terminal activities mainly on the Africa continent. In the Common Market, BAL is active in the provision of terminal services, contract logistics services, inland transportation services and freight forwarding services. BAL is active in the following Member States: Burundi, Comoros, the Democratic Republic of Congo, Djibouti, Egypt, Eswatini, Ethiopia, Kenya, Madagascar, Malawi, Rwanda, Somalia, Sudan, Tunisia, Uganda, Zambia, and Zimbabwe.

The parties have submitted that the activities and geographic footprint of the MSC Group and BAL are mainly of a complementary nature. In this regard, the MSC Group believes that the Proposed Transaction will create synergies between its activities and BAL's activities throughout Africa, thereby enabling the group to offer a prime service tailored to efficiently support the growth and transformation of the African continent.

The Commission will, in accordance with the provisions of the Regulations, determine, among other things, whether 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](mailto:sbooluck@comesa.int). All written representations should be sent to the Commission not later than **30 August 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](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.