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Common Market for Eastern  
and Southern Africa

*21<sup>st</sup> April 2021*

## **CCC Merger Inquiry Notice No. 10 of 2021**

### **Notice of Inquiry into the Proposed Merger Involving Metier Africa Mobile Networks Limited Partnership and Africa Mobile Networks**

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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 Metier Africa Mobile Networks Limited Partnership (“**Metier Africa**”) as the acquiring undertaking and **Africa Mobile Networks** (“**Africa Mobile**”) as the target undertaking, intends to embark on an inquiry in terms of Article 26 of the Regulations.

The proposed transaction involves Metier AMN Partnership LP, through its 100% owned subsidiary Metier Africa, acquiring a minority shareholding in Africa Mobile. The Proposed Transaction will confer upon the acquiring group negative control rights requiring its consent on certain decisions of commercial strategic importance of Africa Mobile.

The parties have submitted that Metier Africa is a Limited Partnership vehicle subsisting under the laws of Mauritius under the general management of Metier International. Metier International is part of the Metier private equity group under the ultimate ownership and control of Metier Investment and Advisory Services (Pty) Limited. The parties have submitted that Metier International acts as an investment holding company and provides advisory services incorporating corporate finance, merger and acquisition activities while Metier Investment and Advisory Services (Pty) Limited is the holding company of a group of companies which carry on the business of making equity and related investments, and providing investment and advisory services particularly in and related to private equity investment activities. The Metier Group has a wide range of portfolio companies whose activities in the Common Market include fast-moving consumer goods, insurance services, consumer retail, and renewable energy generation sectors. In the Common Market, the acquiring group is active in the following Member States: the Democratic Republic of Congo (“DRC”), Eswatini, Kenya, Mauritius and Uganda.

The parties have submitted that Africa Mobile is a private company, incorporated in England and Wales. The parties have submitted that Africa Mobile’s business activities comprise of building, owning, operating and maintaining mobile network infrastructure; specifically

mobile network towers. Its customers are mobile network operators within Africa and Africa Mobile operates the mobile network towers on their behalf. The parties further submitted that Africa Mobile specifically focuses on rural areas for the construction, management and maintenance of its mobile telecommunication towers. In the Common Market, the target group is active in DRC and Zambia.

The parties have submitted that the investment by the Metier Group is motivated by the potential for considerable growth within the sphere of Africa Mobile's activities, spurred by population growth in Africa and significant potential for growth in mobile telecommunication subscribers on the continent. The parties further submitted that the transaction and investment by the Metier group will raise funds for investment in future capital expenditure projects and also facilitate further penetration by Africa Mobile, thereby expanding network coverage in Africa yet further.

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](mailto:sbooluck@comesa.int). All written representations should be sent to the Commission not later than 12<sup>th</sup> May 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.