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Proposed merger involving Bolloré Africa Logistics, Nippon Yusen Kabushiki Kaisha and Toyota Tsusho Corporation

Case Number: FCA 148

Date: SEPTEMBER 2020

Complaint: In May 2020, the Fair Trading Commission (hereinafter referred to as “the Commission”) received a notification from the COMESA Competition Commission on a proposed joint venture between Bolloré Africa Logistics, Nippon Yusen Kabushiki Kaisha and Toyota Tsusho Corporation. Seychelles had been listed as one of the member states that would be or would likely be affected by the proposed joint venture.

Commission’s Assessment: Following the above, the Commission initiated its investigation to determine whether the proposed transaction would have any effect in the Seychelles market even though the joint venture relates to the parties’ operations outside of Seychelles. The Commission issued requests for information to multiple stakeholders (i.e. local motor vehicle dealers). The Commission also published press releases on the Commission’s social media and web page inviting any enterprise or individual to share their views on the proposed transaction. The Commission did not receive any comments from the stakeholders, other businesses and individuals in response to the requests for information and press releases, which was taken as evidence that there were no adverse comments in relation to the proposed merger.

Conclusion: Based on the information compiled, the Commission was satisfied that the proposed joint venture would have no adverse effect on the Seychelles market at that point in time. The Commission informed the COMESA Competition Commission of its conclusion and the investigation was discontinued in September 2020.