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Common Market for Eastern
and Southern Africa

CCC Merger Inquiry Notice No. 25 of 2017

Notice of Inquiry into the Proposed Acquisition of Sole Control by Total S.A. (Total) of Maersk Olie og Gas A/S (Maersk Oil)

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 of sole control by Total S.A. (“**Total**”) of Maersk Olie og Gas A/S (“**Maersk Oil**”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties have submitted that the acquiring undertaking, **Total**, is a publicly listed company with listings on the Paris, New York, London, and Brussels Stock Exchanges. The parties have further submitted that Total, together with its subsidiaries, is an international integrated energy producer which has operations in more than 130 countries worldwide. They have also submitted that Total is engaged in every sector of the oil and gas industry, including upstream (hydrocarbon exploration, development and production) and downstream (refining, petrochemicals, specialty chemicals, trading and shipping of crude oil and petroleum products and marketing). The parties have also submitted that Total is involved in the renewable energy and power generation sectors. The parties have submitted that Total has operations in the following COMESA Member States: the Democratic Republic of Congo, Djibouti, Egypt, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Sudan, Uganda, Zambia, and Zimbabwe.

The Parties have submitted that the target undertaking, **Maersk Oil**, is an oil and gas company owned by the A.P. Møller-Maersk Group. **Maersk Oil** is involved in oil exploration, production of crude oil and production of natural gas. The parties have submitted that Maersk Oil has operations in one COMESA Member State namely: Kenya.

The Parties have submitted that the proposed transaction involves the acquisition by **Total** of 100 % of the issued share capital of **Maersk Oil**.

The Commission will, in accordance with the provisions of the Regulations, determine among other things whether or not the merger is likely to substantially prevent or lessen competition within the Common Market and whether the merger 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 merging parties to submit written representations to the Commission with regard to the subject matter of the proposed inquiry by emailing them to:

wmwemba@comesa.int. All written representations should be sent to the Commission not later than **10th November, 2017**.

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 **Mr. Willard Mwemba, Manager - Mergers and Acquisitions** on Tel: +265 (0) 1 772 466 or E-mail wmwemba@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.