

THE COMPETITION ACT

(No. 12 of 2010)

EXCLUSION

PROPOSED ACQUISITION

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, 2010, the Competition Authority of Kenya excludes the subscription for 31.4% of the entire issued share capital of Mawingu Networks Limited with controlling rights by FPCI Energy Access Ventures Fund from the provisions of Part IV of the Act due to the following reasons—

- (a) the merger will not affect competition negatively;
- (b) the acquirer had no turnover for the preceding year, 2018 while the target's was KSh. 59,599,351; and
- (c) the transaction meets the thresholds for exclusion as provided under the Merger Threshold Guidelines.

Dated the 5th September, 2019.

WANG'OMBE KARIUKI,
Director-General.