

THE COMPETITION ACT

(No. 12 of 2010)

EXCLUSION

THE PROPOSED ACQUISITION OF 40% SHAREHOLDING IN ATLAS
TOWERS KENYA LIMITED BY ADRIAN GROUP LIMITED

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, 2010, the Competition Authority of Kenya excludes the proposed acquisition of 40% shareholding in Atlas Towers Kenya Limited by Adrian Group Limited from the provisions of Part IV of the Act due to the following reasons—

- (a) the merger will not affect competition negatively;
- (b) although the combined turnover of the parties is over KSh. 1 Billion for the year ending 31st December, 2018, the target's turnover is below KSh. 500 Million and therefore the transaction meets the thresholds for exclusion as provided for in the Competition (General) Rules, 2019.

Made on the 3rd August, 2020.

WANG'OMBE KARIUKI,
Director-General.