

REPUBLIC OF NAMIBIA
NATIONAL ASSEMBLY
NOTICE OF QUESTION

Honourable Speaker, I hereby give notice that on 3rd September 2026 I shall ask the Honourable Minister of Industries, Mines and Energy:

By Government Notice No. 235 in Government Gazette No. 8969 of 3 July 2026, the Minister determined, under section 49(3)(b) of the Competition Act, 2003, to suspend “until further notice” conditions 4.1, 4.2, 4.3, 5 and 6.3 of the Namibian Competition Commission’s determination (Government Notice No. 209 of 1 April 2026, Case No. 2025NOV0061MER), which restricted Nasan Energies (Pty) Ltd from sourcing petroleum products from Vitol.

Will the Honourable Minister inform this August House:

- (a) Whether, as the Schedule to Government Notice No. 235 records, no representations were received during the review, and whether the Minister sought or obtained the views of the Namibian Competition Commission before suspending the Commission’s own conditions;
- (b) Whether, apart from the founding affidavit and supporting documents of Nasan Energies (Pty) Ltd, the Minister received any independent evidence displacing the Commission’s finding that the merger was “likely to result in the prevention or substantial lessening of competition”;
- (c) Given that Annexure A relies, as a material change in circumstances, on the Government’s “appointment of a single bulk supplier,” whether the Minister confirms that supplier is Vitol Bahrain E.C., and how the appointment of Vitol can be a lawful and rational ground, under Article 18 of the Constitution, for suspending a condition designed to prevent Vitol concentration;
- (d) Whether the Minister will table before this House the full review record — the application, the founding affidavit and supporting documents, and the reasons in Annexure A — together with any assessment obtained from the Commission;
- (e) By what date, and on what defined criteria, the suspension “until further notice” will lapse or be reconsidered, given that Government Notice No. 235 sets no time limit and no conditions for reinstatement.

Hon. R. Cloete, MP
Shadow Minister of International Relations and Trade
Independent Patriots for Change

7 July 2026