



File No: 2(12)/AGR/EXM/CCP/2019
COMPETITION COMMISSION OF PAKISTAN
GOVERNMENT OF PAKISTAN

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RENEWED EXEMPTION CERTIFICATE

In pursuance of the powers conferred by Section 5 read with Section 9 of the Competition Act, 2010 (the Act), the Competition Commission of Pakistan (the Commission) hereby grants exemption to the template agreements from the application of Section 4 of the Act, details whereof are given here below:-

Details of the Agreement:

First Party: M/s. Engro Fertilizers Limited (hereinafter referred to as the 'Company')
Business address: 7th & 8th Floor, The Harbor Front Building, HC-3, Marine Drive, Block - 4, Clifton, Karachi – 75600.

Second Party: 2646 Dealers (copy of the agreement executed with M/s. Malkani Fertilizers Agency is provided as standard agreement)

Type of agreement: Standard Dealership Agreement

Date entered into: January 22nd, 2019

Valid until: For a period of one (1) year effective from January 22nd, 2019 and renewable automatically for a successive terms of one (1) year each unless terminated earlier

Details of the Exemption:

Exemption granted to: Territorial Exclusivity clause(s) of the agreement
Granted until: 30-06-2022
Condition(s):

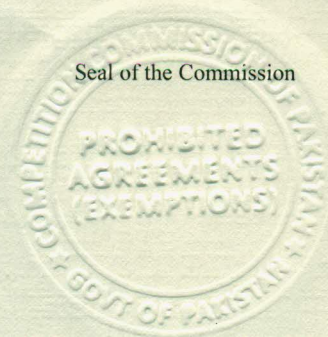
- i. The Renewed Exemption certificate, shall in no way be construed as an approval for fixation or maintaining 'Minimum Retail Price' with reference to the products' subject matter of the Standard Dealership Agreement;
- ii. The Applicant shall provide the compliance report of the renewed exemption certificate dated March 7th, 2016 to the Commission within fifteen (15) days from the issuance of this exemption certificate;
- iii. This Certificate shall take effect upon provision of the proof of Intimation to the other party(s) to the agreement. In case, the Proof of intimation is not provided to the Commission within fifteen (15) days from the date of the issuance of the certificate, the Certificate shall be deemed withdrawn with immediate effect;
- iv. Any change in the terms and conditions of the Standard Dealership agreement shall be intimated to the Commission, once materialized;
- v. Regardless of any updates in the list of dealers, it shall be provided to the Commission on semi-annually basis;
- vi. The word "Maximum Retail Price" be printed both at dealers outlet(s) and in the dedicated newspapers compliance of which shall be provided to the Commission on quarterly basis;
- vii. The Commission reserves the right to impose any condition(s) at the time of considering extension, if any;
- viii. Breach of a condition shall have the effect of cancellation of the exemption.

Without prejudice to the generality of Section 6 of the Act, the grantee of the exemption shall inform the Commission forthwith and seek clearance for continuation of the exemption if there is any material change, *inter alia*, in: (i) the terms of the agreement; (ii) the market share of the parties to the agreement; or (iii) the circumstances in the market in which the parties are operating.

Granted on this the 28th day of June 2019 at Islamabad.

Bushra Naz Malik
Member (Exemptions)

Seal of the Commission



BUSHRA NAZ MALIK
Member
Competition Commission of Pakistan
Government of Pakistan
Islamabad