



File No: 2(567)/AGR/EXM/CCP/2019
COMPETITION COMMISSION OF PAKISTAN
GOVERNMENT OF PAKISTAN

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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 template exemption from the application of Section 4 of the Act, details whereof are given here below:-

Details of the Agreement:

First Party: **M/s. R-SC Internet Services Pakistan (Pvt.) Limited ("Foodpanda Pakistan")**
Business address: **18th Floor Bahria Town Tower, Tariq Road, Karachi.**

Second Party: **Numerous vendors throughout the country (Partner Restaurants)**
Type of Agreement: **Loyalty Agreement**

Date entered into: **Different dates with different Vendors.**

Valid until: **For a period of twelve (12) months, and may be renewed at Foodpanda Pakistan's discretion**

Details of the Exemption:

Exemption granted to: Non-Compete clause of the Agreement

Granted until: **30-04-2022**

Condition(s):

- i. The Applicant shall provide executed copy of the 'Loyalty Agreement' along with the list of partner restaurants/vendors;
- ii. The Applicant shall intimate the Commission, in case of any amendments made to the said Loyalty Agreement;
- iii. The Applicant shall provide executed copy of Online Ordering Service Contract with Vendors to the Commission, once materialized;
- iv. 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Commission within fifteen (15) days from the date of the issuance of the certificate, the Certificate shall be deemed withdrawn with immediate effect;
- v. The Applicant shall provide the copy of any other agreement, apart from the Loyalty Agreement, once materialized;
- vi. The Commission reserves the right to impose any condition(s) at the time of considering extension, if any for this certificate or before the expiry of the instant certificate; and
- vii. 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 24th day of April 2019 at Islamabad.



Dr. Muhammad Saleem
Member (Exemptions)

Dr. Muhammad Saleem
(Member)
(Exemptions, CP&R, IS&T)