



File No: 2(693)/AGR/EXM/CCP/2023  
**COMPETITION COMMISSION OF PAKISTAN**  
GOVERNMENT OF PAKISTAN  
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**EXEMPTION CERTIFICATE**

In pursuance of the powers conferred under Section 5 read with Section 9 of the Competition Act, 2010 (the "Act") and based on the information provided by the Applicants, the "Commission" hereby grants exemption on the relevant clauses of the Joint Business Agreement as amended and restated, from the application of Section 4 of the Act, as per the conditions mentioned hereunder:

**PARTICULARS OF THE AGREEMENT**

<b>First Party:</b> (Joint Applicant)	M/s. Qatar Airways Group Q.C.S.C (QR), having its principal office at Qatar Airways Tower 1, Airport Road, P.O. Box 2255, Doha, Qatar
<b>Second Party:</b> (Joint Applicant)	M/s. British Airways PLC (BA), having its principle office at PO Box 365, Harmondsworth, United Kingdom, UB70GB
<b>Third Party:</b> (Joint Applicant)	M/s. Iberia Lineas Aéreas de Espana, S.A. Operadora (IB), having its principle office at C/Martinez Villergas 49, 28027, Madrid
<b>Type of Agreement:</b>	BA and QR through Amended and Restated Joint Business Agreement (the "Agreement") dated 22 <sup>nd</sup> June, 2023 have included IB also as a party to the Agreement.
<b>Date entered into:</b>	22 June 2023
<b>Validity Period of the Agreement</b>	1. For BA-QR, shall take effect from the date Commission's Clearance is obtained, for an initial term of eighteen (18) months and shall thereafter renewed automatically; 2. For IB-QR, shall take effect from the IB Implementation date for initial term of three (3) years and shall thereafter renew automatically
<b>Product(s)/Service(s):</b>	Coordination of Air Carrier/Passenger Services

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PARTICULARS OF THE EXEMPTION GRANTED	
Exemption granted:	On Clauses 5 and 7 of the Joint Business Agreement
Granted period:	From 25 <sup>th</sup> August, 2023 to 31 <sup>st</sup> December, 2025
Condition(s):	<ol style="list-style-type: none"><li>i. By virtue of exemption granted hereunder, the parties to the Agreement shall not engage directly or indirectly in any practice(s) and/ or conduct(s) that are prohibited under the Competition Act, 2010;</li><li>ii. If either of the Applicants enter into an Agreement pursuant to clause 4.6.1 which has implication in the territory, the same will be communicated to the Commission within fifteen (15) days of such decision;</li><li>iii. Any consent/permission granted pursuant to clause 4.6.1.1 will be communicated to the Commission within thirty (30) days of such decision, along with implication if any in the relevant market in the territory;</li><li>iv. The Applicants will intimate to the Commission within fifteen (15) days, if the market share on the direct destinations from territory exceeds forty percent (40) of the market share in the territory for those destinations;</li><li>v. The Applicants will inform the Commission within fifteen (15) days of any change made by the Australian Competition and Consumer Commission (ACCC) on the authorization granted, which comes into force on 2<sup>nd</sup> June, 2023, on the same Agreement;</li><li>vi. The Applicants shall intimate to the Commission in case of any amendment(s) made to the Agreement including the incorporation of "reserved clause" 4.3;</li><li>vii. In case of any change in the regulatory framework which impacts the execution of the 'Agreement' in the territory or have implications for the passengers/customers in the territory, the same will be communicated within fifteen (15) days of such change decided/notified;</li><li>viii. The Commission reserves the right to seek actual progress and data on financial and non-financial information provided in support of this exemption including the benefit to the consumers, as submitted by the Applicants for this exemption;</li><li>ix. This exemption is effective only for the "territory" of Pakistan;</li><li>x. The Commission reserves the right to review and revise the conditions of this exemption;</li></ol>



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	<p>xi. The Commission reserves the right to request any information or documents from the applicant that are at any time necessary in context of this exemption;</p> <p>xii. The exemption is granted to the extent of pricing arrangements and/or sharing of information for routes from the territory as specified in the Agreement;</p> <p>xiii. If renewal is required/applicable for this exemption, it will be the prime responsibility of the Applicant to seek extension at least three (3) months prior to the expiry;</p> <p>xiv. Breach of terms of this exemption, shall have an immediate effect of cancellation of this exemption.</p>
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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) Share in relevant market and/or (iii) the Regulatory framework in which the parties to the Agreement are operating.

Granted on this the <sup>1<sup>st</sup></sup> day of July 2024 at Islamabad.

Seal of the Commission

**Shahzād Hussain**  
Registrar  
Competition Commission of Pakistan  
Government of Pakistan  
Islamabad