



File No: 2(288)/AGR/EXM/CCP/2024

**COMPETITION COMMISSION OF PAKISTAN
GOVERNMENT OF PAKISTAN**

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RENEWED EXEMPTION CERTIFICATE (REVISED)

In pursuance of the powers conferred by Section 5 read with Section 9 of the Competition Act, 2010 (the "Act"), exemption was granted by the Competition Commission of Pakistan (the "Commission") on the template agreement between Pak Telecom Mobile Limited (PTML) and the Franchisees till 15th March 2025. PTML has revised the Franchise Agreement and as per the conditions of exemption earlier granted, has now submitted it to Commission. Based on the information provided by PTML, the Commission hereby grants exemption on the relevant clauses of the modified template franchise agreement, from the application of Section 4 of the Act, as per the revised conditions mentioned hereunder:

PARTICULARS OF THE AGREEMENT

First Party: (Applicant)	M/s. Pak Telecom Mobile Limited (PTML) having its registered office at Ufone Towers Plot 55 – C, Jinnah Avenue, Blue Area, Islamabad.
Second Party: (Franchisee)	Individual agreements signed with 336 franchisees across Pakistan (list attached)
Type of Agreement:	Standard Franchise Agreement (the "Agreement") – the revised initialed copy of the Agreement submitted to the Commission is attached herewith
Date entered into:	Different dates with different franchisees across Pakistan
Validity Period: (Franchise Agreement)	For a period of One (1) year – renewable for successive term (clause – 19)
Product(s):	PTML's Products and Services as mentioned in the Franchise Agreement



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PARTICULARS OF THE EXEMPTION GRANTED (REVISED)	
Exemption granted:	On clause 16 of the "Agreement" pertaining to 'Exclusivity' obligations agreed between both the parties
Granted period:	From 1 st April 2022 till 15 th March 2025 (three years)
Conditions: (Revised)	<ol style="list-style-type: none">1. By virtue of exclusivity/exemption granted on the relevant clause of the Agreement, the parties to the Agreement shall not engage directly or indirectly in any practice(s) and/or conduct(s) that is prohibited under the Competition Act, 2010;2. The standard template franchise agreement (revised) that has been submitted to Commission for this exemption shall be executed by Applicant with the franchisees across Pakistan (initialed copy attached);3. If 5G Spectrum auction is held in Pakistan within the validity of this Exemption, the applicant will submit a formal report of changes, in the 'relevant market' along with its implication(s), if any, on the parties to the franchise agreement;4. If the applicant or any of its associated company, either acquires or merges with any other cellular company within the validity of this exemption, the applicant will submit a report within 45 days, highlighting implications in the 'relevant market' along with its impact, if any, on the parties to the franchise agreement;5. The Applicant shall intimate to the Commission in case of any amendment(s) made to the "Agreement";6. For renewal of this Exemption (if required), it will be the prime responsibility of the Applicant to seek extension as per relevant framework at least three (3) months prior to the expiry of this exemption;7. It is the responsibility of the applicant to ensure that the other parties (Franchisees) are intimated and are aware of the exemption being sought from the Commission;8. 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 consumers' benefit envisaged and submitted by the Applicant;9. The Commission reserves the right to review and revise the conditions of this Exemption, as deemed necessary;10. This Exemption is effective only for the territory of Pakistan;11. Breach of terms of this exemption, shall have an immediate effect of cancellation of this exemption;



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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) the market share of the parties to the agreement; or (iii) the circumstances in the relevant market in which the parties are operating at the time of this exemption being granted.

Granted on this the 22nd day of March 2024 at Islamabad.

Seal of the Commission.

Shahzad Hussain
Registrar
Competition Commission of Pakistan
Government of Pakistan
Islamabad