



File No: 2(448)/AGR/EXM/CCP/2019
COMPETITION COMMISSION OF PAKISTAN
GOVERNMENT OF PAKISTAN

7th Floor, ISE Towers,
55 – B, Jinnah Avenue,
Islamabad.
Tel: +92-51-9100263
Fax: +92-51-9100297

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

Details of the Agreement:

First Party: **M/s. JW Holdings Corporation** (hereinafter referred to as 'Supplier')
Business address: **22477, Nambusunhwan-ro, Seocho-gu, Seoul, the Republic of Korea.**

Second Party: **M/s. OBS Healthcare (Pvt.) Limited** (hereinafter referred to as 'Purchaser')
Business address: **91- Shahrah-e-Iran, Block-5, Clifton, Karachi – 75600.**

Type of Agreement: **Supply and Purchase Agreement**

Date entered into: **November 20, 2015**

Valid until: **For a period of five (5) years, and shall be automatically renewed for successive period of one (1) year**

Details of the Exemption:

Exemption granted to: Territorial Exclusivity clause of the Agreement

Granted until: **31-05-2022**

Condition(s):

- i. The 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 Supply and Purchase Agreement;
- ii. The Applicant shall intimate to the Commission in case of any amendment(s) made therein to the agreement;
- iii. 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;
- iv. 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 17th day of June 2019 at Islamabad.

Bushra Naz Malik
Member (Exemptions)

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

