



**BEFORE THE
COMPETITION COMMISSION OF PAKISTAN**

FIRST PHASE REVIEW

**ACQUISITION OF ASSETS VALUING UP TO PKR _____ OF M/S. SAIF
CEMENT LIMITED BY M/S. CHERAT CEMENT COMPANY LIMITED.**

CASE: 1269/Merger-CCP/2022

Commission

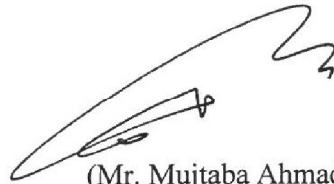


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Mr. Mujtaba Ahmad Lodhi
Member

ORDER

1. On 10th March, 2022 the Competition Commission of Pakistan ("**Commission**") received a pre-merger application ("**Application**") of a proposed acquisition of assets under Section 11 of the Competition Act, 2010 ("**Act**") read with Regulation 6 of the Competition (Merger Control) Regulations, 2016 ("**Merger Regulations**") whereby, M/s. Cherat Cement Company Limited ("**CCL**" or "**Party 1**") is acquiring certain assets of M/s. Saif Cement Limited ("**SCL**" or "**Party 2**"), in accordance with Asset Purchase Agreement ("**Agreement**"). All requisite information/documentation pertaining to the application was completed on April 06, 2022.
2. The Commission has examined the Application as well as all the documents attached therewith, the market scenario, and made its observations on the basis of an independent research/investigation in the relevant market. The Phase I competition assessment of the intended transaction has resulted in the following findings:
 - i. The business activities of the undertakings concerned are:
 - a. For Party 1: manufacturing, marketing and sale of cement.
 - b. For Party 2: production and sale of cement.
 - ii. As per the Agreement, the transaction is acquisition of certain assets (Land, Mining and Technical Feasibility Studies, EPA Approvals, NOC's and Project Applications and Project Development Cost) valuing up to PKR _____).
 - iii. The relevant product market in this case have been identified as "**Cement Clinker**" and the relevant geographic market is "**Pakistan**".
 - iv. As per data submitted, market share in the relevant market of CCL can be estimated to be ____%. Furthermore, SCL assets that are being acquired will operate at an estimated market share of 5.14%.
 - v. Post transaction estimated market share of CCL is anticipated to rise from ____% to ____% in the relevant market.
3. In conclusion, the proposed transaction does not meet the presumption of dominance as determined under Section (2) (1) (e) read with section 3 of the Act. The proposed transaction is hereby authorized under Section 31 (1) (d) (i) of the Act.
4. It is so ordered.



(Mr. Mujtaba Ahmad Lodhi)
Member



Islamabad the 13th APRIL, 2022.