

BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

FIRST PHASE REVIEW

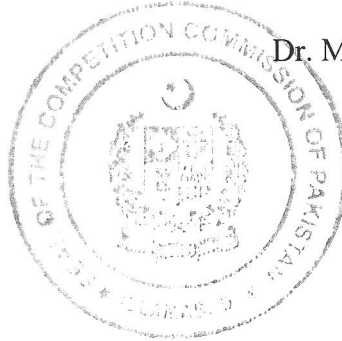
IN THE MATTER OF ACQUISITION OF SHARES OF OMAR JIBRAN
ENGINEERING INDUSTRIES LIMITED BY JS BANK LIMITED

CASE: 639/Merger-CCP/18

Commission

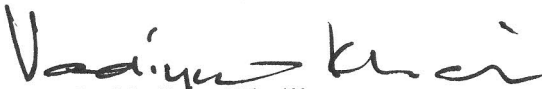
Ms. Vadiyya Khalil
Chairperson


Dr. Muhammad Saleem
Member



ORDER

1. On 29 January, 2018 the Competition Commission of Pakistan ("**Commission**") received a pre-merger application ("**Application**") of a proposed acquisition pursuant to Section 11 of the Competition Act, 2010 ("**Act**") read with Regulation 6 of the Competition (Merger Control) Regulations, 2016 ("**Merger Regulations**") through which JS Bank Limited ("**JSBL**" or "**Applicant**") intends to acquire at least shares of Omar Jibran Engineering Industries Limited ("**OJEIL**") by way of share purchase.
2. The Commission has examined the pre-merger application as well as all the documents attached therewith, the market scenario and its observations on the basis of independent research/investigation in the relevant market, the Phase I competition assessment of the intended acquisition have resulted that:
 - i. The business activities of the undertakings concerned are:
 - a. For the JSBL: Commercial Banking.
 - b. For the OJEIL: Manufacturing of Automotive parts.
 - ii. The proposed transaction is an acquisition of at least shares of the OJEIL by the JSBL. Both entities operate in different relevant product and geographic market creating a conglomerate relationship between the two.
 - iii. The relevant market in this case is Automotive parts. No horizontal relationship exists between the merger parties because OJEIL is involved in the business of auto parts manufacturing whereas JSBL is a scheduled commercial bank having no business activities in the same reportable market. The proposed transaction will not result in elimination of any competitor and the market dynamics of the relevant market will remain unchanged.
 - iv. The transaction is not likely to result in the creation or strengthening of dominant position in the relevant market. The intended merger does not meet the presumption of dominance as determined under Section (2) (1) (e) read with Section 3 of the Act.
3. In conclusion, the proposed transaction is unlikely to substantially lessen competition through the creation or strengthening of a dominant position in the relevant market. The proposed transaction is hereby authorized under Section 31 (1) (d) (i) of the Act.
4. It is so ordered.


Ms. Vadiyya Khalil
Chairperson


Dr. Muhammad Saleem
Member

Islamabad the Feb. 21, 2018

