



BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

FIRST PHASE REVIEW

IN THE MATTER OF PURCHASE OF LIQUEFIED PETROLEUM GAS PLANT
COMPRISING OF IMMOVABLE PROPERTIES AND VARIOUS ASSETS FROM
M/S. MARSHAL GAS (PRIVATE) LIMITED BY M/S. HASCOL PETROLEUM
LIMITED

CASE: 1000/Merger-CCP/18

Commission

Ms. Vadiyya S. Khalil
Chairperson



Dr. Shahzad Ansar
Member

ORDER

1. On 12th October 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 M/s. Hascol Petroleum Limited ("**Acquirer**" or "**Applicant**") intends to acquire Liquefied Petroleum Gas ("**LPG**") plant comprising of immovable properties and various assets together with the rights and benefits of the LPG OGRA License and the LPG Explosives Licenses from M/s. Marshal Gas Private Limited ("**Seller**").
2. The Commission has examined the 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 has resulted in the following findings:
 - i. The business activities of the undertakings concerned are:
 - a. For the Acquirer: Purchase, storage and marketing of petroleum products such as fuel, oil, high-speed diesel, gasoline and lubricants
 - b. For the Seller: Oil and Gas marketing.
 - ii. The proposed transaction is the acquisition immovable properties, assets and licenses from the Seller by the Acquirer. The Seller operates in relevant product market of "**Liquefied Petroleum Gas**" having a geographic market identified as of "**Pakistan**".
 - iii. The Seller has less than 1% of the market share. 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 a 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 Competition Act 2010 ("**Act**").
3. In conclusion, the proposed transaction is not likely 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.



(Vadiyya S. Khalil)
Chairperson



(Dr. Shahzad Ansar)
Member



Islamabad the 30th November 2018