



BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

FIRST PHASE REVIEW

IN THE MATTER OF ACQUISITION OF SHAREHOLDING IN M/S. HABIB-
ADM LIMITED BY MR. GAFFAR A. HABIB, MR. OWAIS G. HABIB, MS.
FATEMAH G. HABIB AND DR. SALMA HABIB

CASE: 1046/Merger-CCP/19

Commission

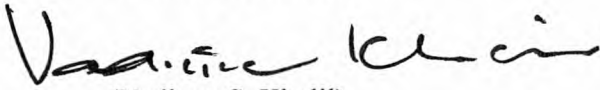
Ms. Vadiyya S. Khalil
Chairperson

Ms. Bushra Naz Malik
Member



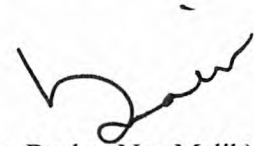
ORDER

1. On 8th July 2019 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 Mr. Gaffar A. Habib, Mr. Owais G. Habib, Ms. Fatemah G. Habib and Dr. Salma Habib, collectively ("**the Acquirers**" or the "**Applicants**") intend to acquire _____ shareholding in M/s. Habib-ADM Limited ("**Target**") in accordance with the terms of Share Purchase Agreement. All the requisite information/documents pertaining to the application was completed by the applicant on 15th July 2019.
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 Acquirers: All individual investors.
 - b. For the Target: Produce and market a wide range of rice based starch sugars, protein concentrates, and derivatives in Pakistan.
 - ii. The proposed transaction consists of acquisition of _____ shareholding in the Target by the Acquirers. The reportable product market in this case has been identified as that of "**Production and Manufacture of starch sugars, protein concentrates and derivatives**" while the relevant geographic market has been identified as "**Pakistan**".
 - iii. Currently, the Target is active in the reportable market and has limited presence with less than _____ market share.
 - iv. Post-transaction, the market share of the Target will remain unchanged.
 - v. 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



(Ms. Bushra Naz Malik)

Member



22nd Aug, 2019.