



BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

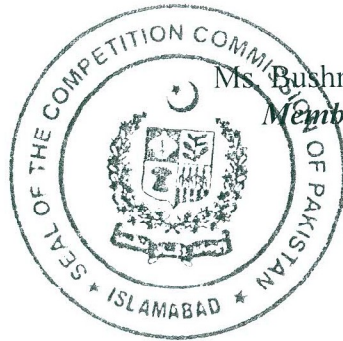
FIRST PHASE REVIEW

IN THE MATTER OF ACQUISITION OF % SHAREHOLDING IN M/S. LUX
HOLDCO 2 BY M/S. CLARIANT AG

CASE: 1208/Merger-CCP/21

Commission

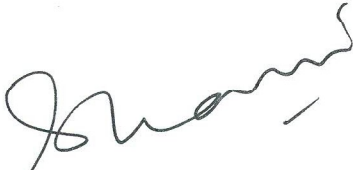
Ms. Shaista Bano
Member



Ms. Bushra Naz
Member

ORDER

1. On August 23, 2021 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**") from M/s. Clariant AG ("**Acquirer**" or "**Applicant**") whereby it intends to acquire % minority shareholding in M/s. Lux Holdco 2 ("**Target**"). All requisite information/documentation pertaining to the application was completed on October 5, 2021.
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 the Acquirer: Develops, manufactures, distributes and sells a broad range of specialty chemicals worldwide.
 - b. For the Target: Investment holding entity.
 - ii. The proposed transaction involves the Acquirer intending to exchange its promissory note received under a Share Purchase Agreement into a % minority stake in the Target.
 - iii. The relevant product markets in this case are identified as "**Pigments**", "**Pigment Preparations**" and "**Dyes**" while the relevant geographic market is "**Pakistan**". Based on the data provided in the application, the Target's share in Pigments segment is %, in Pigment Preparations it is % while for Dyes it is %. Post-transaction, the market shares of the Target will remain unchanged.
3. In conclusion, the intended 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.


(Ms. Shaista Bano)

Member


(Ms. Bushra Naz)
Member

Islamabad the October 11th, 2021.

