



BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

FIRST PHASE REVIEW

IN THE MATTER OF ACQUISITION OF % SHAREHOLDING OF M/S.
SCHNEIDER ELECTRIC PAKISTAN (PRIVATE) LIMITED BY M/S. IMS
ENGINEERING (PRIVATE) LIMITED FROM M/S. SCHNEIDER ELECTRIC
INDUSTRIES.

CASE: 1205/Merger-CCP/21

Commission


Ms. Shaista Bano
Member

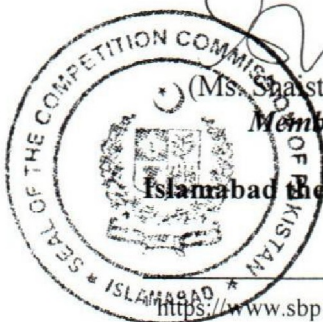
Ms. Bushra Naz Malik
Member




ORDER

1. On 13th July 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. IMS Engineering (Private) Limited ("**Acquirer**" or "**IMS**" or "**Applicant**") whereby it intends to acquire % shareholding M/s. Schneider Electric Pakistan (Private) Limited ("**Target**" or "**SEP**") from M/s. Schneider Electric Industries ("**Seller**" or "**SET**"), pursuant to the Share Purchase Agreement ("**Agreement**"). All requisite information/documentation pertaining to the application was completed on June 26, 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: Undertake and execution of mechanical engineering works related to power generation activity.
 - b. For the Target: Manufacture and sell switchgears and distribution board and to provide services for electrical erection and installations.
 - c. For the Seller: Providing energy and automation digital solutions for efficiency and sustainability.
 - ii. The proposed transaction involves the Acquirer proposing to buy % shareholding of the Target constituting _____ shares. The amount under consideration for this transaction is estimated to EUR _____/- (approx. PKR _____ as of August, 2021)¹.
 - iii. The relevant product market in this case has been identified as that of "**Electrical Equipment-Low Voltage Switchgear and Medium Voltage Switchgear**" while the relevant geographic market identified is Pakistan.
 - iv. As per the data supplied by the Applicant, the Target has an estimated market share of % for LV and % for MV.
 - v. There are no overlaps in the activities of the merger parties, therefore, post-transaction, market conditions will remain unchanged.
3. As per the Application, no ancillary restriction have been reported with this transaction.
4. In conclusion, the intended acquisition of shares 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.
5. It is so ordered.


(Ms. Shaista Bano)
Member
Islamabad the August 6, 2021


Seal of the Competition Commission of Pakistan, Islamabad

<https://www.sbp.org.pk/ecodata/rates/m2m/2021/Aug/04-Aug-21.pdf>


(Ms. Bushra Naz Malik)
Member