



BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

FIRST PHASE REVIEW

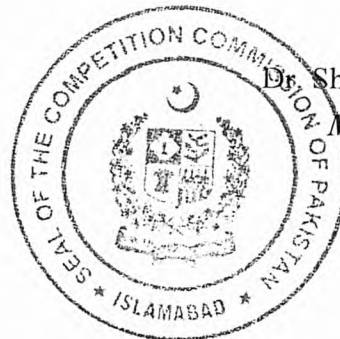
IN THE MATTER OF ACQUISITION OF % SHAREHOLDING IN M/S. NC
ENTERTAINMENT (PVT.) LTD BY MR. SHAHMIR YAHYA

CASE: 986/Merger-CCP/18

Commission

Ms. Vadiyya Khalil

Chairperson




Dr. Shahzad Ansar

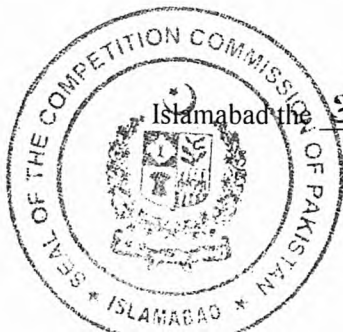
Member

ORDER

1. The Competition Commission of Pakistan ("**Commission**") is in receipt of a pre-merger application ("**Application**") dated 10th August 2018 (*received by the Commission on 13th August 2018*) sent collectively by M/s. Nishat Chunian Limited ("**NCL**" or "**Seller**") and Mr. Shahmir Yahya ("**SY**" or "**Acquirer**") notifying the Commission of the acquisition, by SY, of % shareholding of M/s. NC Entertainment (Pvt.) Ltd ("**NCE**"), pursuant to Section 11 of the Competition Act, 2010 ("**Act**") read with Regulation 6 of the Competition (Merger Control) Regulations, 2016 ("**Merger Regulations**").
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 concerned parties are:
 - a. For the Acquirer: Individual.
 - b. For the Target: Owning and operating cinemas in Lahore and Multan.
 - ii. This is an acquisition of % shareholding in NCE by SY, for a purchase price of PKR , which is the transaction value in this case.
 - iii. The relevant product market in this case is that of owning and operating commercial cinema screens, while the relevant geographic market is limited to Lahore and Multan, as those are the cities that NCE operates cinemas in. This is a conglomerate acquisition, therefore the market shares of the Target will remain unchanged, post-transaction.
 - iv. The transaction is not likely to result in the creation or strengthening of dominant position in the relevant market. The intended acquisition 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. Shahzad Ansari)
Member



Islamabad the 30th November 2018