

CCI (PROCEDURE IN REGARD TO THE TRANSACTION OF BUSINESS RELATING TO COMBINATIONS) AMENDMENT REGULATIONS, 2013 (NO. 1 OF

REGD. NO. D. The Gazette of S;ndia 961 No. 961 Ili—EIJZ 4 PART ill—section 4 PUBLISHED BY AUTHORITY 4, 2013/+ 14, 1935 NEW DELHI, THURSDAY, APRIL 4, 2013/CHAITRA 14, 1935 2013 2013 (2013 iETNi. 1) 2002 (2003 '2) 64 gg sful) 2011 frg (1) ZäT 2013 I 2. *BENT) 2011 VT q-ä, qe--ä --ä -Éi (25%) (50%) uT : 1392 GI!2013 2 THE GAZETTE OF INDIA : EXTRAORDINARY [PART III— SEO 41 fr5 a-r#, RßTu 3ff-a (El) (3@5) -föz:rr 50 50 (.u#i) [f*fl. 4. 11 2011 HI, 4. 23 2012 THE COMPETITION COMMISSION OF INDIA NOTIFICATION New Delhi, the 4th April, 2013 The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2013 (No. 1 of 2013) F.No.3-IfAmend!Comb. Regl./20131CD/CCI.—In exercise of the powers conferred by section 64 of the Competition Act, 2002 (12 of 2003), the Competition Commission of India hereby makes the following regulations further to amend the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011, namely: 2. Short title and commencement. (I) These regulations may be called the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2013. (2) They shall come into force on the date of their publication in the Official Gazette. In the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011. in Schedule (a) after category (1). the following category shall be inserted, namely:— "(IA) An acquisition of additional shares voting rights of an enterprise by the acquirer or its group, not resulting in gross acquisition of more than five per cent (5%) of the shares or voting rights of such enterprise in a financial year, where the acquirer or its group, prior (b) (c) (d) 3 to acquisition, already holds twenty five per cent (25%) or more shares or voting rights of the enterprise, but does not hold fifty per cent (50%) or more of the shares or voting rights of the enterprise, either prior to or after such acquisition: Provided that such acquisition does not result in acquisition of sole or joint control of such enterprise by the acquirer or its group, for category (5), the following category shall be substituted, namely:— "(5) An acquisition of stock-in-trade, raw materials, stores and spare parts, trade receivables and other similar current assets in the ordinary course of business," • for category (8), the following category shall be substituted, namely:— An acquisition of shares or voting rights or assets, by one person or enterprise, of another person or enterprise within the same group, except in cases where the acquired enterprise is jointly controlled by enterprises that are not part of the same group category (8A) shall be omitted.. for category (9), the following category shall be substituted, namely:— "(9) A merger or amalgamation of two or more enterprises where one of the enterprises has more than fifty per cent (50%) shares or voting rights of the other enterprise, and/or merger or amalgamation of enterprises in which more than fifty per cent (50%) shares or voting rights in each of such enterprises are held by enterprise(s) within the same group: Provided that the transaction does not result in transfer from joint control to sole control.". SMITA JHINGRAN, secy. [ADVT.-3!4/Exty./187-M/13) Note:—Principal Regulations published vide Notification No. F. No. I-I/Combination Regulationst2011- 12/CD/CCI in the Gazette of India, Extraordinary, Part III, Section 4, dated the 11th May, 2011. Subsequently amended vide notification No. F. No. 31/ Amend!Comb.Regl./ 2012/CD/CCI published in the Gazette of India, Extraordinary, Part III, Section 4, dated the 23rd February, 2012. Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller QCPuNedions, Delhi-110054.