



## COMPETITION COMMISSION OF INDIA

(Combination Registration No. C-2019/07/673)

22<sup>nd</sup> August, 2019

### Notice under Section 6 (2) of the Competition Act, 2002 filed by Manulife Asset Management (Singapore) Pte. Ltd

#### CORAM:

Mr. Ashok Kumar Gupta

Chairperson

Ms. Sangeeta Verma

Member

Mr. Bhagwant Singh Bishnoi

Member

#### Order under Section 31(1) of the Competition Act, 2002

1. On 18.07.2019, Competition Commission of India (“**Commission**”) received a notice under Section 6(2) of the Competition Act, 2002 (“**Act**”), filed by Manulife Asset Management (Singapore) Pte. Ltd (“**MAMSG/Acquirer**”). The notice has been filed pursuant to the execution of Share Subscription Agreement (“**SSA**”), on 21<sup>st</sup> June, 2019, between MAMSG, Mahindra Asset Management Company Private Limited (**Mahindra AMC /Target 1**), Mahindra Trustee Company Private Limited (**Mahindra Trustee Co /Target 2**), and Mahindra & Mahindra Financial Services Limited (**MMFSL**)
2. The proposed combination envisages acquisition of 49% of the total equity share capital of both Mahindra AMC and Mahindra Trustee Co by MAMSG (“**Proposed Combination**”). Hereinafter, MAMSG, Mahindra AMC and Mahindra Trustee Co are collectively referred to as the “**Parties**” and Target-1 and 2 are collectively referred to as the “**Targets**”.



3. In terms of Regulation 14 of the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011, a letter, dated 26<sup>th</sup> July 2019, was issued to the Acquirer to seek certain clarifications, inter alia, regarding business activities and overlaps, complete response to which was received on 14<sup>th</sup> August, 2019.
4. MAMSG is a wholly owned subsidiary of Manulife Financial Asia Limited (an entity based in Hong Kong) and an indirect wholly-owned subsidiary of Manulife Financial Corporation (“MFC”). MFC is also the ultimate parent company of the Manulife Group. MAMSG is principally engaged in fund management services. Additionally, Manulife Group provides financial advice, insurance, as well as wealth and asset management solutions for individuals, groups and institutions.
5. Mahindra AMC, a company incorporated under the Companies Act, 1956, is the investment manager for the Mahindra Mutual Fund. It is a wholly owned subsidiary of MMFSL.
6. Mahindra Trustee Co, a company incorporated under the Companies Act, 1956, is the trustee of Mahindra Mutual Fund. It is a wholly owned subsidiary of MMFSL. Mahindra Trustee Co has entered into an Investment Management Agreement with Mahindra AMC, to manage the schemes of Mahindra Mutual Fund.
7. It is submitted by the Acquirer that there are no horizontal overlaps between the Acquirer, either directly or indirectly through its affiliates, and the Targets in terms of the activities carried on by them and also are not engaged in the provision of goods/services that can be considered at different level in the production chain.
8. Considering the facts on record, details provided in the notice given under sub-section (2) of Section 6 of the Act and assessment of the proposed combination on the basis of factors stated in sub-section (4) of Section 20 of the Act, the Commission is of the opinion that the proposed combination is not likely to have an appreciable adverse



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effect on competition in India and therefore, the Commission, hereby, approves the same under sub-section (1) of Section 31 of the Act.

9. This order shall stand revoked if, at any time, the information provided by the Acquirer is found to be incorrect.
10. The information provided by the Acquirer shall be treated as confidential in terms of and subject to provisions of Section 57 of the Act.
11. The Secretary is directed to communicate to the Acquirer accordingly.