

Press Release

Competition Commission of India (CCI) amends the Combination Regulations *vide* notification dated 9th October 2018

The provisions of the Competition Act, 2002 (“Act”) relating to the regulation of combinations as well as the Combination Regulations have been in force with effect from 1st June 2011.

The Competition Commission of India (CCI), in continuation of its efforts towards simplifying and providing greater clarity on the application of the combination provisions of the Act and the Combination Regulations, has further amended the Combination Regulations on 09th October 2018. This amendment inter alia provide certainty & transparency and expedites faster disposal of combination cases before CCI.

A key change brought about by the present amendments is that the parties to combinations can now submit remedies voluntarily in response to the notice issued under Section 29(1) of the Act. If such remedies are considered sufficient to address the perceived competition harm, the combination can be approved. This amendment is expected to expedite disposal of such combination cases.

In another significant amendment, where the notice is found to exhibit significant information gaps, parties to combinations are allowed to withdraw the notice and refile the same. With this amendment, the parties could address the deficiencies without facing an invalidation by CCI. Further, fee already paid in respect of such notice shall be adjusted against the fee payable in respect of new notice, if the refiling is done within a period of 3 months.

Apart from these, certain consequential and other clarificatory changes have also been made in the Combination Regulations.

A copy of the amendment is available on the website of the Commission: www.cci.gov.in
