

[To be published in the Gazette of India, Extraordinary, Part III, Section 4 dated
__ December, 2019]

**THE COMPETITION COMMISSION OF INDIA
NOTIFICATION**

New Delhi, the __ December, 2019

**The Competition Commission of India (Procedure in regard to the transaction of
business relating to combinations) Third Amendment Regulations, 2019**

F.No. CCI/CD/Amend/Comb. Regl./2019(3)— 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:—

1. Short title and commencement.—

- (1) These regulations may be called the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Third Amendment Regulations, 2019.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011,—

- (1) after regulation 5A, the following regulation shall be inserted, namely:-

“5B. Purchase of shares pursuant to a public bid or in a stock exchange.-

Notwithstanding anything contained in these regulations, a proposed combination involving acquisition of shares pursuant to a public bid or in a stock exchange may be pursued to that extent provided:

- (a) the acquirer gives notice under regulation 5 or regulation 5A without delay; and
- (b) the acquirer does not exercise any right attached to the shares and/or influence the target enterprise, in any manner.

Explanation.- In case of compliance with the conditions above, the acquisition of shares would not amount to giving effect to the combination.

P. K. Singh, Secy.

[]

Note: Principal regulations were published vide notification number F. No. 1-1/ Combination Regulations/2011- 12/CD/CCI in the Gazette of India, Extraordinary, Part III, Section 4, dated the 11th May, 2011 and were subsequently amended by,—

- (a) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2012 published vide notification number F. No. 3-1/Amend/Comb.Reg./2012/CD/CCI in the Gazette of India, Extraordinary, Part III, Section 4, dated the 23rd February, 2012;
- (b) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2013 published vide notification number F. No. 3-1/Amend/Comb. Reg./2012/CD/CCI in the Gazette of India, Extraordinary, Part III, Section 4, dated the 4th April, 2013;
- (c) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2014 published vide notification number F. No. CCI/CD/Amend/Comb.Reg./2014 in the Gazette of India, Extraordinary, Part III, Section 4, dated the 28th March, 2014;
- (d) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2015 published vide notification number F. No. CCI/CD/Amend/Comb.Reg./2015 in the Gazette of India, Extraordinary, Part III, Section 4, dated the 01st July, 2015;
- (e) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2016 published vide notification number F. No. CCI/CD/Amend/Comb.Reg./2016 in the Gazette of India, Extraordinary, Part III, Section 4, dated the 07th January, 2016;
- (f) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2018 published vide notification number F. No. CCI/CD/Amend/Comb.Reg./2018 in the Gazette of India, Extraordinary, Part III, Section 4, dated the 09th October, 2018;
- (g) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2019 published vide notification number F. No. CCI/CD/Amend/Comb.Reg./2019 in the Gazette of India, Extraordinary, Part III, Section 4, dated the 13th August, 2019; and
- (h) The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Second Amendment Regulations, 2019 published vide notification number F. No. CCI/CD/Amend/Comb.Reg./2019(2) in the Gazette of India, Extraordinary, Part III, Section 4, dated the 30th October, 2019.