



UNDERSTANDING THE MERGER GUIDELINES

August 26th 2021

OBJECTIVES OF THIS SESSION

- Fundamental concepts
- The merger guidelines
- Importance of compliance
- Questions and answers



FUNDAMENTAL CONCEPTS

- The object of the FTA
- How the FTC achieves the object
- Merger control
 - Mergers v. anti-competitive mergers
 - Systems of merger control
 - When is permission required
 - Requirements for permission



THE MERGER GUIDELINES

The Application

- A roadmap for merging parties
- Pre-application
- Who must apply
- Completing the application form
- Supporting documentation



THE MERGER GUIDELINES

The Review

- Confidentiality
- Compliance review
- Market investigation
- Requests for information
- Independent economic analysis



THE MERGER GUIDELINES

Timelines

- One month for decision
- Time starts with a complete application
- Often a simple process
- Commission may request an extension
- Ongoing feedback



IMPORTANCE OF COMPLIANCE

- Non-compliance will lead to investigation
- Commission can seek order for divestment
- Exposure to criminal penalties
- Risks of uncertainty, delay and costs
- Help us to help you



SUMMATION

- Common interest in competition
- Regulation in the common interest
- Guidelines for understanding:
 - Application process
 - Review process
 - Timelines





Any Questions

THE END

Thank you for your time and attention

Additional resources, including a copy of this presentation, are available at our website:

www.tandtftc.org