



### **Invitation for Views on Proposed Amendments to Guidelines on Mergers**

The Competition Act 2007 (the “Act”) mandates the Competition Commission to review certain merger situations. Where a merger situation has an adverse effect on competition, the Commission is empowered to impose appropriate remedies or block such mergers, after factoring in any offsetting public benefit that they may have.

As required under the Act, the Competition Commission has issued various Guidelines, including a Guideline on Mergers, which explains the assessment framework for the review of merger situations under the Act.

The Competition Commission has identified certain shortcomings in the Guideline on Mergers and as such is considering amending the Guideline to ensure it is clear and properly aligned with the Act. In particular, the amendments intend to clarify how a person may bring an enterprise under his control within the meaning of the Act, and consequently which transactions may constitute a merger situation. A minor clarification on the treatment of failing firm is also being proposed.

The proposed amendments together with an explanatory note accompanying the proposed amendments can be accessed on our [website](#).

The Competition Commission is hereby inviting written views and comments from interested parties on the proposed amendments by latest **23<sup>rd</sup> July 2020**, which should be addressed to the **Executive Director, Competition Commission, 10<sup>th</sup> Floor, Hennessy Court, Cnr Suffren Road and Pope Hennessy Street, Port Louis**.

The Executive Director  
9<sup>th</sup> July 2020