



MEDIA RELEASE

29 May 2007

Competition Commission Accepts Requests for Pre-notification Discussions for Mergers from 1 June 2007

1. When the new merger regime comes into force on 1 July 2007, parties will be able to notify their anticipated mergers to the Competition Commission of Singapore (CCS)¹ for a decision on whether their anticipated merger, if carried into effect, will infringe section 54 of the Competition Act ('Act'). Completed mergers may also be notified to the CCS for this purpose.
2. The CCS will accept requests for Pre-Notification Discussions (PNDs) from 1 June 2007.
3. The PND will give parties intending to file a notification the opportunity to have informal discussions with the CCS to help parties to identify the information to be submitted with the notification. This will enable the CCS to complete its assessment of the merger situation more expeditiously.
4. Parties requesting for a PND should submit a written request to the CCS. The request should contain the following information:
 - Brief description and background to the merger situation with salient details and key milestones;
 - Brief description of the relevant market(s) and sector(s) involved; and
 - The likely impact of the merger situation on competition in those markets and sectors.

In addition, parties requesting for a PND for an anticipated merger should demonstrate that they intend, in good faith, to carry out the anticipated merger.

5. Parties can refer to the CCS website at <http://www.ccs.gov.sg> for more information on requests for PNDs² and the procedures found in the draft "CCS Guidelines on Merger Procedures"³.

For media clarification, please contact:

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Ends

Annex A

1) **About the Competition Commission of Singapore**

The CCS is a statutory body established under the Competition Act (Cap 50B) on 1 January 2005 to administer and enforce the Act. Its mission is to promote healthy competitive markets that will benefit the Singapore economy based on sound economic principles applied objectively and consistently. For more information, visit www.ccs.gov.sg

2) **Procedures to Request for a PND**

In requesting for a PND, the merger party should submit a written request containing the following information:

- (In the case of a merger that has not been carried into effect) Sufficient information to show the good faith intention of the merger parties to carry the anticipated merger into effect. This may take the form of correspondence between the acquirer and acquired undertaking indicating their intention to enter into the merger, for example;
- (For mergers which have already been carried into effect) Any write-ups or comments about the merger which are in the public domain, including media and industry write-ups and official press releases;

- Details of the merger, such as a brief background to the merger and its key milestones;
- A brief description of the relevant market(s) and sector(s) involved;
- The likely impact of the merger on competition in those markets and sectors in general terms.

Parties intending to request for a PND should send the written request to the following email address: **ccs_mergers@ccs.gov.sg**.

If the request is acceded to, the merger party will be asked to submit a draft Application (comprising a draft **Form M1** and supporting documents) to the CCS no less than 5 working days before the scheduled PND. Merger parties should also refer to the draft **CCS Guidelines on Merger Procedures** before attending the PND. Prior to the PND, the CCS may also call the merger party to clarify matters or get additional information.

Parties can call the CCS hotline (1800-3258282) for further enquires.

3) About the Competition (Amendment) Bill 2007

The Competition (Amendment) Bill 2007 was passed by Parliament on 21 May 2007. After the Bill has been assented to by the President, the Amendment Act will be gazetted to come into effect. The CCS Guidelines on The Substantive Assessment of Mergers and the CCS Guidelines on Merger Procedures will then be gazetted and posted on the CCS website.

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