New Short Form Notification Procedure for Mergers in Ireland

May 12, 2020

What Does The New Procedure Involve?

Parties notifying mergers under the simplified procedure will use the standard CCPC Merger Notification Form, but will be exempt from completing certain sections of it. In particular:

- No overlap" cases: where none of the parties are active in the same market, or in any upstream or downstream market (or horizontal or vertical overlap applies);
- Merger/vertical overlap" overlap" cases: where two or more of the parties are active in the same market, but their combined market share (based on undisputable market data in market definitions) is less than 15%;
- Merger/vertical overlap" overlap" cases: where one or more parties is active in a market overlap or downstream to another party, but the market share of each of the parties is less than 25% (based on undisputable market data in market definitions); or
- Change in quality of control" cases: where a party which already has joint control over a company acquires sole control of that company.

The CCPC advises parties to engage in pre-notification discussions with the CCPC to confirm that their merger meets the above conditions. The CCPC will endeavour to schedule a pre-notification discussion within two working days of receipt of a request for the same.

What Mergers Are Covered?

The Simplified Procedure is available in each of the following cases:

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What Are The Benefits of The New Procedure?

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What Are The Risks?

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