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## CCPC Consults on Proposed Guidelines for a Simplified Irish Merger Notification Procedure

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DATE: 30.01.2020

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In June 2019, we published an **update** on the announcement by the Irish Competition and Consumer Protection Commission (“CCPC”) of a plan to introduce, in 2020, a simplified procedure for the notification of mergers satisfying the relevant financial thresholds that do not raise competition concerns.

The CCPC has now consulted on draft guidance on the Simplified Procedure and we await the outcome of that consultation including a decision on from what date the new Procedure will be available.

The proposals to date have raised a number of concerns. One concern is that the proposed exceptions to the Simplified Procedure are in some respects wide and imprecise (eg, where either party is a ‘maverick’) and in some respects unfairly outside the control of the notifying parties (eg, where third party complaints are made). Another concern is that it will be difficult to advise clients that the Simplified Procedure is of clear benefit to them when it is proposed that the CCPC (i) could withdraw the procedure, deem the CCPC notification invalid and restart the clock at Day 1 some time after notification and through no fault of the client, the CCPC will not commit to deciding on mergers notified under the Simplified Procedure within a particular shorter deadline (although that is intended), and availing of the Simplified Procedure will require pre-notification discussions with the CCPC which are currently a rarity and could possibly lead to delay to the notification date.

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