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PCC resumes merger review during GCQ, MGCQ

The Philippine Competition Commission (PCC) has issued guidelines in resuming its regular merger review operations beginning 16 July 2020 amid the general community quarantine (GCQ) and in anticipation of the modified general community quarantine (MGCQ).

In its Commission Resolution No. 18-2020, the PCC adopted the Interim Guidelines on the Operations of its Mergers and Acquisitions Office during GCQ and MGCQ for the notification and review of merger and acquisition (M&A) transactions; payment and collection of filing fees; and investigation of M&A transactions that may be in violation of the Philippine Competition Act.

Under the guidelines, the PCC shall continue digital and alternative arrangements for the timely and efficient conduct of its merger review and investigation functions. The PCC shall consider requests for extension and waivers to allow notifying parties sufficient time to comply with requirements given the logistical and administrative challenges amid the pandemic.

“With the pandemic, Philippine markets will witness changes and restructuring in the form of mergers, consolidations, or even exit of firms. It is during this period that the PCC must watch out through proper merger review for risks of concentration or rise of virtual monopolies to protect consumer welfare,” said PCC Chairman Arsenio M. Balisacan.

Parties to the transaction may file their merger notification forms any time after the signing of their definitive agreement but prior to any acts of consummation where the 30th day of the notification period falls within the community quarantine period commencing 13 March 2020.

Parties are advised to use PCC’s online filing facility and appointment system to facilitate merger processes and minimize public health risks.



“With the guidelines amid the community quarantine in place, PCC stands ready to enforce its merger review and investigation mandate during this critical period. This ensures that transactions do not substantially lessen competition in the market that might cause higher prices, fewer choices, or lower quality of goods and services,” Balisacan added.

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Navigate to this [page](#) to view the Interim Guidelines of the Mergers and Acquisitions Office during the General Community Quarantine and Modified General Community Quarantine and its Annexes

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