

Antitrust Practice in Kazakhstan (2010 – 5Months2011)

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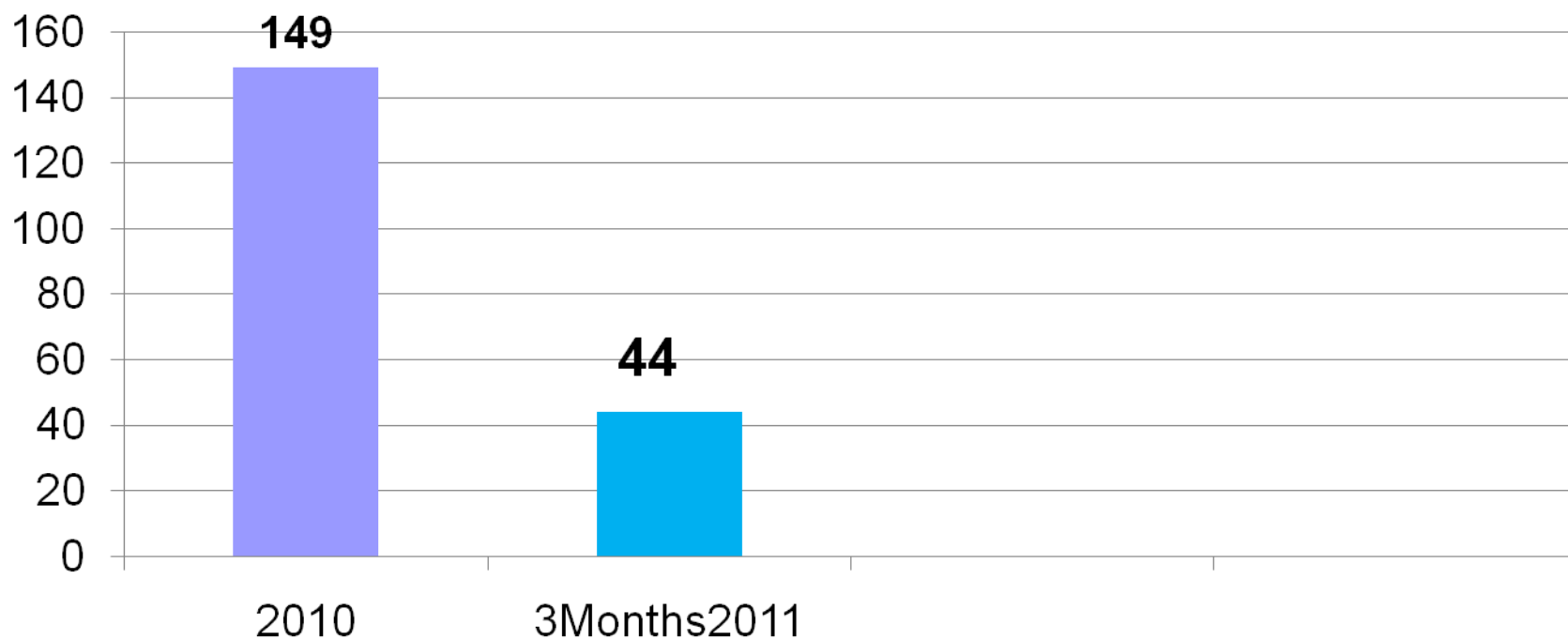
KEY PRACTICE AREAS of Sayat Zholshy & Partners

- M&A
 - Tax
 - Arbitration & Litigation
 - Banking & Finance
 - Corporate
 - Labor Law
- **ANTITRUST**

Main areas of antitrust investigations in Kazakhstan in 2010

- Oil products
- Electricity supply
- Cement wholesale
- Communication services (Roaming, Internet, etc.)
- Insurance
- Grain market (Bread, Flour, Elevators' services)
- Sunflower oil
- Sugar
- Meat
- Medicines

Number of antitrust investigations



High-profile cases in Kazakhstan in 2010 and the first 5 months of 2011 with SZP's participation

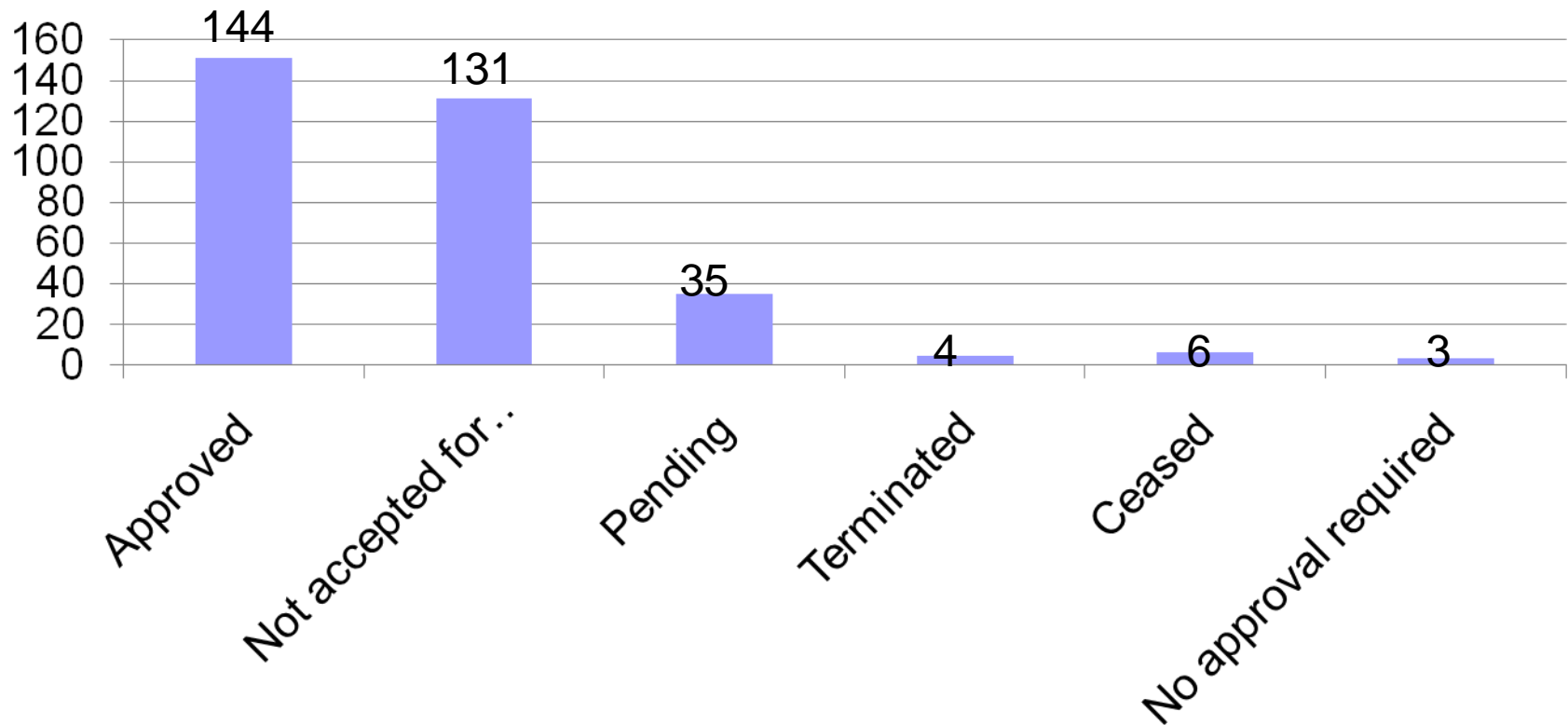
- Abuse of dominant position by a fuel and lubricants distributor by reducing sales volumes (fine threatened against the client - KZT 11,714,741,671)
- Abuse of dominant position by a communications provider (in a roaming dispute) (fine threatened against the client - KZT 11,595,829,445)

High-profile cases in Kazakhstan in 2010 and the first 5 months of 2011 with SZP's participation (*contd*)

- Anti-competitive concerted practices in the milk market (fine threatened against the client – over KZT 29,000,000)
 - Anti-competitive concerted practices of sunflower oil suppliers (fine threatened against the client – over KZT 435,000,000)
 - Abuse of dominant position by wholesale tea suppliers (fine threatened against the client – over KZT 1,000,000,000).
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The total amount of antitrust disputes in 2010-first 5 months of 2011 involving SZP's participation exceeded KZT 25bln.

Status of economic concentration applications filed with the Antimonopoly Agency in 2010



Types of Economic Concentration:

- mergers and acquisitions;
- purchase of >25 % shares (participation interests);
- purchase of >10 % of fixed plant assets and/or intangible assets;
- acquisition of the right to give binding instructions/act in the executive capacity;
- same persons participating in executive bodies.

Time frames for consideration of applications

- 10 days - verification of the completeness of submitted documents and materials.
- 50 days – consideration of applications.

60 calendar days in total



Thank you for your attention!

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