

Presentation

Companies are required to notify the Polynesian Competition Authority of any concentration project (merger, absorption, takeover, etc.) when its size exceeds the thresholds set by the law of the country.

The Authority then examines the file. This examination may, if the assessment of the consequences of the transaction on competition so require, be extended. The Authority can authorize the transaction, authorize it subject to commitments likely to remedy the anti-competitive effects or prohibit it.

The effective completion of a concentration operation can only take place after the agreement of the Polynesian Competition Authority. Failure to obtain prior authorization exposes the economic operator to an injunction to return, under penalty, to the state prior to the achievement of the operation and to financial penalties.

The concentration authorization is independent from the authorizations that would have been obtained under other regulations (building permits, foreign investments, etc.).