

Criteria for Exemption of Combinations Rules, 2024 - One-page Control Sheet

Test statutory and rule-based exemption categories before relying on non-notification.

Five-step rule

1. Identify the legal trigger, responsible actor and evidence relevant to combination exemptions.
2. Read the Act with all effective Rules, regulations, notifications, directions, guidelines and forum procedure as at the event date.
3. Separate substantive obligation, operational workflow, filing or reporting, enforcement consequence, remedy, appeal and limitation.
4. Maintain a reproducible source pack, decision memo, approval trail and transaction-level evidence.
5. Apply connected company, contract, tax, accounting, data, competition, consumer, insolvency and sector-law overlays independently.

Evidence pack

Official source; classification memo; authority; operative document; notices/consents; calculations; logs; filing/payment/delivery proof; remediation and appeal chronology.

Red flags

Wrong actor or jurisdiction; outdated rule; missing exception analysis; bundled consent; undocumented approval; threshold calculation without source data; delayed filing; incomplete logs; assuming contract overrides mandatory law.

Decision

Proceed only when the legal trigger, current source, owner, control, evidence, exposure, remedy and forum have been documented.