
Antitrust & Competition

Decision of Vietnam Competition Council on GrabTaxi – Uber’s deal

No violation to the Law on Competition

On 11 June 2019, the Viet Nam Competition Council (“**VCC**”) conducted a closed hearing regarding the alleged economic concentration activity of Grab Taxi Company Limited (“**GrabTaxi**”) and Uber Viet Nam Limited (“**Uber Vietnam**”) (Competition Case No. 18 KX HTC 01).

On 17 June 2019, VCC announced Decision No. 26/QD-HDXL, in which VCC determined that the purchase, transfer and receipt of obligations between GrabTaxi and Uber Vietnam did not constitute an act of economic concentration under the Law on Competition.

Absence of an act of economic concentration

In its assessment, VCC stated that the asset transfer between GrabTaxi and Uber Vietnam did not result in GrabTaxi holding any managerial positions and voting rights in any governing bodies of Uber Vietnam. Accordingly, it did not meet the condition of an “acquisition” to which an economic concentration applies under the Law on Competition (i.e., where the acquiring enterprise controls sufficient voting rights in the acquired enterprise).

In addition, as Uber Vietnam did not either have the relevant transportation and call centre service business, or directly manage the Uber application, VCC determined that the transaction did not directly relate to GrabTaxi’s control or governance over the business operations of Uber Vietnam.

In the absence of an act of economic concentration, VCC viewed it was unnecessary to further assess the relevant market and combined market share of the two enterprises.

Accordingly, VCC rejected the request of the investigation agency to apply sanctions and impose remedial measures against GrabTaxi and Uber Vietnam in relation to their transaction.

Contacts



Tran Xuan Chi Anh
Partner

D+84 28 3821 2673
F +84 28 3821 2685
anh.tran@rajahtannlct.com

Our Regional Contacts

RAJAH & TANN | *Singapore*

Rajah & Tann Singapore LLP

T +65 6535 3600
F +65 6225 9630
sg.rajahtannasia.com

CHRISTOPHER & LEE ONG | *Malaysia*

Christopher & Lee Ong

T +60 3 2273 1919
F +60 3 2273 8310
www.christopherleeong.com

R&T SOK & HENG | *Cambodia*

R&T Sok & Heng Law Office

T +855 23 963 112 / 113
F +855 23 963 116
kh.rajahtannasia.com

RAJAH & TANN NK LEGAL | *Myanmar*

Rajah & Tann NK Legal Myanmar Company Limited

T +95 9 7304 0763 / +95 1 9345 343 / +95 1 9345 346
F +95 1 9345 348
mm.rajahtannasia.com

RAJAH & TANN 立杰上海
SHANGHAI REPRESENTATIVE OFFICE | *China*

**Rajah & Tann Singapore LLP
Shanghai Representative Office**

T +86 21 6120 8818
F +86 21 6120 8820
cn.rajahtannasia.com

GATMAYTAN YAP PATACSIL
GUTIERREZ & PROTACIO (C&G LAW) | *Philippines*

Gatmaytan Yap Patacsil Gutierrez & Protacio (C&G Law)

T +632 894 0377 to 79 / +632 894 4931 to 32 / +632 552 1977
F +632 552 1978
www.cagatlaw.com

ASSEGAF HAMZAH & PARTNERS | *Indonesia*

Assegaf Hamzah & Partners

Jakarta Office
T +62 21 2555 7800
F +62 21 2555 7899

Surabaya Office
T +62 31 5116 4550
F +62 31 5116 4560
www.ahp.co.id

RAJAH & TANN | *Thailand*

R&T Asia (Thailand) Limited

T +66 2 656 1991
F +66 2 656 0833
th.rajahtannasia.com

RAJAH & TANN LCT LAWYERS | *Vietnam*

Rajah & Tann LCT Lawyers

Ho Chi Minh City Office
T +84 28 3821 2382 / +84 28 3821 2673
F +84 28 3520 8206

RAJAH & TANN | *Lao PDR*

Rajah & Tann (Laos) Sole Co., Ltd.

T +856 21 454 239
F +856 21 285 261
la.rajahtannasia.com

Hanoi Office

T +84 24 3267 6127
F +84 24 3267 6128
www.rajahtannlct.com

Member firms are constituted and regulated in accordance with local legal requirements and where regulations require, are independently owned and managed. Services are provided independently by each Member firm pursuant to the applicable terms of engagement between the Member firm and the client.

Our Regional Presence



Rajah & Tann LCT Lawyers has a multi-faceted talent pool of lawyers with expertise in a range of practice areas who are able to provide end-to-end legal services for all transactions in Vietnam. Rajah & Tann LCT Lawyers is also able to handle cross-border transactions involving other jurisdictions, particularly those within the Indochina region.

Rajah & Tann LCT Lawyers is part of Rajah & Tann Asia, a network of local law firms in Singapore, Cambodia, China, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Thailand and Vietnam. Our Asian network also includes regional desks focused on Japan and South Asia.

The contents of this Update are owned by Rajah & Tann LCT Lawyers and subject to copyright protection under the laws of Vietnam and, through international treaties, other countries. No part of this Update may be reproduced, licensed, sold, published, transmitted, modified, adapted, publicly displayed, broadcast (including storage in any medium by electronic means whether or not transiently for any purpose save as permitted herein) without the prior written permission of Rajah & Tann LCT Lawyers.

Please note also that whilst the information in this Update is correct to the best of our knowledge and belief at the time of writing, it is only intended to provide a general guide to the subject matter and should not be treated as a substitute for specific professional advice for any particular course of action as such information may not suit your specific business and operational requirements. It is to your advantage to seek legal advice for your specific situation. In this regard, you may call the lawyer you normally deal with in Rajah & Tann LCT Lawyers.