

TABLE 6
IRELAND

Stature	General Motivation	Merger Definition	Merger Test	Defences, Exemptions	Decision-Making Body	<u>Enforcement</u>
Mergers, Takeovers and Monopolies (Control) Act 1978	<ul style="list-style-type: none"> ● competition, general public policy 	<ul style="list-style-type: none"> ● deemed to exist when two or more enterprises come under "common control" ● acquisition of shares with more than 30% of total voting rights is deemed a takeover 	<ul style="list-style-type: none"> ● whether merger is consistent with the exigencies of the common good 	<u>Size Thresholds</u> <ul style="list-style-type: none"> ● Mergers Act applies if <ul style="list-style-type: none"> (a) gross assets of each of two or more involved enterprises is IR 5 million or more, or (b) annual turnover is IR 10 million or more ● size threshold is subject to ministerial override ● banking exclusion ● wholly-owned subsidiaries merger exemption 	<u>Political</u> <ul style="list-style-type: none"> ● Minister of Industry and Commerce (EC Commission, if of a community dimension) ● Minister's order may be appealed to High Court 	<ul style="list-style-type: none"> ● Department of Industry and Commerce under direction of the Minister)