

**REFERENCE RELATING TO THE ANTICIPATED ACQUISITION
BY SVITZERWIJSMULLER A/S OF ADSTEAM MARINE LTD**

**Notice of provisional findings made under Rule 10
of the Competition Commission Rules of Procedure**

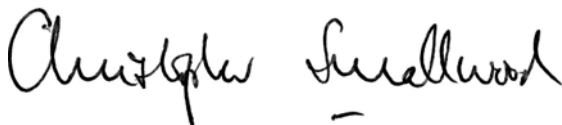
1. On 31 August 2006, the Office of Fair Trading, in exercise of its duty under section 33(1) of the Enterprise Act 2002 (the Act), referred to the Competition Commission (CC) an anticipated acquisition for investigation and report within a period ending on 14 February 2007.

Provisional findings

2. The CC inquiry group (the Group) appointed to consider this reference has made provisional findings on the statutory questions it has to decide pursuant to section 36(1) of the Act. The Group provisionally finds that:
 - (a) arrangements are in progress or in contemplation which, if carried into effect, will result in the creation of a relevant merger situation by SvitzerWijismuller A/S; and
 - (b) the creation of that situation may be expected to result in a substantial lessening of competition within the market for harbour and terminal towage services in Liverpool.
3. The Group's reasons are summarized in the summary of the provisional findings report which is attached to this notice (see note (i)).

The next steps

4. SvitzerWijismuller A/S and Adsteam Marine Ltd are now invited to provide the Group with their reasons in writing as to why these provisional findings should not become final (or, as the case may be, should be varied) (see note (ii)).
5. These reasons should be received by the Group no later than 28 December 2006.
6. The Group will have regard to any such reasons provided in making its final decisions on the statutory questions and actions.
7. The Group will shortly send to SvitzerWijismuller A/S and Adsteam Marine Ltd and publish a notice of the actions which it considers might be taken by the CC to remedy the adverse effects provisionally identified.
8. The parties are referred to Rule 10 of the CC's *Rules of Procedure* dated June 2003.



Christopher Smallwood
Group Chairman
5 December 2006

Notes:

(i) A copy of this Notice and the summary of the provisional findings report will be placed on the CC website on 5 December 2006. The CC proposes to publish the provisional findings report on its website by 8 December 2006. The published version of the provisional findings report will not contain any information which the Group considers should be excluded from the report, having regard to the three considerations set out in section 244 of the Act.

(ii) Comments should be made in writing by 28 December 2006 to:

Edwin James, Inquiry Secretary,
Victoria House,
Southampton Row,
London WC1B 4AD

or by email to: Edwin.james@cc.gsi.gov.uk.