

THE COMPLETED ACQUISITION BY RAILWAY INVESTMENTS LIMITED (A WHOLLY-OWNED SUBSIDIARY OF ENGLISH WELSH AND SCOTTISH RAILWAY HOLDINGS LIMITED) OF MARCROFT HOLDINGS LIMITED AND ITS WHOLLY-OWNED SUBSIDIARY MARCROFT ENGINEERING LIMITED

Notice of extension of inquiry period published pursuant to section 107(2)(c) Enterprise Act 2002

On 6 February 2006, the Office of Fair Trading, in exercise of its duty under section 22 of the Enterprise Act 2002 (the Act), referred to the Competition Commission (CC) the completed acquisition by Railway Investments Limited (a wholly-owned subsidiary of English Welsh and Scottish Railway Holdings Limited) of Marcroft Holdings Limited and its wholly-owned subsidiary Marcroft Engineering Limited (the parties). The period within which the report on this reference was to be prepared and published (the reference period) was due to expire on 24 July 2006.

On 13 July 2006 the members of the CC appointed to consider this reference (the Group), in consultation with the Chairman of the CC, decided to invite comments from the parties on whether the reference period should be extended under section 39(3) of the Act.

Having taken account of comments received from the parties, on 19 July the Group decided that the reference period should be extended by eight weeks to 18 September 2006. The CC considers that the significant amount of new evidence that has emerged since the publication of the provisional findings report means that an extension is necessary. The Group considers that completion of its investigation and the publication of its final report, including any necessary remedy process, would not have been possible within the original reference period.

JEREMY SEDDON
Group Chairman
19 July 2006