

BRETAGNE-ANGLETERRE-IRLANDE SA/P&O FERRIES MERGER INQUIRY

Cancellation of merger reference

On 4 March 2005 the Competition Commission (CC) cancelled the reference concerning the proposed acquisition by Bretagne-Angleterre-Irlande SA (BAI) of certain assets currently used by P&O Ferries (a unit of the Peninsular and Oriental Steam Navigation Company) to supply ferry services between Portsmouth and Le Havre.

The reference was made to the CC on 7 December 2004 by the Office of Fair Trading under section 33 of the Enterprise Act 2002. The terms of reference required the CC to examine:

- (a) whether arrangements were in progress or in contemplation which, if carried into effect, would result in the creation of a relevant merger situation; and
- (b) if so, whether the creation of that situation may be expected to result in a substantial lessening of competition within any market or markets in the UK.

The CC has received assurances from BAI that the proposed acquisition has been abandoned as BAI no longer intends to proceed with the transaction. The inquiry group (the Group) investigating the proposed merger, having had regard to those assurances, is satisfied that BAI has, within the terms of section 37(1) of the Enterprise Act 2002, abandoned the proposal to make arrangements of the kind mentioned in the reference. The Group has consequently cancelled the reference in accordance with its duty under the aforementioned section 37(1).

This cancellation is published in accordance with requirements laid down by sections 107(2)(a) and 107(4) of the Enterprise Act 2002.