



## News Release

16/05

7 March 2005

### **CC CANCELS BAI/P&O INQUIRY**

The Competition Commission (CC) has today cancelled the reference concerning the anticipated acquisition by Bretagne-Angleterre-Irlande SA 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 CC has received assurances that the proposed merger had been abandoned as BAI no longer intended to proceed with the transaction. Its press release, issued on 28 February, stated that market trends had led it to conclude that it would not be commercially sound to continue with the transaction irrespective of what the final outcome of the regulatory process may have been.

The case was referred to the CC by the Office of Fair Trading (OFT) on 7 December 2004. The CC had been asked to consider whether the acquisition might have been expected to result in a substantial lessening of competition within any market or markets in the UK.

#### **Notes for editors**

1. The reference has been cancelled in accordance with the provisions of section 37(1) of the Enterprise Act 2002 (the Act).
2. The CC is under a duty under section 37(1) to cancel a reference if it is satisfied that the parties have abandoned arrangements for an acquisition of the kind mentioned in the reference.
3. The Act empowers the OFT to refer to the CC completed or proposed mergers for investigation and report which create or enhance a 25 per cent share of supply in the UK (or a substantial part thereof) or where the UK turnover associated with the enterprise being acquired is over £70 million.
4. Enquiries should be directed to Francis Royle, Press Officer, tel 020 7271 0242, or Rory Taylor, Press Office, tel 020 7271 0398.