



News Release

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CC CANCELS ANGLO AMERICAN/JOHNSTON GROUP INQUIRY

The Competition Commission (CC) has today cancelled the reference concerning the anticipated acquisition by Anglo American plc of Johnston Group PLC. Anglo American is the parent of Tarmac Limited.

The CC has received assurances that the proposed acquisition has been abandoned as the parties no longer wish to pursue the transaction. The case was referred to the CC by the Office of Fair Trading (OFT) on 29 September 2004.

Anglo American has confirmed that it no longer wishes to pursue the merger now that Johnston Group has accepted an alternative bid from Ennstone plc.

The CC had been asked to consider whether the proposed acquisition would result in a substantial lessening of competition within the markets for aggregates and asphalt in the West Midlands, where Johnston and Tarmac operate.

Notes for editors

1. The reference was made by the Office of Fair Trading. It has been cancelled in accordance with the provisions of section 37(1) of the Enterprise Act 2002.
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. Under paragraph 15(8) of Schedule 7 to the Competition Act 1998, the Chairman of the CC may exercise the powers conferred by section 37(1) of the Enterprise Act 2002 to cancel a reference while an inquiry group is being constituted or before it has held its first meeting.
3. The Enterprise Act 2002 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.

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