

**ANTICIPATED ACQUISITION BY RMIG LIMITED
OF ASH & LACY PERFORATORS LIMITED**

Terms of reference

1. In exercise of its duty under section 33(1) of the Enterprise Act 2002 ('the Act') to make a reference to the Competition Commission ('the CC') in relation to an anticipated merger the Office of Fair Trading ('the OFT') believes that it is or may be the case that –
 - (a) arrangements are in progress or in contemplation which, if carried into effect, will result in the creation of a relevant merger situation in that:
 - (i) enterprises carried on by or under the control of RMIG Limited ('RMIG') will cease to be distinct from enterprises carried on by or under the control of Ash & Lacy Perforators Limited ('A&LP'); and
 - (ii) as a result, the conditions specified in section 23(3) of the Act will prevail, or will prevail to a greater extent, with respect to the manufacture and supply of goods in the UK by national perforated metal manufacturers; and
 - (b) the creation of that situation may be expected to result in a substantial lessening of competition within any market or markets in the UK for goods or services, including the manufacture and supply of perforated metal in the UK.
2. Therefore, in exercise of its duty under section 33(1) of the Act, the OFT hereby refers to the CC, for investigation and report within a period ending on 9 February 2010, on the following questions in accordance with section 36(1) of the Act –
 - (a) whether arrangements are in progress or in contemplation which, if carried into effect, will 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 for goods or services.
3. In relation to the question whether a relevant merger situation will be created, the CC shall exclude from consideration one of the subsections (1) and (2) of section 23 of the Act if they find that the other is satisfied.

Amelia Fletcher
Senior Director, Mergers, Office of Fair Trading
26 August 2009