STATUTORY INSTRUMENTS

# 1966 No. 136

# MONOPOLIES AND MERGERS

## The Restriction of Merger (No. 1) Order 1966

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| *Made* - - - - | 10*th February* 1966 |
| *Laid before Parliament* - | 10*th February* 1966 |
| *Coming into Operation* - | 11*th February* 1966 |

WHEREAS it appears to the Board of Trade that arrangements are in progress or contemplation which, if carried into effect, would result in the enterprise carried on by or under the control of The Amalgamated Dental Company, Limited ceasing to be distinct from the enterprise carried on by or under the control of The Dental Manufacturing Company Limited and the Board of Trade have in pursuance of their powers under section 6 of the Monopolies and Mergers Act 1965(a) referred the matter to the Monopolies Commission:

Now, therefore, the Board of Trade with a view to preventing action which may prejudice the reference or impede the taking of any remedial action which may be warranted by the Commission's report and in exercise of the powers conferred upon them by sections 3(5) and 6(11) of the said Act hereby order as follows:—

**1.**—(1) It shall be unlawful for any stock, or any interest in any stock, of The Amalgamated Dental Company, Limited to be acquired by The Dental Manufacturing Company Limited or any subsidiary thereof if that acquisition will or may result in The Amalgamated Dental Company, Limited and The Dental Manufacturing Company Limited becoming inter-connected bodies corporate:

Provided that this paragraph shall not apply to anything done in pursuance of a legally enforceable agreement to acquire stock made before the date of operation of this Order, not being an agreement made in pursuance of an offer addressed to the members of The Amalgamated Dental Company, Limited by Keyser Ullman Securities on behalf of The Dental Manufacturing Company Limited and dated 22nd January 1966.

(2) It shall be unlawful for The Dental Manufacturing Company Limited or any subsidiary thereof to acquire the whole or part of the undertaking or assets (being an undertaking or assets in Great Britain) of The Amalgamated Dental Company, Limited or of any subsidiary thereof.

**2.**—(1) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to an Act of Parliament.

(2) This Order may be cited as the Restriction of Merger (No. 1) Order 1966 and shall come into operation on the 11th day of February 1966.

*George Darling,*
Minister of State,
Board of Trade.

10th February 1966.

(a) 1965 c. 50. (b) 52 & 53 Vict. c. 63.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order, which comes into operation on 11th February 1966, imposes a standstill on any acquisition of stock of The Amalgamated Dental Company, Limited by The Dental Manufacturing Company Limited or its subsidiaries which would or might lead to the former Company becoming a subsidiary of the latter. Dealings in stock which are the subject of agreements made prior to 11th February may be completed provided they were not made as a result of a general offer on behalf of The Dental Manufacturing Company Limited dated 22nd January and addressed to the members of The Amalgamated Dental Company, Limited.

The Order also prohibits the acquisition by The Dental Manufacturing Company Limited or any of its subsidiaries of the undertaking or assets of The Amalgamated Dental Company, Limited or its subsidiaries.

The Order, unless previously revoked, will cease to have effect:—

(*a*) 40 days after the report of the Monopolies Commission on the proposed merger of the two companies is laid before Parliament; or

(*b*) on a failure by the Commission to report within the period allowed by the Act.