1974 No. 688

MONOPOLIES AND MERGERS

The Restriction of Merger (No. 1) Order 1974

Made - - - -	10*th April* 1974
Laid before Parliament	10*th April* 1974
Coming into Operation	11*th April* 1974

Whereas the Secretary of State in exercise of powers conferred on her by sections 69(2) and 75 of the Fair Trading Act 1973(**a**) has referred to the Monopolies and Mergers Commission for investigation and report the matter of the proposed acquisition by Charter Consolidated Investments Limited (a subsidiary of Charter Consolidated Limited) of Sadia Limited:

Now, therefore, the Secretary of State with a view to preventing action which may prejudice the reference or impede the taking of any action under the Fair Trading Act 1973 which may be warranted by the Commission's Report on the reference and in exercise of powers conferred on her by section 74(1)(*d*) of, and paragraph 12 of Schedule 8 to, that Act hereby orders as follows:

1.—(1) This Order may be cited as the Restriction of Merger (No. 1) Order 1974 and shall come into operation on 11th April 1974.

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

2. It shall be unlawful for Charter Consolidated Limited or any subsidiary thereof to acquire any shares or any interest in shares of Sadia Limited if such acquisition would or might result in Charter Consolidated Investments Limited and Sadia Limited becoming interconnected bodies corporate:

Provided that this Article shall not apply to anything done in pursuance of a legally enforceable agreement to acquire shares made before the commencement of this Order other than an agreement made in pursuance of any general offer addressed to the members of Sadia Limited by Charter Consolidated Limited on behalf of Charter Consolidated Investments Limited.

Alan Williams,
Minister of State,
Department of Prices and Consumer Protection.

10th April 1974.

(**a**) 1973 c. 41. (**b**) 1889 c. 63

EXPLANATORY NOTE

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

This Order imposes a standstill on any acquisition by Charter Consolidated Limited or its subsidiaries of shares of Sadia Limited which would or might result in Sadia Limited becoming a subsidiary of Charter Consolidated Investments Limited (a subsidiary of Charter Consolidated Limited). The proposed merger of these two companies has been referred to the Monopolies and Mergers Commission.

An exemption is provided for any acquisition of shares in pursuance of an agreement made before the commencement of this Order other than an agreement resulting from a general offer to acquire shares of Sadia Limited made by Charter Consolidated Limited on behalf of Charter Consolidated Investments Limited.

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

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

(*b*) on the failure of the Commission to report within the period allowed.

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