

SCHEDULE 1

Article 3(1)

PART I MERGERS

1. The undertakings given to the Secretary of State by Vivendi Water UKPLC and Southern Water Capital Limited following the report of the Commission entitled “Vivendi Water UK PLC and First Aqua (JVCo) Limited: A report on the proposed merger”(1).

2. The undertakings given to the Secretary of State by Firstgroup plc following the report of the Commission entitled “FirstBus plc and S B Holdings Limited: A report on the merger situation”(2).

3. The undertakings given to the Secretary of State by IMS Health Inc dated 29 October 1999 following the report of the Commission entitled “IMS Health Inc and Pharmaceutical Marketing Services Inc: A report on the merger situation”(3).

4. The undertakings given to the Secretary of State by General Utilities PLC dated 21 April 1998 and SAUR Water Services plc dated 8 May 1998 following the report of the Commission entitled “Mid Kent Holdings plc and General Utilities PLC and SAUR Water Services plc: A report on the proposed merger”(4).

5. The undertakings given to the Secretary of State by Severn Trent Plc dated 19 December 1997 following the report of the Commission entitled “Severn Trent Plc and South West Water Plc: A report on the proposed merger”(5).

6. The undertakings given to the Secretary of State by Wessex Water Plc dated 19 February 1998 following the report of the Commission entitled “Wessex Water Plc and South West Water Plc: A report on the proposed merger”(6).

7. The undertakings given to the Secretary of State by National Express Group PLC dated 2 October 1997 following the report of the Commission entitled “National Express Group PLC and Midland Main Line Limited: A report on the merger situation”(7).

8. The undertakings given to the Secretary of State by Lyonnais Europe Plc dated 23 April 1996 following the report of the Commission entitled “Lyonnais des Eaux SA and Northumbrian Water Group PLC: A report on the merger situation”(8).

9. The undertakings given to the Secretary of State by Sara Lee Corporation dated 22 October 1992 and Sara Lee Household & Personal Care UK Limited dated 22 October 1992 following the report of the Commission entitled “Sara Lee Corporation and Reckitt & Colman plc: A report on

-
- (1) Cm 5681 November 2002. The acceptance of the undertakings was announced in a DTI Press Notice dated 28 April 2003 (P/2003/265), which provided for the publication of the undertakings in accordance with section 88(2A) of the 1973 Act.
 - (2) Cm 3531 January 1997. The acceptance of the undertakings was announced in a DTI Press Notice dated 17 January 2002 (P/2002/032).
 - (3) Cm 4261 February 1999. The acceptance of the undertakings was announced in a DTI Press Notice dated 29 October 1999 (P/99/876). The Office of Fair Trading announced in its Press Notice (32/05) of 18 February 2005 that an undertaking by IMS Health Inc requiring it to license all prescription data in its possession to other companies will expire on 28 February 2005. Following an OFT review, the remaining undertakings given by IMS will continue in place.
 - (4) Cm 3514 January 1997. The acceptance of the undertakings was announced in a DTI Press Notice dated 15 May 1998 (P/98/385).
 - (5) Cm 3429 October 1996. The acceptance of the undertakings was announced in a DTI Press Notice dated 19 February 1998 (P/98/132).
 - (6) Cm 3430 October 1996. The acceptance of the undertakings was announced in a DTI Press Notice dated 19 February 1998 (P98/132).
 - (7) Cm 3495 December 1996. The acceptance of the undertakings was announced in a DTI Press Notice dated 16 December 1997 (P/97/844).
 - (8) Cm 2936 July 1995. The acceptance of the undertakings was announced in a DTI Press Notice dated 13 May 1996 (P/96/362).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

the acquisition by the Sara Lee Corporation of part of the shoe care business of Reckitt & Colman plc”(9).

10. The undertakings given to the Secretary of State by General Utilities PLC dated 21 March 1991 following the report of the Commission entitled “General Utilities PLC and The Mid Kent Water Company: A report on the merger situation”(10).

11. The undertakings given to the Secretary of State by Michelin Tyre Public Limited Company dated 1 March 1991 following the report of the Commission entitled “Michelin Tyre PLC and National Tyre Service Ltd: A report on the merger situation”(11).

12. The undertakings given to the Secretary of State by Stagecoach (Holdings) Limited following the report of the Commission entitled “Stagecoach (Holdings) Ltd and Portsmouth Citybus Ltd: A report on the acquisition by Stagecoach (Holdings) Ltd of Portsmouth Citybus Ltd”(12).

13. The undertakings given to the Secretary of State by Lee Valley Water Company dated 1 August 1990 and Colne Valley Water Company and Rickmansworth Water Company following the report of the Commission entitled “General Utilities PLC, The Colne Valley Water Company and Rickmansworth Water Company: A report on the proposed merger”(13).

14. The undertakings given to the Secretary of State by Coats Viyella Plc following the report of the Commission entitled “Coats Viyella Plc and Tootal Group plc: A report on the merger situations”(14).

15. The undertakings given to the Secretary of State by Tate & Lyle plc following the report of the Commission entitled “Tate & Lyle PLC and Ferruzzi Finanziaria SpA and S & W Berisford PLC: A report on the existing and proposed mergers”(15).

16. The undertakings given to the Secretary of State by Hiram Walker-Gooderham & Worts Limited dated 11 August 1980 following the report of the Commission entitled “Hiram Walker-Gooderham & Worts Limited and Highland Distilleries Limited: A report on the proposed merger”(16).

PART II

MONOPOLY SITUATIONS

17. The undertakings given to the Secretary of State by Arriva Southern Counties Ltd (formerly Einkorn Ltd) dated 7 August 1995 following the report of the Commission entitled, “The supply of bus services in Mid and West Kent”(17).

18. The undertakings given to the Secretary of State by Britvic Soft Drinks Ltd, Coca-Cola Bottlers (Ulster) Ltd, Coca-Cola and Schweppes Beverages Ltd dated 21 May 1993 following the

(9) Cm 2040 August 1992. The acceptance of the undertakings was announced in a DTI Press Notice dated 22 October 1992 (P/92/677), which provided for the publication of the undertakings in accordance with section 88(2A) of the 1973 Act.

(10) Cm 1125 July 1990. The acceptance of the undertakings was announced in a DTI Press Notice dated 25 April 1991 (P/91/221). The President of the Board of Trade agreed to a variation, details of which were published in a DTI Press Notice dated 26 September 1997 (P/97/607).

(11) Cm 986 March 1990. The acceptance of the undertakings was announced in a DTI Press Notice dated 8 March 1991 (P/91/116).

(12) Cm 1130 July 1990. The acceptance of the undertakings was announced in a DTI Press Notice dated 10 January 1991 (P/91/13).

(13) Cm 1029 April 1990. The acceptance of the undertakings was announced in a DTI Press Notice dated 1 November 1990 (P/90/639).

(14) Cm 833 October 1989. The acceptance of the undertakings was announced in a DTI Press Notice dated 3 August 1990 (P/90/478).

(15) Cm 89 February 1987. The acceptance of the undertakings was announced in a DTI Press Notice dated 23 April 1987 (P/87/243).

(16) Cm 743 August 1980.

(17) Cm 2309, August 1993. The text of the undertakings was published as an attachment to a DTI Press Notice dated 29 August 1995 (P/95/567).

report of the Commission entitled, “Carbonated Drinks: a report on the supply by manufacturers of carbonated drinks in the United Kingdom”(18).

19. The undertakings given to the Secretary of State by Carnaudmetalbox plc (formerly Metal Box Ltd) dated 22 February 1972 following the report of the Commission entitled, “Metal Containers: a report on the supply of metal containers”(19).

20. The undertakings given to the Secretary of State by Asda Stores Ltd, Asda Group Ltd, Safeway Stores Plc, J Sainsbury Plc and Tesco Plc dated 18 December 2001 following the report of the Commission entitled, “Supermarkets: A report on the supply of groceries from multiple stores in the United Kingdom”(20).

21. The undertakings given to the Secretary of State by Provident Financial plc (formerly Provident Financial Group plc) dated 5 March 1982 following the report of the Commission entitled, “Trading Check Franchise and Financial Services: a report on the supply of trading check franchise and financial services in the United Kingdom”(21).

(18) Cm 1625, August 1991. The text of the undertakings was published as an attachment to a DTI Press Notice dated 2 June 1993 (P/93/302).

(19) House of Commons 6, July 1970. The text of the undertakings was published in a DTI Press Notice dated 16 March 1972 (72/248). The undertakings were varied in October 1980 and then in June 1992. The acceptance of the varied undertakings was announced in a DTI Press Notice dated 16 October 1980 (P/80/532). The text of the varied undertakings dated 5 June 1992 was published as an attachment to a DTI Press Notice dated 11 September 1992 (P/92/578).

(20) Cm 4842, October 2000. The acceptance of the undertakings was announced in a DTI Press Notice dated 18 December 2001 (P/2001/725).

(21) House of Commons 62, December 1981. The terms of the undertakings were announced on 10 December 1982 in a Parliamentary Reply to a Department of Trade Parliamentary Question, the text of which was published as an attachment to a Department of Trade Press Notice dated 11 May 1982 (P/82/223).