



Determination of the Competition Authority

Determination No. M/03/035 of the Competition Authority, dated 3 December 2003, under Section 21 of the Competition Act, 2002

Notification No. M/03/035 – Proposed acquisition by Stena AB of certain assets from The Peninsular and Oriental Steam Navigation Company

Introduction

1. On 7 November 2003 the Competition Authority, in accordance with Section 18 (1) of the Competition Act, 2002 (“the Act”) was notified, on a mandatory basis, of a proposal whereby Stena AB and members of the Stena group (Stena) would acquire certain assets from the Peninsular and Oriental Steam Navigation Company group (P&O). Stena proposes to acquire vessels and related assets and inventory currently operated by P&O on several routes on the Irish Sea.

The Parties

2. Stena is owned and controlled by the Sten A. Olsson family. Stena comprises a number of businesses in shipping and related fields. Its principal activities in Ireland are the operation of ferry services between Great Britain and the island of Ireland, and the operation of ports. It operates passenger and freight services on the following routes: (i) Rosslare/Fishguard, (ii) Dublin/Holyhead, (iii) Dun Laoghaire/Holyhead and (iv) Belfast/Stranraer. It owns ports at Holyhead and Stranraer, and holds a 50% interest in the Fishguard and Rosslare Railways and Harbours Company, which owns the ports at Rosslare and Fishguard.
3. P&O is a worldwide transport and logistics company listed on the London Stock Exchange. The principal activities of P&O in Ireland are the operation of ferry services between Great Britain and the island of Ireland and France, and the operation of ports. It operates passenger and freight services on the following routes: (i) Larne/Fleetwood, (ii) Larne/Cairnryan, (iii) Dublin/Liverpool, (iv) Dublin/Mostyn, (v) Larne/Troon, (vi) Rosslare/Cherbourg, and (vii) Dublin/Cherbourg. It owns ports at Cairnryan and Larne. P&O, via its subsidiary P&O Ferrymasters Limited, is also active in international transportation between Ireland, Great Britain and Continental Europe.



Determination of the Competition Authority

Determination

The Competition Authority has been unable to form a view as to whether the result of the proposed merger will be to substantially lessen competition in markets for goods and services in the State and, in accordance with Section 21(2) of the Competition Act, 2002, has determined to carry out a full investigation under Section 22 of the Competition Act, 2002.

For the Competition Authority

John Fingleton
Chairman of the Competition Authority

3 December 2003