



Determination No. M/04/077 of the Competition Authority, dated 20th January 2005, under Section 21 of the Competition Act, 2002

Notification No. M/04/077 – Proposed acquisition by Independent Newspapers (Ireland) Limited of Gabani Limited

Introduction

1. On 20th December 2004 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 Independent Newspapers (Ireland) Limited (“INIL”) would acquire Gabani Limited (“Gabani”). The Authority informed the representative of the undertakings involved and the Minister that it considers the transaction to be a media merger within the meaning of the Act.

The Parties

2. INIL is based in Ireland and is a wholly owned subsidiary of Independent News & Media plc. It publishes a number of newspapers in the State, including the Irish Independent, the Evening Herald and the Sunday Independent.
3. Gabani was established solely to hold shares in a company called Internet Interaction Limited (“IIL”). INIL’s acquisition of sole control of IIL was the subject of Determination No. M/04/002 *Independent Newspapers/Internet Interaction*. Gabani has no other business apart from being a holding company for IIL. Since INIL acquired sole control of IIL, Gabani is not engaged in any business. Gabani is still jointly controlled by INIL and IIL. [...].

Analysis

4. Because Gabani does not carry on any business activity, the transaction does not give rise to any competition concerns.



The Competition Authority
An tÚdarás Iomaíochta

Determination

The Competition Authority, in accordance with Section 21(2) of the Competition Act, 2002, has determined that, in its opinion, the result of the proposed acquisition will not be to substantially lessen competition in markets for goods and services in the State and, accordingly, that the acquisition may be put into effect.

For the Competition Authority

Edward Henneberry
Member of the Competition Authority