



DETERMINATION OF MERGER NOTIFICATION M/10/023 -

Barclays / Allied Glass

Section 21 of the Competition Act 2002

Proposed acquisition by Barclays Private Equity Limited of Allied Glass Holdings Limited

Dated 16 August 2010

Introduction

1. On 30 July in accordance with section 18 of the Competition Act 2002 (the "Act"), the Competition Authority (the "Authority") received a notification of a proposed transaction whereby Barclays Private Equity Limited ("BPE") would acquire sole control of Allied Glass Holdings Limited, trading as Allied Glass Containers Limited (Allied Glass").

The Undertakings Involved

The Acquirer

2. BPE, a subsidiary of Barclays PLC ("Barclays") and based in the United Kingdom ("UK"), is a global management company of private equity investment funds. Within the State BPEL portfolio companies are involved in various activities including engineering, financial services, and travel services.
3. Barclays is a global provider of financial services. For the year ended 31 December 2009, Barclay's worldwide turnover was approximately €[...] million of which approximately €[...] million was generated within the State.

The Target

4. Allied Glass is a specialised manufacturer producing glass bottles and containers for liquors, beer and food, located in Leeds, England, UK.
5. Within the State, Allied Glass sells primarily to three customers: [...].
6. For the year ended 5 December, 2009 Allied Glass' worldwide turnover was approximately €87.1million of which approximately €[...]million was generated in the State.¹

¹ ECB Sterling Euro Exchange rate for December 2009 of €1 = £0.89972

Third Party Submissions

7. No submissions were received.

Analysis

8. There are no horizontal or vertical overlaps in the activities of the parties within the State. Neither Barclays nor any companies in which it has a controlling interest are involved in the manufacture and sale of glass bottles for liquor products in the State. Allied Glass is not involved in financial services in the State.
9. There are no vertical competition issues raised by the transaction as Barclays and companies it controls are among the many suppliers of financial and related services to companies such as Allied Glass and its competitors.
10. Therefore the Authority considers that the proposed transaction will not raise competition concerns in the State.

Ancillary Restraints

11. As part of the proposed transaction the vendors and Barclays have entered into non-compete and non-solicitation covenants for a duration of [...]. The Authority considers these restrictions to be directly related and necessary to the implementation of the proposed transaction.

DETERMINATION

The Competition Authority, in accordance with section 21(2)(a) of the Competition Act 2002, has determined that, in its opinion, the result of the proposed acquisition by Barclays Private Equity Limited of sole control of Allied Glass Holdings Limited will not be to substantially lessen competition in any market for goods or services in the State and, accordingly, the acquisition may be put into effect.

For the Competition Authority

Dr Stanley Wong
Member of the Competition Authority