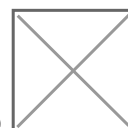


9 December 2011: Sea transport

Published on December 15, 2011

The *Autorité de la concurrence* clears the possible acquisition by DFDS of certain assets of SeaFrance and LD Lines

> *Version française*



At the request of DFDS, the *Autorité de la concurrence* has examined the possible acquisition by DFDS of certain assets of SeaFrance and LD Lines.

The acquisition of SeaFrance, which is the subject of compulsory liquidation proceedings, will be examined shortly by the Paris Commercial Court

After seeing its takeover offer rejected by the court on 16 November last, and before submitting a new offer, DFDS wished to obtain the authorisation of the *Autorité de la concurrence*, pursuant to articles L. 430-1 et seq of the French Commercial Code on merger control.

The companies

DFDS is a Danish operator owned by the Lauritzen Foundation that operates in the integrated sea transport and logistics sector in Northern Europe.

LD Lines is a subsidiary of the Louis Dreyfus Armateurs group that operates ferry services for passengers and freight.

SeaFrance is a subsidiary of SNCF that operates ferry services for passengers and freight between France and England.

These three operators all operate ferry services between England and continental Europe. DFDS operates a service between Dover and Dunkerque and LD Lines operates services between Newhaven and Dieppe and between Portsmouth and Le Havre, while SeaFrance operates services between Dover and Calais.

Based on the results of its analysis, the *Autorité* considers that the projected acquisition would not raise any competition concerns

The *Autorité* considers that, for passenger and freight services from Calais and Dunkerque to Dover, Eurotunnel's Shuttle is in competition with the ferry services operated by P&O, SeaFrance and DFDS. DFDS's acquisition of SeaFrance would leave three operators on this market having roughly equivalent positions.

This oligopolistic situation led the *Autorité* to check that the acquisition would not prompt the operators to engage in concerted practices liable to weaken competition. However it ruled out this risk, noting among other things that the excess capacity these three operators have encourages vigorous competition between them.

The *Autorité* has also ascertained that its conclusions remain unchanged even if it included in its analysis the services from the western Channel ports (Dieppe and Le Havre) operated by LD Lines.

The *Autorité de la concurrence* has therefore approved the projected acquisition submitted by DFDS.

It is now the Paris Commercial Court, after the proceedings it is currently hearing, that will give a final ruling on the takeover offers submitted to it up to 12 December 2011.

>The full text of decision 11-DCC-189 of 9 December 2011 will be available shortly on the web site of the *Autorité de la concurrence*.

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