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7 March 2023

Linfox Armaguard Pty Ltd
Katrina Groshinski
Partner, MinterEllison

Prosegur Australia Holdings Pty Ltd
Elizabeth Avery
Partner, Gilbert + Tobin

By email: [REDACTED]

Dear Katrina and Elizabeth

Re: Application for merger authorisation - Linfox Armaguard Pty Ltd and Prosegur Australia Holdings Pty Ltd – request for an extension of time

We refer to previous communications regarding Linfox Armaguard Pty Ltd and Prosegur Australia Holdings Pty Ltd's (the **Applicants**) application for merger authorisation (the **Application**), including the ACCC's letters dated 30 November 2022 and 7 February 2023.

Request for extension until 1 May 2023

The ACCC released its Statement of Preliminary Views (**SOPV**) on 21 December 2022. Submissions in response to the SOPV were due by 20 January 2023, with extensions to 27 January 2023 provided to some parties, including the Applicants.

The Applicants have consistently communicated to the ACCC that they intend to respond to the SOPV, and that their response will include a detailed outline of a draft undertaking in a form that would enable public consultation (**Proposed Undertaking**). However, to date, we have not received any response by the Applicants to the SOPV.

The ACCC has been progressing its consideration of the Application on the understanding that the Applicants wish us to have regard to their response to the SOPV and the Proposed Undertaking. The delays in receiving this response have significantly impacted upon the timeline for the ACCC's assessment of the Application.

Accordingly, we consider it necessary to seek an extension to the current statutory deadline of 31 March 2023 for the ACCC to determine the application. We consider that this extension is necessary irrespective of the timing of any response to the SOPV that the Applicants intend to provide.

In the circumstances, the ACCC invites the Applicants to provide the ACCC with an extension of time to Monday 1 May 2023 to determine the Application. This will allow the ACCC to complete the steps that it currently considers necessary to make a determination.

Consideration of a further extension of time will be required if a Proposed Undertaking is received

As previously advised, adequate consideration of a complex behavioural undertaking of the type that the ACCC understands is contemplated by the Applicants is likely to take significant time, including a likelihood of needing to engage in a public consultation process.

The ACCC will not be in a position to form a view about the appropriate length of a further extension required unless or until we have reviewed the details of any Proposed Undertaking.

Next steps

Please advise by no later than **1pm Thursday 9 March 2023** whether the Applicants will extend the deadline for determination of the Application to 1 May 2023.

Subject to our consideration of any request for exclusion from the public register, a public version of this letter, and your response, will be placed on the ACCC's public register once a response is received.

Yours sincerely



Lyn Camilleri
General Manager
Competition Exemptions