

Our ref: MA1000022 Contact officer: Simon Pomery Contact phone: 0422 641 326

14 March 2023

Level 17, 2 Lonsdale Street Melbourne Vic 3000

GPO Box 3131 Canberra ACT 2601 tel: (03) 9290 1800

www.accc.gov.au

Linfox Armaguard Pty Ltd Prosegur Australia Holdings Pty Ltd Katrina Groshinski Elizabeth Avery Partner, Gilbert + Tobin

By email:

Dear Katrina and Elizabeth

Partner. MinterEllison

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

We refer to the ACCC's letter of 7 March 2023 (ACCC Letter) and your response dated 9 March 2023 (the Response) regarding the ACCC's request for a further extension of time to consider Linfox Armaguard Pty Ltd and Prosegur Australia Holdings Pty Ltd's (the **Applicants**) application for merger authorisation (the **Application**).

The Response outlined that the Applicants acknowledge that the current statutory deadline of 31 March 2023 is no longer appropriate and consent in principle to an extension. The Response also stated a preference for any extension to have regard to the Applicants' response to the ACCC's Statement of Preliminary Views (SOPV), including a proposed undertaking, which was provided to the ACCC on 10 March 2023.

## Request for extension until 30 June 2023

As stated in the ACCC Letter, we consider it necessary to seek an extension to the current statutory deadline of 31 March 2023 for the ACCC to determine the application.

The Applicants have proposed a behavioural undertaking with complex price and non-price elements. In order for the ACCC to sufficiently consider and consult on the Applicants' response to the SOPV and the proposed undertaking and complete the steps it considers necessary to make a determination, we consider it necessary to extend the timeframe to Friday 30 June 2023. Whether further extensions are necessary is uncertain at this stage and will depend on the responsiveness of the Applicants and the issues raised in consultation.

## **Next steps**

Please advise by no later than 4pm Wednesday 15 March 2023 whether the Applicants will extend the deadline for determination of the Application to 30 June 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