

in the course of their duties. The law enforcement exemption provisions of the Access to Information Act apply to evidence gathered in merger proceedings.

In the United States, the initial premerger notification form requires the following information:

- a) a description of the transaction and its parties, including the worldwide group corporate structure of each party and significant minority shareholdings;
- b) information on U.S. product or service lines of business of the parties;
- c) sales information by the Bureau of the Census' Standard Industrial Classification (SIC) code and identification of SIC codes in which both parties currently derive income;
- d) whether there have been any prior acquisitions in the areas of horizontal overlap;
- e) whether there exist any vendor-vendee relationships between the parties;
- f) financial reports and data and copies of certain documents filed with the U.S. Securities and Exchange Commission;
- g) the merger agreement or letter of intent and other contracts between the parties;
- h) certain planning documents that pertain to the proposed transaction; and
- i) in the case of joint ventures, information about the proposed structure, business and financing of the joint venture.

Most importantly, Item 4(c) of the form requests production of all documents prepared by or for an officer or director for the purpose of analyzing the acquisition for various aspects of competition.

A second request for information may be made which requires much more extensive information from the merging parties. Generally, a second request will solicit information on particular products in an attempt to assist the investigative staff in examining a variety of legal and economic questions. A typical second request will