

**TABLE 9**  
**UNITED KINGDOM**

Stature	General Motivation	Merger Definition	Merger Test	Defences, Exemptions	Decision-Making Body	Enforcement
<p>Fair Trading Act 1973, as amended by the Companies Act, 1989</p>	<ul style="list-style-type: none"> <li>•competition and public policy</li> </ul>	<ul style="list-style-type: none"> <li>•two or more enterprises ceasing to be distinct</li> </ul>	<ul style="list-style-type: none"> <li>•whether merger likely to have adverse effect on public interest</li> </ul>	<p><u>Thresholds</u></p> <ul style="list-style-type: none"> <li>•assets: value of assets acquired exceeds 30 million</li> <li>•market share: 1/4 or more of goods or services of the same description in the U.K. or a substantial part of the U.K. is supplied by one person</li> <li>•no statutory defences or exemptions</li> <li>•however, special rules for certain regulated industries, in addition to "community dimension" which will normally be excluded from MMC investigation</li> <li>•immunity obtainable by negotiating statutory undertakings</li> </ul>	<ul style="list-style-type: none"> <li>•Secretary of State on recommendation of Monopolies and Mergers Commission (MMC)</li> <li>•MMC may only investigate when Secretary of State makes a merger reference</li> </ul>	<p><u>Political/ Administrative</u></p> <ul style="list-style-type: none"> <li>•Secretary of State (Government Minister) act on advice of Director General of Fair Trading</li> </ul>