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Australian Competition and Consumer Commission Mergers Public Register

Acquirer:	Adelaide Brighton Limited
Target:	Adelaide Brighton Cement Limited
Initiation:	Parties
Market Definition:	The relevant market in this transaction was the cement market.
Merger Type:	Changed Shareholding
Guidelines Thresholds:	Crossed
Imports Above 10%:	No
Summary:	ABL sought Authorisation to acquire the 49 per cent shareholding in ABCL held by ACH.

Competition Analysis:

In assessing the likely implications for the industry with and without the ABL acquisition of ACH's 49 per cent shareholding in ABCL, the Commission acknowledges that the proposed acquisition is part of a wider restructuring proposal. The wider restructuring proposal involves ABL acquiring all the shares in Cockburn Cement Limited. On balance, the Commission is of the view that the public benefits flowing from the package of transactions are likely to outweigh the detriments. In particular, the existence of the 'poison pill' in the ABL/ACH shareholder agreement severely limits the scope for alternative restructuring proposals.

Outcome:	Not Opposed	Resolution:	N/A
Date Raised:	30-Mar-1999	Date Closed:	30-Apr-1999
