

Completed acquisition by Diageo plc of United Spirits Limited- Initial Undertakings

We refer to your emails of 18 July and 16 August 2013 requesting OFT consent to a derogation to the Initial Undertakings that Diageo provided in connection with the completed acquisition (the 'Acquisition').

Under the Initial Undertakings, provision is made that the Diageo business will be held separate from Whyte & Mackay ('W&M') for the duration of the Specified Period (as defined in the Initial Undertakings), except with the prior written consent of the OFT.

Access to Treasury Information – paragraph 2(j)

[Non-confidential summary: Diageo Treasury has requested access to high level financial information in relation to W&M.]

Specifically, Diageo submits that specified individuals at Diageo Treasury need to []. Diageo has submitted that the individuals [] will require access to [high level financial information in relation to W&M] (the 'Treasury Information').

The OFT consents to a limited derogation from paragraph 2(j) of the Initial Undertakings. [Non-confidential summary: The consent is granted for high level financial information to be provided to the specified individuals at Diageo Treasury pursuant to approved confidentiality arrangements being put in place which limit the further sharing of the information or its use for purposes other than the approved purposes.]

