

Consent to certain actions for the purposes of the Initial Enforcement Order made by the Competition and Markets Authority (CMA) on 14 October 2016

Completed acquisition by Ranjit Boparan and Baljinder Boparan of the business formerly carried on by Bernard Matthews Limited

We refer to your emails of 8, 9 and 11 November 2016 requesting that the CMA consents to a derogation to the Initial Enforcement Order of 14 October 2016 (the “Order”) as set out in the request for derogations dated 11 November 2016 (the “Request”). The terms defined in the Order have the same meaning in this letter.

Under the Order, save for written consent by the CMA, the Acquiring Entities are required to hold separate the Acquiring Entities businesses from the Target Business and refrain from taking any action which might prejudice a reference under section 22 of the Act or impede the taking of any remedial action following such a reference.

After due consideration of your request for derogations from the Order, based on the information received from you and in the particular circumstances of this case, the Acquiring Entities may carry out the following actions, in respect of the specific paragraphs:

Paragraph 5(I) of the Order

The predecessor to the Target Business was unable to operate as a going concern and currently requires [X] from the Acquiring Entities.

The CMA consents to [X] being able to receive limited high level aggregated financial information relating to the Target Business in the format disclosed to the CMA in the Request to the extent that such information is strictly necessary in order for [X]. The CMA’s consent is conditional on [X] having entered into a confidentiality and non-use agreement in a format which is acceptable to the CMA.

The CMA’s consent to the aforementioned actions does not, under any circumstances, permit the Acquiring Entities from taking any other action prohibited under the Order.