

**REFERENCE RELATING TO THE COMPLETED  
ACQUISITION BY DIEBOLD, INCORPORATED OF WINCOR  
NIXDORF AG**

**Notice of provisional findings under Rule 11 of the CMA  
Rules of Procedure for Merger, Market and Special  
Reference Groups<sup>1</sup>**

1. On 30 August 2016, the Competition and Markets Authority, in exercise of its duty under section 33(1) of the Enterprise Act 2002 (the Act), made a reference to its chair for the constitution of a group (the inquiry group) to investigate and report on, within a period ending on 13 February 2017, the completed acquisition by Diebold, Incorporated (**Diebold**) of Wincor Nixdorf AG (**Wincor**).

**Provisional findings**

2. The inquiry group appointed to consider this reference has made the following provisional findings on the statutory questions it has to decide pursuant to section 35(1) of the Act:
  - (a) whether a relevant merger situation has been created; and
  - (b) if so, whether the creation of that situation has resulted, or may be expected to result, in a substantial lessening of competition within any market or markets in the United Kingdom for goods or services.
3. The inquiry group's reasons are set out in full in the provisional findings report.

**The next steps**

4. Anyone wishing to comment on the provisional findings is now invited to provide the inquiry group with their reasons in writing as to why these provisional findings should not become final (or, as the case may be, should be varied).
5. These reasons should be received by the project manager on behalf of the

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<sup>1</sup> [CMA Rules of procedure for merger, market and special reference groups \(CMA17\)](#).

inquiry group by no later than **5pm on 10 January 2017**.

6. The inquiry group will have regard to any such reasons in making its final decisions on the statutory questions and any consequential actions. However, the inquiry group shall not be obliged to take into account reasons which are provided after the deadline specified in paragraph 5 above.

*(signed)* Martin Cave  
Group Chair  
20 December 2016

Note: A copy of this notice, the summary of the provisional findings report and the provisional findings will be placed on the [CMA web pages](#) on 20 December 2016. The published version of the provisional findings report will not contain any information which the inquiry group considers should be excluded from the report, having regard to the three considerations set out in section 244 of the Act. These omissions are indicated by [✂].

Comments should be made by email to [diebold.wincor@cma.gsi.gov.uk](mailto:diebold.wincor@cma.gsi.gov.uk) or in writing to:

Project Manager  
Diebold/Wincor merger inquiry  
Competition and Markets Authority  
Victoria House  
Southampton Row, London  
WC1B 4AD