

**ANTICIPATED MERGER BETWEEN CENTRAL MANCHESTER
UNIVERSITY HOSPITALS NHS FOUNDATION TRUST AND
UNIVERSITY HOSPITAL OF SOUTH MANCHESTER NHS
FOUNDATION TRUST**

**Notice of provisional findings made under Rule 11
of the Competition and Markets Authority Rules of Procedure¹**

1. On 27 February 2017, the Competition and Markets Authority (CMA) made a reference to its chair for the constitution of a Group of CMA panel members (the Inquiry Group)² in accordance with section 33 of the Enterprise Act 2002 (the Act), in order that the Inquiry Group may investigate and report on the anticipated merger between Central Manchester University Hospitals NHS Foundation Trust (CMFT) and University Hospital of South Manchester NHS Foundation Trust (UHSM) within a period ending on 13 August 2017.

Provisional findings

2. The CMA Inquiry Group appointed to consider this reference has made the following provisional findings on the statutory questions it has to decide pursuant to section 36(1) of the Act:
 - (a) arrangements are in progress or in contemplation which, if carried into effect, will result in the creation of a relevant merger situation; and
 - (b) the creation of that situation may be expected to result in a substantial lessening of competition within the market for NHS elective and maternity services and NHS specialised services.
3. The Inquiry Group's reasons are set out in full in the provisional findings report, which is attached to this notice, and are summarised in the summary of the provisional findings report (see note below).

¹ See [Rules of procedure for merger, market and special reference groups: CMA17](#).

² Under Schedule 4 to the Enterprise and Regulatory Reform Act 2013.

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 Inquiry Group no later than **7 July 2017**.
6. The Inquiry Group will have regard to such reasons in making its final decisions on the statutory questions and actions.
7. The Inquiry Group has sent to CMFT and UHSM and published a notice of possible remedies. This sets out the actions which it considers might be taken by the CMA to remedy the substantial lessening of competition and resultant adverse effects provisionally identified, taking into account the effects of any such actions on any relevant customer benefits arising from the merger.

John Wotton
Group Chair
15 June 2017

Note: A copy of this notice and the summary of the provisional findings report will be placed on the CMA website on 15 June 2017. The CMA proposes to publish the provisional findings report on its website on the same day. 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 cmft.uhsm.nhs@cma.gsi.gov.uk or in writing to:

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