

Variation Order made by the Competition and Markets Authority pursuant to section 72(4)(b) of the Enterprise Act 2002 (the Act)

Whereas:

- (a) the Competition and Markets Authority (**CMA**) made an initial enforcement order pursuant to section 72(2) of the Act in relation to the acquisition by Rentokil Initial plc (**Rentokil Initial**) of MPCL Limited (**MPCL**) (the **Merger**) on 9 October 2018 (the **Initial Enforcement Order**);
- (b) the CMA is continuing to consider whether to make a reference under section 22 of the Act;
- (c) the CMA wishes to ensure that no action is taken pending final determination of any reference under section 22 of the Act which might prejudice that reference or impede the taking of any action by the CMA under Part 3 of the Act which might be justified by the CMA's decisions on the reference;
- (d) MPCL currently provides pest control services to a number of customers who have entered into an integrated facilities management services agreement with Mitie, the former owner of MPCL; and
- (e) The CMA considers that it is appropriate to vary the Initial Enforcement Order to clarify the scope of the Initial Enforcement Order.

For the purpose of varying the Initial Enforcement Order the CMA hereby makes the following order pursuant to section 72(4)(b) of the Act, addressed to Rentokil Initial (the **Variation Order**).

The Initial Enforcement Order is varied as follows:

1. The definition of 'the MPCL business' in the Interpretation section of the Initial Enforcement Order should be replaced with the following definition:

'the MPCL business' means the business of MPCL and its subsidiaries carried on as at the commencement date, which for the avoidance of doubt includes the provision by MPCL, as at the commencement date, of pest control services to customers who have entered an integrated facilities management agreement with Mitie.

2. The following definition should be added to the Interpretation section of the Initial Enforcement Order:

'Mitie' means Mitie Limited, Company number 02938041, Level 12 The Shard, 32 London Bridge Street, London, England, SE1 9SG and its subsidiaries.

Alba Ziso
Assistant Director, Mergers,

13 December 2018