

REFERENCE RELATING TO THE ANTICIPATED ACQUISITION BY AMAZON OF A MINORITY SHAREHOLDING AND CERTAIN RIGHTS IN DELIVEROO

Notice of provisional findings made under Rule 11.3 of the Competition and Markets Authority Rules of Procedure¹

1. On 27 December 2019, 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), regarding the anticipated acquisition by Amazon.com NV Investment Holdings LLC, a wholly-owned subsidiary of Amazon.com, Inc (Amazon) of certain rights and a minority shareholding in Roofoods Ltd (Deliveroo) (together known as ‘the Parties’) (the Transaction), and requiring it to report within a period ending on 11 June 2020.

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 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 not be expected to result in a substantial lessening of competition within any market or markets in the UK for goods or services.
3. The Inquiry Group’s reasons are summarised in the summary of the provisional findings report, which is attached to this Notice, (see note below).

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).

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.

5. These reasons should be received by the Project Manager on behalf of the Inquiry Group no later than **5pm on Monday 11 May 2020**.
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.

Stuart McIntosh
Inquiry Group Chair
16 April 2020

Note: A copy of this Notice and the summary of the provisional findings report will be placed on the [CMA website](#) on 17 April 2020. The CMA proposes to publish the provisional findings report on its [website](#) shortly thereafter. 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 Amazon.Deliveroo@cma.gov.uk.