

**DEROGATION LETTER
IN RESPECT OF INITIAL ENFORCEMENT ORDERS ISSUED
PURSUANT TO SECTION 72(2) ENTERPRISE ACT 2002**

Consent under section 72(3C) of the Enterprise Act 2002 to certain actions for the purposes of the Initial Enforcement Orders made by the Competition and Markets Authority ('CMA') on 21 December 2022 and 24 January 2023

COMPLETED ACQUISITIONS BY MEDIVET GROUP LIMITED

Dear [redacted]

We refer to your email dated 13 January 2023 requesting that the CMA consents to a derogation to the Initial Enforcement Orders of 21 December 2022 and 24 January 2023 (the 'Initial Orders'). The terms defined in the Initial Orders have the same meaning in this letter.

Under the Initial Order, save for written consent by the CMA, the Acquirer Group is required to hold separate the Acquirer Group business from the Target Entity's 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 a derogation from the Initial Orders, based on the information received from you and in the particular circumstances of this case, the Acquirer Group may carry out the following actions, in respect of the specific paragraphs:

a) Paragraphs 5(c), (i) of the Initial Orders

The CMA understands that Medivet's operations division has [redacted] divisional operations director (**DOD**) positions, which is considered a 'key staff' position, and one of these positions (for the [redacted]) is currently vacant. [redacted]. While Medivet is currently seeking to fill this role on a permanent basis, in the meantime it has offered [redacted], who is currently a divisional veterinary director (**DVD**), the DOD role on an interim basis (it will be a [redacted] secondment). She has accepted that offer and is prepared to start the secondment as soon as possible, which is also in Medivet's interest given that currently the other [redacted] DODs have to share the responsibilities of this role and it is therefore important for the company for that position to be filled.

The main role of a DOD is [REDACTED].

Medivet submits that [REDACTED] has the necessary skills and experience to take on the responsibility of a DOD position on an interim basis. She is currently a DVD and has been with Medivet for a total of [REDACTED]. Moreover, [REDACTED] has the necessary experience to exercise the role as a DOD and oversee RODs as she has previously held a regional role which covered both operational as well as clinical responsibilities (under the old Medivet organisational structure, the regional operations and clinical role had been combined into one, and [REDACTED] had held one of those roles).

Therefore, Medivet requests a derogation from paragraph 5(c) and 5(i) of the Initial Orders to allow [REDACTED] to fill the role of a divisional operations director on an interim basis.

After due consideration, the CMA consents to this derogation on the basis that:

- a) These changes will not result in any disruption to, or impact on the viability of the Medivet business.
- b) [REDACTED] has the necessary skills and experience to assume the DOD role.
- c) No other organisation changes or key staff changes will be made to the Medivet business as a result of the proposed changes
- d) This derogation will not lead to any integration between the Target Entities' businesses and the Medivet business.
- e) These actions will not prejudice a CMA reference or impede the taking of any action which may be justified by the CMA's decision on a reference.

Yours sincerely

[REDACTED]

Faye Fullalove

Assistant Director

Mergers

25 January 2023