

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

Consent under section 72(3c) of the Enterprise Act 2002 (the Act) to certain actions for the purposes of the Initial Enforcement Order made by the Competition and Markets Authority (CMA) on 10 November 2023

Completed acquisition by Lindab Limited of HAS-Vent Holdings Limited

We refer to your submission dated 6 November 2024 requesting that the CMA consents to a derogation from the Initial Enforcement Order of 10 November 2023 (the **Initial Order**). The terms defined in the Initial Order have the same meaning in this letter.

Under the Initial Order, save with the written consent of the CMA, Lindab, Lindab UK and HAS-Vent are required to hold separate the HAS-Vent business from the Lindab 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 Order, based on the information received from you and in the particular circumstances of this case, Lindab may carry out the following actions, in respect of the specific paragraphs:

Paragraphs 5(c) and 5(e) of the Initial Order

The CMA understands that Lindab sp.z.o.o., a Polish subsidiary of Lindab, wishes to cease supplying its profile product range (ie its product range related to roofing and rainwater systems). Lindab submits that this line of business (the **Polish Profile Business**) supplied only approximately £34,000 worth of profile products to customers (third party or otherwise) in the UK in the first three quarters of 2024. For the avoidance of doubt, the Polish Profile Business did not supply Lindab UK with any products or services in the first three quarters of 2024. Lindab submits that the Polish Profile Business made sales to Lindab UK totalling only approximately £9,000 in 2023. All of these sales concerned only profile products that are irrelevant to Lindab UK's circular ducts and fittings business.

The CMA therefore consents to a derogation from paragraphs 5(c) and 5(e) of the Initial Order to permit Lindab to close down the Polish Profile Business.

The CMA consents to the derogation strictly on the basis that closing down the Polish Profile Business will not impede the taking of any action which may be justified by the CMA's final report published on 15 October 2024.

Yours sincerely

Colin Garland
Director
8 November 2024