

# Press release: CMA challenges lighting company's pricing restrictions

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The CMA has provisionally found that a lighting supplier has broken competition law by restricting retailers' freedom to discount online.

The Competition and Markets Authority (CMA) has issued a statement of objections to Poole Lighting Limited (Poole), which supplies light fittings to national and independent retailers.

It is alleged the company stopped retailers from setting their own prices online and forced them to sell at – or above – a minimum price. This would be a form of 'resale price maintenance', which breaks competition law.

The CMA's findings are provisional and no final conclusion has been reached regarding whether there has been a breach of competition law.

Ann Pope, CMA Senior Director, Antitrust, said:

With more and more retail activity moving online, making sure competition works well in this channel is a priority for the CMA. That happens when retailers are free to set their own prices to attract customers using the internet to look for the best deal.

So we take allegations of online resale price maintenance seriously because it can keep those prices high and limit choice for consumers.

We will now carefully consider representations from the company before reaching a final decision.

The products being investigated by the CMA are the Saxby and Endon brands of domestic light fittings, including lamp shades, table lamps and wall light fittings. The size of the wider UK light fittings sector is estimated at £1.22 billion annually, including domestic and commercial sales.

## **Notes for editors**

1. The CMA is the UK's primary competition and consumer authority. It is an independent non-ministerial government department with responsibility for carrying out investigations into mergers, markets and the regulated

industries and enforcing competition and consumer law.

2. The Chapter I prohibition of the Competition Act 1998 covers anti-competitive agreements, concerted practices and decisions by associations of undertakings which have as their object or effect the prevention, restriction or distortion of competition within the UK or a part of it and which may affect trade within the UK or a part of it. Similarly, Article 101 of the Treaty on the Functioning of the European Union (TFEU) prohibits such anti-competitive agreements, concerted practices and decisions by associations of undertakings which may affect trade between EU member states.
3. The CMA has produced a series of [animated videos](#) explaining the main principles of competition law and how they affect small businesses.
4. The CMA fined 2 other companies for online resale price maintenance in May 2016: one in the [bathroom fittings sector](#) and one in the [commercial refrigeration sector](#).
5. The estimated size of the wider UK light fittings sector is £1.22 billion annually according to AMA Research Limited's 'Lighting Market Report – UK 2016-2020 Analysis', 13th edition, July 2016.
6. Any business found to have infringed the Competition Act 1998 could be fined up to 10% of its annual worldwide group turnover. In calculating financial penalties, the CMA takes into account a number of factors including seriousness of the infringement(s), turnover in the relevant market and any mitigating and/or aggravating factors.
7. The statement of objections is addressed to the following companies which the CMA provisionally considers were directly involved in the alleged infringements and/or are liable as parent companies of the companies directly involved in the alleged infringements:
  - Saxby brand: Poole Lighting Limited, Saxby Lighting Limited and their parent company, The National Lighting Company Limited.
  - Endon brand: Poole Lighting Limited, Endon Lighting Limited and their parent company, The National Lighting Company Limited.
8. The CMA has not addressed the statement of objections to any retailer. This is because the CMA has applied Rule 5(3) of its Competition Act 1998 Rules, according to which it may address its proposed infringement decision to fewer than all the persons who were party to the relevant agreements.
9. A statement of objections gives parties notice of a proposed infringement decision under the Competition Act 1998. It is a provisional decision only and does not necessarily lead to an infringement decision. Parties have the opportunity to make written and oral representations on the matters set out in the statement of objections. Any such representations will be considered by the CMA before any final decision is made.
10. The statement of objections will not be published. In accordance with the guidance [Competition Act 1998: Guidance on the CMA's investigation procedures in Competition Act 1998 cases \(CMA8\)](#), any person who is in a position materially to assist the CMA in testing its factual, legal or economic arguments may request a non-confidential version of the statement of objections by contacting the CMA.
11. The CMA currently has 12 ongoing cases open under the Competition Act 1998.

12. For more information on the CMA see our [homepage](#) or follow us on Twitter [@CMAgovuk](#), [Facebook](#), [Flickr](#) and [LinkedIn](#). Sign up to our [email alerts](#) to receive updates on Competition Act 1998 and civil cartels cases.
  13. Information on this investigation can be found on the [case page](#).
  14. Enquiries should be directed to Rebecca Cassar ([rebecca.cassar@cma.gsi.gov.uk](mailto:rebecca.cassar@cma.gsi.gov.uk), 020 3738 6633).
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## **Mark Drakeford meets European Investment Bank to discuss infrastructure investment opportunities in Wales**

The Welsh Government has worked closely with the EIB to identify financing options for priority Welsh schemes; including investment in sections five and six of the A465, the redevelopment of Velindre Cancer Centre; band B of the 21st Century Schools and Education programme and the Housing Finance Grant 2 (HFG2).

Professor Drakeford and EIB Vice President Jonathan Taylor will explore options for investment through the Investment Plan for Europe (IPE), including the €315bn European Fund for Strategic Investment (EFSI). The Finance Secretary will also discuss the Welsh Government's future relationship with the EIB when the UK leaves the European Union.

During his visit to Wales, Mr Taylor will meet Cabinet Secretary for Communities and Children Carl Sargeant to discuss the potential for investment in social and affordable housing.

The HFG2 programme will play a key role in delivering the Welsh Government's target of 20,000 new affordable homes this Assembly term.

And the Finance Secretary, Health Secretary Vaughan Gething and Mr Taylor will visit Velindre NHS Trust to see the plans for the new Velindre Cancer Centre – the centre is at the heart of a £230m scheme to transform the delivery of cancer care services across South Wales and is one of the schemes identified by the EIB as a investment priority in Wales.

The EIB is an active investor in the Welsh economy and has invested almost £2bn over the last 20 years in a range of public and private sector projects, including water, aviation, the motor industry and housing stock.

Professor Drakeford said:

“I’m pleased to welcome Jonathan Taylor to Cardiff to discuss the progress made with these schemes, which are being developed across Wales. It is also an opportunity to discuss the Welsh Government’s view about what our future relationship with the bank should look like once the UK leaves the EU.

“We are facing unprecedented challenges in terms of public finances so it is vitally important that we unlock all opportunities to boost investment in Welsh infrastructure. As a government we are focused on attracting investment from the EIB for our £2.5bn innovative finance schemes, including projects for affordable housing, transport, health and green growth.

“Wales already benefits significantly from our long relationship with the EIB and we want to see this continue post-Brexit. Our White Paper, Securing the Future, sets out a credible plan for the UK’s withdrawal from the EU, and calls for the UK to continue as a subscribing partner of the bank.”

Jonathan Taylor, European Investment Bank Vice President said:

“The European Investment Bank has a strong track record supporting long-term investment across Wales that has included transformational education, water, energy, transport and social housing schemes.

“Close cooperation with the Welsh government and business partners across Wales is crucial to maximise the impact of EIB engagement.”

Steve Ham, Chief Executive of Velindre NHS Trust said:

“We are delighted to be able to welcome both Cabinet Secretaries and Jonathan Taylor to the Trust.

“The visit will provide an excellent opportunity to highlight the progress we have made, in conjunction with our Health Board colleagues, in developing plans for Non Surgical Cancer Services across South East Wales, and the key role the new Cancer Centre will play in the future delivery of our services.”

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# Press release: UK firms secure lucrative 'green' construction contract with government support

In a significant collaboration between UK firms Carillion and Zaha Hadid Architects, and leading UAE-based environmental management company Bee'ah, support from UK Export Finance (UKEF) has helped secure a contract to build Bee'ah's new headquarters in Sharjah, UAE, worth tens of millions of pounds.

Bee'ah's headquarters was designed by the late Dame Zaha Hadid, the world-renowned British architect. It will be built by Carillion and will be the first building of its kind in the city of Sharjah to be powered entirely by renewable and recoverable energy sources, whilst utilising recycled materials in its construction.

International Trade Secretary Dr Liam Fox said:

Our support to help Carillion secure this contract shows the UK's global leadership in sustainable engineering, and our pioneering expertise in developing smart cities and green buildings for the future. The UAE is a key partner in the region and 5,000 UK companies work in there. Through UKEF, the government is ensuring that British firms can be the first choice to support the country's ambitions.

The headquarters will be powered by low- and zero-carbon sources, including solar power and waste-to-energy and will be one of the most advanced buildings in the region. Using British architectural and construction expertise, the design has been developed to use natural light and temperature management systems where possible.

Zafar Khan, Group Finance Director, Carillion, said:

This contract cements Carillion's position as a market-leader in the Middle East, as well as our credentials in sustainable construction. Our ability to offer our customers in the region the support of UK Export Finance is an invaluable asset, making our bids more attractive and helping us win contracts in a competitive global marketplace.

HE Salim bin Mohamed Al Owais, Chairman of Bee'ah, said:

As pioneers in environmental sustainability in the Middle East, Bee'ah is proud of our international alliances and the partnerships we have forged to advance our ambitious strategic goals. This agreement is a significant moment in the history of the region. It demonstrates Bee'ah's dedication and commitment to delivering on promises to the people of the UAE by providing tangible solutions to the greatest environmental challenges that face modern civilisation.

The headquarters is expected to be operational by the end of 2018, moving towards the major milestone of being powered by 100% renewable energy by 2021.

The financing deal provides for both the construction and design of Bee'ah's new headquarters; UKEF will support the Carillion and Zaha Hadid contracts under its Direct Lending Facility. HSBC Bank Middle East Ltd has acted as arranger on the transaction, and HSBC Bank Plc is the agent.

1. The construction phase of the project is expected to last 30 months.
2. The Department for International Trade is responsible for promoting British trade across the world and ensuring the UK takes advantage of the huge opportunities open to us.
3. [UK Export Finance](#) is the UK's export credit agency and a government department, working alongside the Department for International Trade as an integral part of its strategy and operations.
4. It exists to ensure that no viable UK export should fail for want of finance or insurance from the private market. It provides finance and insurance to help exporters win, fulfil and ensure they get paid for export contracts.
5. Sectors in which UKEF has supported exports include: aerospace, construction, oil and gas, mining and metals, petrochemicals, telecommunications, and transport.
6. UKEF has a regional network of [24 export finance managers](#) supporting export businesses.
7. UKEF supports exporters with a range of products that include:
  - Bond insurance policy
  - Bond support scheme
  - Buyer & supplier credit financing facility
  - Direct lending facility
  - Export insurance policy

- Export refinancing facility
- Export working capital scheme
- Letter of credit guarantee scheme

8. Find the latest information on UKEF's [country cover positions](#)
9. Bee'ah, headquartered in the Emirate of Sharjah, is an integrated environmental and waste management company, founded in 2007, through an Emiri decree by His Highness Sheikh Dr Sultan Bin Mohammed Al Qasimi, Member of the Supreme Council and Ruler of Sharjah, as a public private partnership (PPP) with the Sharjah City Municipality.

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## [Theresa May has lost control of the NHS this winter – Ashworth](#)

### **“Theresa May has lost control of the NHS this winter”: Labour reacts to latest performance data**

NHS England has today published full year 2016 data for a number of key NHS indicators, including waiting lists, ambulance response and delayed transfers, which show the health service stretched to the limits.

The BBC has also published leaked figures showing January's A&E performance to be the worst since records started.

Labour said the figures showed Theresa May was failing patients and renewed calls for the Government to bring forward extra support for health and social care in the March budget.

### **Jon Ashworth, Labour's Shadow Health Secretary, said:**

“Theresa May has lost control of the NHS this winter and patients are paying the price as target after target is missed and standards of care deteriorate. Thousands more people are waiting for treatment, people are stuck in hospitals even when they're well enough to go home, and key standards on cancer care and ambulance response times are being missed.

“These are some of the worst figures we have seen. Experts are saying that standards are being pushed back fifteen years or more. Behind each of these statistics is a patient

suffering and in unacceptable discomfort. It's making Theresa May's utter disregard for the dire state of the NHS all the more disgraceful.

"The Government has failed the NHS right across the board. Urgent action is required and Labour is calling for a sustainable funding package for health and social care to be brought forward in the March Budget, so that the NHS and its patients never have to go through a winter like this again."

Ends

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## [Labour has demonstrated that we respect the result of the referendum – Corbyn](#)

Jeremy Corbyn, Leader of the Labour Party, following tonight's votes, said:

"Labour has demonstrated that we respect the result of the referendum by voting to begin negotiations to leave the EU, with the overwhelming majority of Labour MPs supporting our party's position.

"In recent weeks, Labour has forced the government to reveal what their plan for Brexit actually is.

"Both from their public statements and the amendments their MPs have voted down, the Conservatives have made clear they are determined to use Brexit to turn Britain into a bargain basement tax haven.

"Labour has a profoundly different vision for our country, with a plan to rebuild and transform Britain so that no one and no community is left behind.

"Article 50 is just the start of the negotiating process. Labour will be using every opportunity, both in Parliament and in the country, to protect jobs, rights and living standards, and achieve the best possible deal for Britain."