

# Statement to parliament: Written Ministerial Statement on Secretary of State's 'minded to' intervene decision.

My Department has today written to Lebedev Holdings Limited (LHL) and Independent Digital News and Media Limited (IDNM), the owners of the Evening Standard and the Independent, to inform them that I am 'minded to' issue an Intervention Notice. This relates to concerns I have that there may be public interest considerations – as set out in section 58 of Enterprise Act 2002 – that are relevant to the recent acquisition of a 30% stake by the International Media Company (IMC) in LHL and the linked transaction involving the acquisition of a 30% stake by Scalable LP in IDNM and that these concerns warrant further investigation.

A 'minded to' letter has therefore been issued to the parties on one public interest ground specified in section 58 of the Enterprise Act 2002:

(2A) The need for (a) accurate presentation of news; and (b) free expression of opinion.

It is important to note that I have not taken a final decision on intervention at this stage. In line with the statutory guidance on media mergers, the 'minded to' letter invites further representations in writing from the parties and gives them until 5pm on Monday 17 June to respond. I plan to make my final decision, which needs to be made on a quasi judicial basis, on whether to issue an Intervention Notice no later than week commencing 24 June.

If I decide to issue an Intervention Notice, the next stage would be for Ofcom to assess and report to me on the public interest concerns and for the Competition and Markets Authority (CMA) to assess and report to me on whether a relevant merger situation has been created and any impact this may have on competition. Following these reports, I would need to decide whether to refer the matter for a more detailed investigation by the CMA under section 45 of the Enterprise Act 2002.

In view of the time it has taken to obtain sufficient information to reach this point I have asked the parties to agree to extend the statutory time limit to allow Ofcom and the Competitions and Markets Authority to report to me on the public interest issues raised by the transaction.

I will keep Parliament updated on progress with this media merger case.