



MERGER ANNOUNCEMENT - M/21/024

Competition and Consumer Protection Commission clears proposed acquisition by Orpea S.A, through its subsidiary Orpea Care Ireland Limited, of sole control of six companies trading under the name FirstCare.

8 July 2021

On 6 July 2021, the Competition and Consumer Protection Commission (“CCPC”) cleared, subject to a binding commitment, the proposed transaction whereby, Orpea S.A. (“Orpea”), through its subsidiary Orpea Care Ireland Limited would acquire sole control of Firstcare Beneavin House Limited, Firstcare Beneavin Lodge Limited, Firstcare Beneavin Manor Limited, Firstcare Blainroe Lodge Limited, Firstcare Mountpleasant Lodge Limited and Firstcare Earlsbrook House Limited (the “Proposed Transaction”). The Proposed Transaction was notified under the Competition Act 2002, as amended, on 10 May 2021.

This follows an extended preliminary (Phase 1) investigation by the CCPC, during which the CCPC identified potential concerns regarding Orpea’s position in the provision of residential care and nursing home services in Co. Kildare following implementation of the Proposed Transaction and any potential future expansion in this area by Orpea.

To address the potential competition concerns identified, Orpea submitted a proposal to the CCPC in accordance with section 20(3) of the Act. The Proposal submitted by Orpea includes a commitment by Orpea that for a period of two years commencing from the date of the Commission’s Determination if Orpea enters a legally binding agreement to, directly or indirectly, acquire control (for the purposes of section 16(1) of the Act) over any residential care and nursing home in County Kildare (“Possible Transaction”), Orpea will inform the Commission of the Possible Transaction, and voluntarily notify the Possible Transaction to the Commission before it is put into effect, pursuant to section 18(3) of the Act should it be directed to do so by the Commission.

The CCPC is of the view that the commitment obtained from Orpea is appropriate and effective in addressing the identified potential competition concerns. The CCPC has taken this commitment into account and it forms the basis or part of the basis of its determination. As a result, the commitment has become binding on Orpea.

The CCPC has determined that, in its opinion, the result of the Proposed Transaction, taking into account the commitment obtained from Orpea, will not substantially lessen competition in any market for goods or services in the State. The CCPC will publish the reasons for its determination on its website no later than 60 working days after the date of the determination and after allowing the parties the opportunity to request that confidential information be removed from the published version.

Additional Information



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Orpea S.A is publicly traded on the Euronext stock exchange in Paris, and its shareholding is widely held. Orpea S.A. is active in the residential care and nursing home services sector worldwide, with a presence across 22 countries on three continents. Orpea S.A. is active in the State through Orpea Care Ireland Limited, a wholly owned subsidiary of Orpea S.A.

The six companies trading under the name FirstCare, which are active in the provision of residential care and nursing homes in the State are Firstcare Beneavin House Limited, Firstcare Beneavin Lodge Limited, Firstcare Beneavin Manor Limited, Firstcare Blainroe Lodge Limited, Firstcare Mountpleasant Lodge Limited and Firstcare Earlsbrook House Limited.