

# DETERMINATION OF MERGER NOTIFICATION M/25/040 DUSSMANN/LYNSKEY ENGINEERING

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## Section 21 of the Competition Act 2002

**Proposed acquisition by Dussmann Holdings Limited of the entire issued share capital and thus, sole control, of Lynskey Engineering Holdings Limited.**

**Dated 17 July 2025**

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### Introduction

1. On 2 July 2025, in accordance with section 18(1)(a) of the Competition Act 2002, as amended (the “Act”), the Competition and Consumer Protection Commission (the “Commission”) received a notification of a proposed acquisition whereby Dussmann Holdings Limited (“Dussmann”) would acquire the entire issued share capital and thus, sole control of Lynskey Engineering Holdings Limited (“Lynskey Engineering”) (the “Proposed Transaction”).<sup>1</sup>

### The Proposed Transaction

2. The Proposed Transaction is to be implemented pursuant to Share Purchase Agreement, dated 30 June 2025, between Martlane Holding Company Limited (the “Seller”), Dussmann (the “Purchaser”), Dussmann Group and Sean McElligott (“SME”) (the “SPA”).
3. The business activities of the undertakings involved are:

### *The Acquirer – Dussmann*

- Dussmann is ultimately a wholly owned subsidiary of Dussmann Stiftung & Co. Kommanditgesellschaft auf Aktien (“Dussmann Group”), a German-based global service provider involved in design, informational and communication technologies, facilities management, mechanical services, food services, technical plant and

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<sup>1</sup> Dussmann and the Lynskey Engineering are collectively referred to as the “Parties” hereafter.

systems engineering services to companies in over 20 countries globally. Dussmann Group is the ultimate holding company of Dussmann.

- In 2019, Dussmann Group set up Dussmann Technology Solutions to acquire Specialist Technical Engineering Services Unlimited (“STS”). This acquisition was reviewed in Germany before the transaction was put into effect. STS is the only company within the Dussmann Group which operates in the State.
- STS specialises in installation contractor services focussing on electrical and instrumentation services across life-sciences, data centres, the food & beverage industry and distribution facilities.

#### ***The Target – Lynskey Engineering***

- Lynskey Engineering is a design, construction project management, mechanical, engineering, commissioning and maintenance contractor which operates across the island of Ireland, the United Kingdom and throughout mainland Europe.
  - Lynskey Engineering provides a range of mechanical services including ventilation, air conditioning, heating, water and sustainability services across commercial, industrial, data centres, healthcare, educational and technology settings.
4. After examination of the notification, the Commission has concluded that the Proposed Transaction falls within the scope of paragraph 2.1 of the Simplified Merger Notification Procedure Guidelines (“SMNPG”) for assessing certain notifiable mergers or acquisitions under section 18 of the Act since two or more of the undertakings involved in the merger/acquisition are active in the same product and geographic market, but their combined market share is less than 15%. Additionally, none of the exclusions stipulated in paragraphs 2.8 to 2.14 of the SMNPG apply to the Proposed Transaction.
  5. In light of this, the Commission considers that the Proposed Transaction will not substantially lessen competition in any market for goods or services in the State.

#### **Ancillary Restraints**



6. Clauses 10.1.1 and 10.1.3 of the SPA contain certain non-compete and non-solicitation obligations on the Seller and the SME. The duration and the scope of these non-compete obligations do not exceed the maximum duration and maximum scope acceptable to the Commission. Therefore, the Commission considers these restrictions to be directly related to and necessary for the implementation of the Proposed Transaction, in so far as they relate to the State.



### **Determination**

The Competition and Consumer Protection Commission, in accordance with section 21(2)(a) of the Competition Act 2002, as amended, has determined that, in its opinion, the result of the proposed acquisition whereby Dussmann Holdings Limited would acquire the entire issued share capital and thus, sole control of Lynskey Engineering Holdings Limited, will not be to substantially lessen competition in any market for goods or services in the State, and, accordingly, that the acquisition may be put into effect.

For the Competition and Consumer Protection Commission

**Alan Scarlett**

**Acting Director**

**Mergers Division**

**Competition and Consumer Protection Commission**