

Although BOC Limited and the Applicant have now agreed a draft agreement with appropriate protective provisions, the Applicant has failed to provide the protective provisions in a form for execution, or a timetable for execution. In the absence of any meaningful progress by Deadline 8 (24 February 2025), BOC will request that the Examining Authority programme a further hearing date in order to address protective provisions before 28 February 2025. To the extent that no protective provisions are entered into between the parties, BOC will request that amendments are made to the Order to include protective provisions drafted by Fieldfisher on behalf of BOC in order to adequately safeguard its business and operations.

Since our last update to the Examining Authority on 14 February 2025, BOC Limited, the Applicant and their respective representatives have now agreed a draft agreement with appropriate protective provisions. The parties are seeking to have the protective provisions in a form for execution by the end of this week.

Fieldfisher LLP (who act for BOC Limited) will update the Examining Authority again on or before Deadline 8 to confirm whether this aim has been achieved and consequently how BOC Limited wishes to proceed. We reserve our right to make further representations in the event the agreed protective provisions are not signed and dated by Deadline 8.