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FTC news

Federal Trade Commission Washington, D.C. 20580

FOR IMMEDIATE RELEASE: August 9, 1985

Federal Trade Commission
Received

**BELL RESOURCES ILLEGALLY ACQUIRED
ASARCO INC. STOCK, FTC CHARGES**

1985 1 2 1985

Office of the Assistant
Bureau of Competition

Bell Resources Ltd., an Australian company, did not comply with federal pre-merger notification requirements when it acquired stock in Asarco Inc., according to a complaint filed in federal district court today.

The complaint, which resulted from a Federal Trade Commission investigation, names Bell Resources, its subsidiary Weeks Petroleum Ltd., and the chairman of the board of Bell Resources, M.R.H. Holmes a Court. The complaint seeks maximum civil penalties and an injunction to prohibit future violations of the premerger reporting provisions of the Hart-Scott-Rodino act.

The HSR act requires companies over a certain size to notify the FTC and Department of Justice and to observe a waiting period before making certain acquisitions.

The complaint charges that Weeks Petroleum began acquiring, directly or indirectly, Asarco stock on Sept. 27, 1984, at the direction of Bell Resources and Holmes a Court. By Nov. 21, Weeks Petroleum had acquired more than \$15 million worth of Asarco stock and it made additional purchases up until February 28, 1985. Weeks Petroleum filed an HSR act notification with the FTC on March 8, stating its intention to acquire at least 25 percent of Asarco. That filing started a waiting period that expired April 7.

The complaint alleges that either Bell Resources or Weeks Petroleum was required by the HSR act to file a report and observe a waiting period before acquiring more than \$15 million of Asarco stock but that they did not comply with those requirements. Therefore, the two companies violated the HSR act from November 21, 1984, through April 7, 1985, according to the complaint.

Under the Hart-Scott-Rodino act, companies that acquire no more than 10 percent of another company's stock are exempt from the reporting and waiting period requirements if the acquisitions are made "solely for the purpose of investment." The complaint charges Bell's acquisitions were not made solely for the purpose of investment and therefore did not qualify for the exemption.

Bell Resources is a diversified company based in Melbourne, Victoria, Australia. Bell owns 93.6 percent of Weeks Petroleum, a Bermuda corporation with offices in New York City. Holmes a Court is an Australian citizen whose principal place of business is Perth, Western Australia. Asarco, one of the world's major copper producers, is based in New York City.

(More)

The Department of Justice filed the complaint in the U.S. District Court for the Southern District of New York, at the FTC's request.

Copies of the complaint are available from the FTC's Public Reference Branch, Room 130, 6th St. and Pennsylvania Ave. N.W., Washington, D.C. 20580; 202-523-3598; TTY 202-523-3638.

News media copies are available from the Office of Public Affairs, Room 496, same address; 202-523-1848.

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(FTC File No. 851-0082)

(Bell)