

***Case No COMP/M.2964 -
GLOBAL CROSSING /
HUTCHISON / ST
TELEMEDIA***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 16/01/2003

*Also available in the CELEX database
Document No 303M2964*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16/01/2003

SG (2002) D/228149

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the Notifying Parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.2964 – Hutchinson / ST Telemedia / Global Crossing
Notification of 04/12/2002 pursuant to Article 4 of Council Regulation (EEC) No.
4064/89¹
Publication in the Official Journal of the European Communities No. C 309 on
12/12/2002, page 12**

1. On 04.12.02 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the undertakings Hutchison Telecommunications Limited (“Hutchison Telecom”, Hong Kong), belonging to Hutchison Whampoa Limited, and Singapore Technologies Telemedia Pte. Ltd. (“ST Telemedia”, Singapore) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Global Crossing Limited (“Global Crossing”, Bermuda) by way of purchase of assets under Chapter 11 of the United States Bankruptcy Code.
2. The business activities of the undertakings concerned are:

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

- for Hutchison Telecom: mobile telephony services (world-wide) and fixed line services (Hong Kong);
 - for ST Telemedia: telecommunications, data and Internet services, (mainly in Singapore) and carrier's carrier services (USA);
 - for Global Crossing: a variety of integrated telecommunications services to large multinational corporations and telecommunications operators.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission

Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.