

***Case No COMP/M.3115 -
ABN AMRO CAPITAL /
PIZZAEXPRESS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 27/03/2003

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27/03/2003

SG (2003) D/229158

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

Dear Sirs,

**Subject: Case No. COMP/M.3115 – ABN AMRO CAPITAL/PIZZAEXPRESS
Notification of 27.02.2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 52,
06/03/03, p. 11**

1. On 27.02.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking ABN AMRO Capital Limited (“ABN AMRO CAPITAL”, United Kingdom) belonging to ABN AMRO Group (“ABN AMRO”, The Netherlands) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking PizzaExpress PLC (“PizzaExpress”, United Kingdom) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for ABN AMRO CAPITAL: Management of the ABN AMRO LBO Fund, an English registered limited partnership belonging to ABN AMRO.

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 ABN AMRO: Provision of financial services throughout Europe and the world.
 - for PizzaExpress: Restaurant group operating mainly in the United Kingdom.
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

signed
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.