

***Case No COMP/M.5506 -
SABENA TECHNICS /
TNT AIRWAYS / JV***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 04/08/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 04/08/2009
SG-Greffe(2009) D/ 4813/ 4814
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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.5506 – SABENA TECHNICS / TNT AIRWAYS / JV
Notification of 03/07/2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 164,
16.07.2009, p.21**

1. On 03/07/2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Sabena Technics SA ("Sabena Technics", France) belonging to the TAT group, and TNT Airways SA ("TNT Airways", Belgium) belonging to the TNT group acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of X-Air Services SA ("X-Air Services", Belgium), a newly created company constituting a joint venture by the way of purchase of shares and transfer of assets.
2. The business activities of the undertakings concerned are:
 - for Sabena Technics: repair and maintenance of aircraft;
 - for TNT Airways: freight air transport;
 - for X-Air Services: repair and maintenance of aircraft.

¹ OJ L 24, 29.1.2004, p. 1.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No 139/2004 and of paragraph 5 (a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
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 (EC) No 139/2004.

For the Commission
(Signed by
Irmfried SCHWIMMAN
Director On behalf of
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.