

EN

***Case No COMP/M.5542 -  
NPM / FORTIS /  
HELVOET***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 23/06/2009

***In electronic form on the EUR-Lex website under document  
number 32009M5542***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23/06/2009  
SG-Greffe(2009) D/3555  
C(2009) 5168

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.5542 – NPM/ FORTIS/ HELVOET  
Notification of 20.05.2009 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C 122,  
30.05.2009, p.22.**

1. On 20.05.2006 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which NPM Capital ("NPM", Netherlands) belonging to the group SHV Holdings N.V. ("SHV", Netherlands) and Fortis Private Equity Holding Nederland B.V. ("FPE", Netherlands) belonging to the group Fortis Bank Nederland N.V. ("Fortis Bank", Netherlands) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Helvoet Holding B.V. ("Helvoet", Netherlands) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for NPM : private equity
  - for FPE : private equity
  - for Helvoet : custom-made development and manufacturing of single and assembled plastic and rubber components

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<sup>1</sup> 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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
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)*  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 05.3.2005, p. 32.