

***Case No COMP/M.6978 - BANCO POPULAR/ CREDIT  
MUTUEL/ ATM BUSINESS***

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: 03/09/2013

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EUROPEAN COMMISSION

Brussels, 03.09.2013  
C(2013)5747 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party:**

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

**Subject: Case No COMP/M.6978 – BANCO POPULAR/ CREDIT MUTUEL/ ATM BUSINESS  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 02.08.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Banco Popular Español S.A. ("Banco Popular", Spain) and Group Crédit Mutuel ("Crédit Mutuel", France) acquire joint control of a newly created company ("ATM Business", Spain) constituting a full function joint venture within the meaning of Article 3(4) of the Merger Regulation.
2. The business activities of the undertakings concerned are:
  - for Banco Popular: commercial, retail, investment and wholesale banking activities as well as the provision of insurance services.
  - for Crédit Mutuel: retail banking and insurance.
  - for ATM Business: provision of the services necessary for the authorization, data capture, process, settlement and reconciliation of ATM transactions effected by cardholders located in Spain.<sup>2</sup>

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> Publication in the Official Journal of the European Union No C 231, 09.08.2013, p.7

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5 (a) and (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>3</sup>
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission*  
*(signed)*  
*Alexander ITALIANER*  
*Director General*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.