



EUROPEAN COMMISSION  
DG Competition

***Case M.9339 - KENNEDY WILSON / AXA / JV***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 22/05/2019

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## EUROPEAN COMMISSION

Brussels, 22.5.2019  
C(2019) 3980 final

### **PUBLIC VERSION**

**To the notifying parties**

**Subject: Case M.9339 – Kennedy Wilson/AXA/JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 25 April 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Kennedy-Wilson Holdings, Inc. ('Kennedy Wilson', United States of America) and AXA S.A. ('AXA', France) acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control over three newly created companies (together, the 'JV'), which will acquire, hold, and manage private rented accommodation and office space in Ireland, by way of purchase of shares in the JV.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Kennedy Wilson: investment in, development, and management of real estate;
  - for AXA: life, health and other forms of insurance, as well as investment management.
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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</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

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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> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 158, 10.05.2019, p. 13.

<sup>4</sup> OJ C 366, 14.12.2013, p. 5.

internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

*For the Commission*

*(Signed)*  
*Johannes LAITENBERGER*  
*Director-General*