

***Case No COMP/M.2453 -
GKN / BRAMBLES***

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/07/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12-07-2001
SG (2001) D/289725

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.2453 – GKN/BRAMBLES
Notification of 11.06.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 175, 20.06.2001, page 14.

1. On 11/06/2001, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the undertaking Brambles plc (UK) and Brambles Ltd (Australia) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of businesses, previously solely owned by either party, by way of purchase of shares and assets. The operation will result in the creation of a single economic entity having a dual listed companies' structure.
2. The overall transaction involves the restructuring of the support service businesses of GKN plc. After the restructuring process, the support services of GKN plc will be transferred to Brambles Plc, which is a newly established company with the same shareholders as GKN plc. Finally these support service businesses of Brambles Plc will be combined with the support services of Brambles Ltd. This latter part of the transaction is the subject of the assessment under this decision.

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.

3. The business activities of the undertakings concerned are:
- Brambles Plc: Support services
 - Brambles Ltd: Support services, transport and logistics
4. 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.
5. 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
Mario Monti
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.