

***Case No COMP/M.2788 -
NEW HOLDING FOR
TOURISM BV /
PREUSSAG AG / NEOS
JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/05/2002

*Also available in the CELEX database
Document No 302M2788*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30/05/2002

SG (2002) D/229990, D/229991

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam and Sir,

Subject: Case No. COMP/M.2788 – NEW HOLDING FOR TOURISM BV/PREUSSAG AG/NEOS/JV

Notification of 25.4.2002 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 108, 4.5.2002, page 7.

1. On 25.4.2002, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89² by which the undertaking(s) Preussag AG (Preussag), a German holding acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Neos S.p.A.(NEOS) currently controlled by NHT New Holding for Tourism B.V. (NHT), a Dutch sub-holding of Giovanni Agnelli & C. S.a.p.a.z. by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for undertaking Preussag : tourism, logistics and energy.

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.

² OJ L 395, 30.12.1989 p. 1; corrigendum OJ L 257 of 21.9.1990, p. 13; Regulation as last amended by Regulation (EC) No 1310/97 (OJ L 180, 9. 7. 1997, p. 1, corrigendum OJ L 40, 13.2.1998, p. 17).

- for undertaking NHT : several economic sectors including tourism
 - for undertaking NEOS: charter airline.
3. 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 4064/89³.
 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 (EEC) No. 4064/89.

For the Commission

Mario MONTI
Member of the Commission
(signed)

³ OJ C 217, 29.07.2000, p. 32.