

***Case No COMP/M.2998 -
AVH / CNP / GIB JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 06/12/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.12.2002

SG (2002) D/233047/233048

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.2998 – AvH/CNP/GIB JV
Notification of 5.11.2002 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 277,
p. 4 of 14/11/2002.**

1. On 5.11.2002, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the Belgian undertakings Ackermans & van Haaren NV/SA (“AvH”), controlled by Belfimas NV (Belgium) and Compagnie Nationale à Portefeuille SA (“CNP”), belonging to the Frère Bourgeois Group (Belgium) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking GIB SA (“GIB”, Belgium) by way of a public bid announced on 23 October 2002.
2. The business activities of the undertakings concerned are:
 - AvH: contracting, construction, dredging, human resources services, financial services and insurance, private equity

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.

- CNP: financial holding with controlling interest in a broad range of sectors including food industry, information technology consulting, wine production, hotels
 - GIB: quick service restaurants, retail distribution of sports and leisure products and apparel, IT maintenance services.
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 (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 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

(signed)
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.