

***Case No COMP/M.3012 -
TEBODIN / LOCKWOOD
GREENE / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/01/2003

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16/01/2003

SG (2003) D/228154

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.3012 - TEBODIN/LOCKWOOD GREENE/JV
Notification of 05.12.2002 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 311,
14.12.2002, p. 6**

1. On 05.12.2002, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which Tebodin B.V. (Netherlands), belonging to the BAM group and Lockwood Greene International, Inc. (USA), belonging to the Philipp Holzmann group acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Tebodin Lockwood Greene B.V. by way of purchase of shares in a newly created company constituting a joint venture. The business activities of the undertakings concerned are :
 - for BAM: construction and dredging;
 - for Philipp Holzmann : construction;
 - for Tebodin Lockwood Greene B.V.: engineering and construction services for the realization of construction or development projects.

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. 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, subparagraphs (a) and (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
3. 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.