

***Case No COMP/M.3111 -
P&O PORTS / CMA-
CGM / EGIS PORTS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/05/2003

*Also available in the CELEX database
Document No 303M3111*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28/05/2003

SG (2003) D/229985

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.3111 - P&O Ports/CMA-CGM/Egis Ports
Notification of 28/04/2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89
Publication in the Official Journal of the European Communities No. C 107 of
06/05/2003;page 2**

1. On 28.04.2003, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89¹ by which the undertakings P & O Overseas Holding Ltd (belonging to the P & O group) and the French company CMA-CGM acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Egis Ports SA by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for P & O group: international logistics and transports company with (a.o.) worldwide activities in the operation of container ports and the provision of cargo handling services in ports with an emphasis on stevedoring services and container terminal operations
 - for CMS-CGM: provision of containerized liner cargo shipping services

¹ 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).

- Egis Ports: stevedoring activities in the French ports of Le Havre and Marseilles

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 4064/89.

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