

***Case No COMP/M.3204 -  
MONTAGU PRIVATE  
EQUITY/ACTARIS***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 15/07/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.07.2003

SG (2003) D/230776

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying party :**

Dear Sir/Madam,

**Subject: Case No. COMP/M.3204 – Montagu Private Equity/Actaris**

Notification of 13.06.2003 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>

Publication in the Official Journal of the European Communities No. C 149, 24.06.2003, page 9.

1. On 13.06.2003, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which Montagu Private Equity Limited (“MPE”, UK), jointly controlled by Montagu Management Limited (“MML”, UK) and The Hongkong and Shanghai Banking Corporation (“HSBC”, UK), and Mr Jean-Paul Bize (France) and Mr Clermont Matton (Canada) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Actaris Holding Luxembourg S.A. (“Actaris”, Luxembourg) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for MPE: private equity fund management company ;

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<sup>1</sup> 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.

- for MML: holding company of MPE's managers ;
  - for HSBC: financial and banking services ;
  - for Mr Jean-Paul Bize: manager of Actaris ;
  - for Mr Clermont Matton: manager of Actaris ;
  - for Actaris: manufacturing and distribution of electricity, gas, water and heat metering products.
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 b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.
  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

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.