

***Case No COMP/M.3484 -
ASQUITH / ISIS / JVCO***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 24/08/2004

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

Brussels, 24/08/2004

SG-Greffe(2004) 203662

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Sirs,

Subject: Case No. COMP/M.3484 – ASQUITH / ISIS / JVCO
Notification of 26.7.2004 pursuant to Article 4 of Council Regulation (EC)
No. 139/2004¹
Publication in the Official Journal of the European Union No. C 197,
04.08.2004, page 11.

1. On 26/07/2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Asquith Court Holdings Limited (“Asquith”, UK) controlled by West LB (Germany), a wholly-owned subsidiary of NRW Bank (Germany), and ISIS Equity Partners plc (“ISIS”, UK), controlled by Friends Provident plc (UK), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking JVCo by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for Asquith: nurseries and schools businesses in the UK;
 - for ISIS: investment company holding Kidsunlimited Ltd, active in the nurseries sector in the UK;

¹ OJ L 24, 29.1.2004 p. 1

- for JVCo: nurseries in the UK.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Regulation (EC) No 139/2004 and of paragraph 5, subparagraphs a and c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No139/2004².
 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 (EC) No. 139/2004.

For the Commission

(signed)

Mario MONTI
Member of the Commission

² Adopted by the Commission on 20 July 2004 and available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf