

***Case No COMP/M.3885 -
APAX / BARCLAYS /
TCHENGUIZ /
SOMERFIELD / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 18/11/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.11.2005

SG-Greffe(2004) D/206215/6/7

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.3885 – APAX/BARCLAYS/TFT/SOMERFIELD

Notification of 17.10.2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹

Publication in the Official Journal of the European Communities No. C 264, 25.10.2005, page 9.

1. On 17.10.2005, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings Apax Europe IV (“Apax”, Guernsey), ultimately controlled by the Hirtzell Trust, Barclays Bank plc (“Barclays”, UK) and Tchenguiz Family Trust (“TFT”, UK) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Somerfield plc (“Somerfield”, UK) by way of a public bid announced on 14/10/2005.
2. The business activities of the undertakings concerned are:
 - for undertaking Apax: private equity and investment fund management;
 - for undertaking Barclays: financial services;
 - for undertaking TFT: venture capital and financial investments;
 - for undertaking Somerfield: grocery retail sector in the UK , under the trade names of “Somerfield” and “Kwik Save” .

¹ OJ L 24, 29.1.2004 p. 1.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
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)
Neelie KROES
(Member of the Commission)

² Available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf.