

***Case No COMP/M.4014 -
GLB / LUMINAR / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 18/01/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.01.2006

SG-Greffe(2006) D/200157

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam, Dear Sir,

**Subject: Case No. COMP/M.4014 - GLB/LUMINAR/JV
Notification of 12.12.2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C323,
20.12.2005, p.20**

1. On 12.12.2005, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings Groupe Lucien Barrière S.A.S. ("GLB", France), jointly controlled by the Barrière-Desseigne family, Accor S.A. ("Accor", France) and Colony Capital, LLC ("Colony", USA), and Luminar PLC ("Luminar", United Kingdom) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Waterimage Limited ("Waterimage", United Kingdom) by way of purchase of shares in a newly created company constituting a joint venture.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are:
- for GLB : casinos, luxury hotels and restaurants mainly in France,
 - for the Barrière-Desseigne family: casinos and hotels,
 - for Accor: casinos, hotels, restaurants, services to companies and public communities and travel services,
 - for Colony: property investment,
 - for Luminar : bars, restaurants and late night dancing venues in the United Kingdom,
 - for Waterimage : casinos in the United Kingdom.
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, subparagraphs a and 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 OJ C 56, 05.3.2005 p.32