

***Case No COMP/M.4223 -
MACQUARIE /
WESTSCHEME /
STATEWIDE / MTAA /
ARF / MOTO UK***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 06/06/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06/06/2006

SG-Greffe(2006) D/202939-202943

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.4223 – MACQUARIE/WESTSCHEME/STATEWIDE/
MTAA/ARF/MOTO UK
Notification of 25/04/2006 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C105,
04/05/2006, page 9**

1. On 25/04/2006, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings Macquarie Bank Limited (“Macquarie”, Australia), Westscheme Proprietary Limited (“Westscheme”, Australia), Statewide Superannuation Proprietary Limited (“Statewide”, Australia), Motor Trades Association of Australia Superannuation Fund Proprietary Limited (“MTAA”, Australia) and Australian Retirement Fund Proprietary Limited (“ARF”, Australia) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Moto Hospitality Limited and Pavilion Services Group Limited (together “Moto UK”, UK) both belonging to the Compass Group PLC by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are :

¹ OJ L 24, 29.1.2004 p. 1

- for undertaking Macquarie : banking services ;
 - for undertaking Westscheme : superannuation fund ;
 - for undertaking Statewide : superannuation fund ;
 - for undertaking MTAA : superannuation fund ;
 - for undertaking ARF : retirement fund;
 - for undertaking Moto UK : operation of motorway and trunk road service areas.
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(b) 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
Philip LOWE
Director General

2 OJ C 56, 05.3.2005 p.32