

***Case No COMP/M.4433 -
RREEF / PEEL PORTS
HOLDINGS / PEEL
PORTS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 11/12/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11-XII-2006

SG-Greffe(2006) D/207606

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

Dear Madam, Dear Sir,

**Subject: Case No COMP/M.4433 - RREEF / Peel Ports Holdings / Peel Ports
Notification of 06.11.2006 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 276,
14.11.2006, p.3**

1. On November 6, 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the fund RREEF Pan-European Infrastructure Fund LP (“RREEF”, UK), which is ultimately managed by the Deutsche Bank (“Deutsche Bank”, Germany), and Peel Ports Holdings (Guernsey) Limited (“Peel Ports Holdings”, Guernsey), belonging to the Peel group of companies, will acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control over Peel Ports Holdings (CI) Ltd (“Peel Ports”, UK), by way of purchase of shares. Currently, Peel Ports is solely controlled by Peel Ports Holdings.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are:
 - RREEF: real estate and infrastructure investments;
 - Deutsche Bank: global financial services;
 - Peel Ports Holdings: part of the Peel group which is active in land and property investment and development, including shopping centres, ports and airports.
 - Peel Ports: operation and maintenance of port facilities in the UK and Ireland including the provision of terminal services.
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
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32